

Epworth Magistrates' Court Opens

Pat on the back for hardworking staffer

Criminal cases dominate Chinhoyi

Virtual Court System bears fruit

# THE MIRANDA

## M A G A Z I N E

March 2023

31<sup>st</sup> Edition



Epworth Magistrates' Court official opening



JUDICIAL SERVICE COMMISSION  
Quarterly Newsletter





# Editor's NOTE

## COMPLIMENTS OF THE NEW SEASON TO YOU ALL....

**W**elcome to the first quarter of the Miranda, 2023. I am delighted to share the great milestones achieved by JSC in the first three months of the year. The Legal year opening running under the theme '*Promoting Competence and Quality of Service to Enhance Public Confidence in the Judiciary,*' was successful without any glitches. In February, the implementation of the IECMS second phase was also a resounding success. The members of the public and the Lawyers have embraced the change and some of the Lawyers are patiently waiting for the IECMS to be implemented in the High Court and the Magistrates court which the Commission is currently working on.

Staff welfare has always been a priority in the JSC. The canteen in Chinhoyi is serving the staff members and more canteens will be opened at different courts across the country.

Hard work does not go unnoticed in the JSC. Mrs. Maunganidze an Assistant Registrar in the High Court was commended by the commission for outstanding performance. Kudos to Mrs. Maunganidze. I hope most of

us will emulate her.

On a sad note, the JSC was plunged into mourning on Christmas Day following the death of High Court Judge, Justice Elijah Makomo. During his lifetime, Justice Makomo always delivered his best. He was a friend to many, brother to some but an enemy to none, he will always be remembered.

We value your feedback as it helps us improve our magazine. Kindly share with us on [krusakaniko@yahoo.com](mailto:krusakaniko@yahoo.com) and please don't forget to like and follow us on facebook, twitter and our JSC website.

**Enjoy your reading!**

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## MIRANDA TEAM

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# From the Secretary

Mr. W. T. Chikwana

Welcome to 2023!

**We** are almost halfway through our 2021-2025 strategic period, and it is necessary to take a step back to examine ourselves as an organization; and to test how we have fared in the past two years while we carve the next half.

To do so, allow me to briefly take you back down the memory lane.

When we commenced our strategic journey in 2012, at the core of our strategy was improving access to justice for the people of Zimbabwe. Coming against a backdrop of very sparse court facilities, our main thrust then was increasing the number of court stations throughout the country. This has informed our various projects since then, which have seen the increase in the number and places of court stations, including the increase in the number of High Court seats from 2 to 5; the construction of more than thirty new Magistrates' Courts, the establishment of the Supreme Court Circuit in Bulawayo and the decentralization of the Sheriff's office, to mention but a few.

In our 2021-2025 strategic plan, we made a conscious and deliberate decision to transform the Judiciary. Now that we had continuously made an effort to get the numbers right, it became necessary to shift our focus to also getting the quality of justice right.

It is through that Strategic Plan that we have made phenomenal changes in the Judiciary, including the establishment of the Judicial Training Institute of Zimbabwe in 2021. This is our training hub solely focused on training, mentoring and coaching members of the judicial service.

In 2022, we introduced the Integrated Electronic Case Management System in the Constitutional Court, the Supreme Court, and in the first paperless court in Zimbabwe, the Commercial Division of the High Court. This Division is our 2022 brainchild.

The first quarter of 2023 has seen the introduction of the system in the Labour Court and the Administrative Court. It has seen the commissioning of the first township court in Zimbabwe, the Epworth Magistrates'



Court and the opening of Chimanimani Magistrates' Court as a Resident Court. It has also hosted part of the inaugural Magistrates' National Conference which began on 30 March 2023.

This being the first edition of 2023, it is necessary for me to share my vision for the year ahead with you. This vision is informed by the broader JSC vision of a Zimbabwe in which world class justice prevails and the theme for this year which is 'Promoting Competence and Quality of Service to enhance public confidence in the Judiciary'.

My vision for this year is for us to reinvent ourselves. Admittedly, we have recorded many positives in the years gone by, but we should hunger for more. The best is yet to come. We are not yet there.

I look forward to a team that surpasses its limitations and reaches for uncharted territories. I look forward to a change in the way we have done business. I look forward to a shift in the manner we think and apply ourselves. This is the only way we can do better than we have done before. This is the only way we can enhance public confidence in us.

This year, I am looking forward to introducing the IECMS to the High Court, the Sheriff's office and the Magistrates Court. I also look forward to establishing Resident courts at places like Cowdray Park, Emganwini, Kanyemba, Dete, Brunapeg, Chikombedzi, Nembudziya and Guyu.

I look forward to finishing construction projects at Gwanda, Chiredzi, Mutawatawa and Kwekwe.

I am looking forward to upping our game in terms of training, staff welfare, and staff wellness.

Most importantly, I am looking forward to a team that thrives to serve Zimbabwe better, with passion and commitment. You are that team. You are the vital ingredient that I am looking forward to working with. The journey may get a bit rough. It may become tiring along the way. There may be disappointments. But, whatever it takes, together, we must ensure that the vision and theme become a living reality. No matter what happens, the journey must go on. I look forward to partaking the 2023 journey with you.

Here is to a successful, prosperous and fulfilling 2023.

# Epworth Magistrates' Court Opens



*The new Epworth Courthouse*



*His Excellency, President Mnangagwa addressing the gathering in Epworth*



*Chief Justice Hon. L. Malaba shows off the symbolic key*

Fortious Nhambura and Payidamoyo Nyoka

**E**pworth Magistrates' Court opened its doors to the public this quarter bringing relief to the people in the sprawling high-density suburb, who were being forced to travel to Harare to seek justice.

The court was officially opened by His Excellency, President Mnangagwa, during an occasion witnessed by scores of residents of the suburb.

Officially opening the court, the President said, "the completion of this court is a reflection of our commitment to take justice closer to the people. This is in keeping with our development mantra which entails implementing development programmes and projects which leave no one and no place behind.

"A strong, efficient, and well-functioning judicial system plays an important role in underpinning economic development and improvement to the quality of people's lives."

President Mnangagwa said courts were important institutions in the fight against drug abuse and other crimes. Speaking at the same occasion, Chief Justice Honourable Luke Malaba said the opening of Epworth Magistrates' Court signalled an era that would see the Judicial Service Commission decentralising court services to the country's most densely populated townships.

"Epworth Magistrates' Court is an important step in the Judicial Service Commission's responsibility to ensure the provision of quality service to the public and the execution of its constitutional mandate

to enhance access to justice.

"The commissioning of courthouses throughout urban townships in the country, starting with Epworth today, ensures that justice systems are readily available to accommodate people's needs," Hon Malaba said. He said the opening of Epworth Magistrate's Court was a clear testimony of the Government's interests to ensure the rule of law.

"Accordingly, the rule of law cannot be sustained in the absence of mechanisms that guarantee easy access to justice.

"Access to justice gives rise to enhancement of the rule of law when interested parties have the ability and capacity to access independent and impartial judicial systems for the determination of their disputes," Hon Malaba added.

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# Use social media responsibly: CJ



Chief Justice Hon. L. Malaba

***“The use of social media and other mediums to challenge judgments against legal practitioners’ clients is unethical and adds no value to jurisprudential development and the integrity of justice delivery system,”***

By Fortious Nhambura and Payidamoyo Nyoka

The Chief Justice of Zimbabwe, Honourable Luke Malaba has warned some legal practitioners and other court users against insulting judicial officers and castigating court decisions on social media platforms saying such unethical conduct undermines public confidence in the judiciary.

Officially opening the 2023 Legal Year in Harare, Hon Malaba said it was unethical that some legal practitioners

were using social media and other channels to attack court decisions and not following available legal remedies.

“The use of social media and other mediums to challenge judgments is unethical and adds no value to jurisprudential development and the integrity of justice delivery system,” he said.

The 2023 legal year is running under the theme, ‘Promoting competence and quality of service provision in the Judiciary to enhance public confidence’.

Hon Malaba said it was



**...it was regrettable that some legal practitioners were resorting to social media or assembling Press conferences to castigate a court decision and insult the judicial officer whose judgments would have gone against their client.**

regrettable that some legal practitioners were resorting to social media or assembling Press conferences to castigate a court decision and insult the judicial officer whose judgments would have gone against their client.

“While constructive and measured criticism of court decisions are welcome and encouraged as they add value to jurisprudential development, scandalous attacks on the integrity of judicial officers undermine public confidence in the Judiciary,” he said.

He reminded legal practitioners that the role of the courts was not to please individuals but to fulfill the mandate of the law.

Hon. Chief Justice Malaba said although cooperation between state entities is encouraged to enhance efficiency in the criminal justice system, the independence of the Judiciary must be respected following

the constitutional doctrine of separation of powers.

“Where the Judiciary makes a decision on a matter, whether it is the granting of bail or refusal to do so, or whether it is the conviction of a suspect or his or her acquittal in criminal proceedings, it would be highly improper for other institutions to purport to interfere with the process or make extra-judicial comments imputing corruption in the Judiciary.

“When a trial takes place, it is also a constitutional imperative that the suspect goes through a fair trial. Whether the person is convicted or acquitted, that is justice at work,” he said.

Granting of bail to an accused person, Hon Malaba added, was legal and constitutionally provided for process, not to be derogatively dismissed as a “catch and release” procedure.”

He said the Judicial Service Commission is equipping its members with the requisite skills and knowledge to execute their duties competently.

“Competence and quality of service provision are equally important constitutional requirements. Failure to meet the standards of competence and quality of justice delivery system would undermine efforts to build and maintain

public confidence in the Judiciary,” he said.

Justice Malaba said the Judicial Service Commission had ensured prompt response to inquiries by court users and efficient processing of files in the courts.

“As such, time taken between the filing of a matter and setting it down for hearing has been remarkably reduced in the Constitutional Court and the Supreme Court.”

Previously a matter filed in these courts would take up to three years or more to be heard but that has since been reduced to between six and nine months.

The Chief Justice also noted achievements of the Commission last year that included among others;

- Opening of the Commercial Court, a division of the High Court tasked with dealing with commercial cases.
- Launch and operationalization of the Integrated Electronic Case Management System and digitization of courts.
- Holding the Kadoma Sentencing Conference meant to bring uniformity and consistency to sentences imposed by courts.
- Refurbishment and rehabilitation of courts.
- Training of judicial officers and the procurement of resources necessary for the proper administration of justice.
- Commissioning of the Lupane Magistrates’ Court.

# JUSTICE ON THE STOOP FOR CHIMANIMANI FOLK



*Chimanimani Court staff members pose for a group photo*

By Tarisai Mafura

**C**himanimani district now has a permanent magistrates' court, which opened on February 1 this year.

All along, Chimanimani used to have a circuit court where a magistrate would drive once a week from Chipinge to hear civil and criminal cases.

As part of the Judicial Service Commission's (JSC) decentralisation drive, a courthouse was refurbished in Chimanimani. A magistrate and support staff were deployed permanently at the new Chimanimani Magistrates' Court with a view to bring justice to the people.

The JSC is striving to bring courts closer to the people across the country and this is in line with the Second Republic's thrust of leaving no one and no place behind towards the attainment of an upper middle-income economy by 2030.

The circuit court sittings (once a week) were not adequate to deal with the rising crime rate in the district. That prompted other litigants to travel long distances to either Mutare or Chipinge to access the court.

Speaking during a tour of the new court recently, JSC Secretary Mr. Walter Chikwana said the Commission would not rest until every district has at least a courthouse.

"We intend to decentralise courts in areas such as Matabeleland South, Mashonaland Central and Matabeleland North. Our aim is to lessen the distance people travel to access the nearest court station," said Mr. Chikwana.

Plans are also afoot for the establishment of the High Court in all the country's provinces, said the JSC Secretary.

He added, "We are currently seized with the construction

of the magnificent Gwanda court complex in Matabeleland South which is set to be the sixth High Court in the country."

Statistics show that Chimanimani Magistrates' Court, in its first month, received 27 civil cases and eight criminal cases.

The pioneer Resident Magistrate for Chimanimani Mr. Hillary Ndlovu hailed the JSC's decision to establish a permanent court in Chimanimani.

"All barriers to access justice have been removed. There is general contentment and fulfilment for the district to have a permanent court," said Mr. Ndlovu.

A litigant from Rusitu, Ms. Emily Dembo thanked the authorities for bringing the magistrates' court closer.

Chimanimani had a circuit court prior to the establishment of the resident magistrates' court on the 1st of February 2023.

# PAT ON THE BACK FOR HARDWORKING STAFFER

It is the norm in the Judicial Service Commission (JSC) that outperforming employees are acknowledged for their work and effort.



By Nesbert Zengeni and Shepherd Chibune

When employees are rewarded for their contributions, they have pride of ownership and are willing to work more than hard on their next task. Rewarding and recognising an employee leads to greater employee engagement, which increases retention and helps create a hardworking culture. It is the norm in the Judicial Service Commission (JSC) that outperforming employees are acknowledged for their work and effort. This was seen in the case of Mrs. Mary Grace Maunganidze,

who was given a small token for a job well done by the Chief Registrar, Ms Anita Tshuma on 25 January 2023. The event took place at the High Court in Harare where Mrs. Maunganidze is stationed.

She is an Assistant Registrar in the Civil Division of the High Court.

The Chief Registrar of the Superior Courts, Ms. Tshuma stated in her letter of appreciation that Mrs Maunganidze was outstanding in ensuring the clearance of dormant files that had clogged the court system.

“This is to acknowledge the hard work you (Mrs.

Maunganidze) have been putting in taking a lead on clearing dormant files in the Civil Registry. Your effort is greatly appreciated,” reads Ms. Tshuma’s letter to Mrs. Maunganidze.

Mrs. Maunganidze thanked her subordinates for cooperation in carrying out the exercise of clearing dormant files. Mrs. Maunganidze, who is always presentable and submissive to her superiors, encouraged her team members to be dedicated to duty and to be loyal to the superiors. She also

called for teamwork.

“This was a result of hard work and teamwork. We must continue working together as a team for success. We must respect our leaders and be dedicated to duty,” said Mrs. Maunganidze.

Letters of commendation and recognition help employees understand that their organisation values them and their contribution to the success of their team and organisation in overall. They also help employees build a sense of security and their value to the organisation, motivating them to continue working hard.

# Epworth Magistrates' Court Opens



He said the Judiciary is playing its part in addressing the historical inequalities in the provision of judicial services by bringing justice to the residents of hitherto marginalised areas of the country.

The Honourable Chief Justice applauded the Government for its financial support that has ensured that the justice sector operates efficiently and effectively.

The associated travelling costs of litigation will be greatly reduced by the availability and accessibility of court services in the neighbourhood.

The courthouse consists of two courtrooms, a witness shed, ablution facilities, a police post, and a cell block available for those awaiting

trial. The cell block is divided into three cells - the first is for women, the second for men, and the last for juveniles.

Minister of Justice, Legal and Parliamentary Affairs, Honourable Ziyambi Ziyambi applauded the JSC for taking its role in the dispensation of justice seriously.

“Your win is my win and therefore, this is our win. May I also congratulate the Judicial Service Commission for a job well done and for completing this project in record time,” he said.

Harare Metropolitan Provincial Affairs and Devolution Secretary Tafadzwa Muguti welcomed the completion of Epworth Magistrates' Court saying the court represented a new era for the residents of

the community.

“Residents no longer need to travel to either Harare Magistrates' Court or Mbare Magistrates' Court to seek justice and resolution of their disputes.

Justice is now a new resident of Epworth! We welcome the Judicial Service Commission's decentralization drive,” Mr. Tafadzwa Muguti said.

The opening ceremony was also attended by Vice President and Minister of Health and Child Care, Dr. Constantino Chiwenga, Minister of Defence and War Veterans Affairs Honourable Oppah Muchinguri, and Deputy Minister of Local Government and Public Works Honourable Marian Chombo.

Fortious Nhambura and Nombulelo Hleza

“No nation (organisation) can rise to the height of glory unless your women are side by side with you,” former Pakistan founder Mohammad Ali Jinnah said, more than seven decades ago.

These words are most relevant today for any organisation seeking to provide a decent service to its clientele.

The Judicial Service Commission (JSC) has not been found wanting. It has fully embraced national calls for women’s inclusion in decision-making positions.

As the world celebrated women’s day in March, we took stock of the incredible milestones by JSC in empowering women. The celebrations were running under the theme, “*Digital: Innovation and technology for gender equality*”

Over the years, JSC has prioritised gender equity, making it easy for the girl child to penetrate the organisation now, more than before.

Statistics provided by the human resources department show that of the 2007 JSC employees, 1095 are female, translating to about 55 percent. This is reflective of the recent population statistics that say women make up 53 percent of Zimbabwe’s population.

To its credit, women now hold senior management positions. These include the Deputy Chief Justice, Judge President, Chief Magistrate, Chief Registrar, Head of Policy and Legal Services and Head of Judicial Training Institute of Zimbabwe among other senior positions in the organisation.

In the magistracy, JSC boasts of an equal number of male and female senior regional magistrates, two each. There are



*Women Judges pose for a group photo recently in Masvingo*

20 female regional magistrates and 39 provincial magistrates compared to 17 males and 26 males respectively.

The organisation has 111 female magistrates that also include the Chief Magistrate and Principal Administrator in her office. There are 9 female trainee magistrates out of a total of 14.

Head of Policy and Legal Services, Ms. Bianca Makwande lauded the JSC leadership for nurturing and rewarding brilliant women within its ranks.

Ms. Makwande, who rose through the ranks from a junior magistrate to Deputy Chief Magistrate, said there is no discrimination against women in JSC.

“I must applaud the JSC’s gender equality policy. There is a fair representation of women in the organisation. We have more than 5 women heading different departments in the JSC.

“The support that we have been getting from our peers and the Secretary has made our space comfortable,” she said.

She urged aspiring women leaders to have a clear plan of what they want to be if they are to make it in the world.

“Career and personal setbacks must fuel your road to success,” she added.

Chief Registrar Ms. Anita Tshuma said: “I believe over the years the organisation has evolved from a fairly male-dominated one to a fairly gender-balanced one.

From the Judges to the staff, it is clear that there have been more efforts to create and achieve gender balance.

I hold one of the most influential positions within the organisation, and the fact that it is held by a woman signifies the strides that have been taken to make the organisation more inclusive.”

Ms. Tshuma encouraged women to take up leadership roles and shine whenever they got an opportunity. A young woman within the organisation said she was proud to be associated with a company that values women like the JSC.

“There are indeed equal opportunities for both genders here. That we have women holding senior position in the Commission shows that JSC is serious about the empowerment of women,” she said.

Equal opportunities for both genders in the JSC dovetails with the country’s constitution which provides for equal representation of women and men in all positions.

# WATER WOES HAUNT ESIGODINI MAGISTRATES' COURT

By Tarisai Mafura

**E**sigodini Magistrates' Court has been hit by water shortages, a situation that has seen staff drawing borehole water from nearby institutions.

Water rationing instituted by the Zimbabwe National Water Authority (ZINWA) and the intermittent supply of dirty water compounded the water crisis.

The Judicial Service Commission (JSC) has intervened with measures aimed at curtailing a ticking health time bomb at the court station.

A borehole has already been drilled and the contractor is working on the finishings.

In an interview with *The Miranda*, Esigodini Resident Magistrate Mrs. Nomagugu Sibanda said insufficient water supply adversely affected court operations, posing a health hazard to staff members and litigants.

"Borehole water drawn from neighbouring institutions like Environment Management Authority (EMA) and District Development offices is not adequate to sustain the whole station," said Mrs. Sibanda.

Mrs. Sibanda said ZINWA has attributed water challenges to burst pipes and financial constraints.

JSC Head of Administration Mr. George Madzikura said, the contractor was now working on the borehole fittings.

He also intimated that the JSC is committed to stemming water shortages by drilling boreholes.

As has been exclusively reported in the previous *Miranda* edition, a total of 26 boreholes have been drilled to date across the country.

JSC Secretary Mr. Walter Chikwana has also called for consistent water supply to court stations.



*JSC employee ferrying water to Esigodini Court*



*JSC employees drawing water from a nearby borehole*

# “Meet the CJ tours” boost employees’ morale



*JSC Secretariat staff listening to the Chief Justice's address*

Fortious Nhambura

Chief Justice Honourable Luke Malaba this quarter, took time from his busy schedule to visit and interact with the Secretariat at the Judicial Service Commission (JSC) head office in Harare.

The Chief Justice also took the opportunity to assess the working environment, shake hands and interact with staff members in a relaxed manner before hosting them for lunch.

Speaking after the tour of the JSC head office in Harare, the Judiciary boss said he was interested in the welfare of the employees and had set 2023 as a year for the Chief Justice to meet employees in the organisation.

“Whatever level you occupy in JSC you are very important. “I cannot survive without you. I can’t lead without each one of you doing well. “If any link becomes weak the whole chain breaks up. View this thing not as an individual but as a group, as an organisation. Be proud to belong to the JSC,” he said.

Hon Malaba said employees needed to be upright as they were a reflection of the operation of the law.

“We need to be upright ourselves. When you are in JSC, you are my angel. You are the people who represent me. Even if I am not there you must understand that the Chief Justice is everywhere. I want you all to act lawfully. You must fear the law first, then you know you represent the Chief Justice,” he said.

Hon Malaba took time to shake hands with all the staff at the JSC secretariat and to meet them in their respective workstations.

“When I was greeting you, I was seeing something beyond you. I care about what you do. That is why I am here, to give you motivation, that encouragement that you have a leader that cares about you.

“How you perform matters most. I am meeting you as part of this exercise. I have met judges of all the courts, I have met you as members of staff and later this month the magistracy.

“We will be meeting members of the magistracy next and then end up with a “Judiciary Leadership Indaba”, for the leaders to understand what I want and where we are going as an organisation,” he said.



*Chief Justice Hon. L. Malaba and JSC Secretary Mr. W. Chikwana*

The Chief Justice had a word of advice to accounting officers saying they should run away from the temptation of abusing resources.

“Do not look at the money, look at what you are supposed to do with the money. You are supposed to send the money to where it is supposed to go, to build Mtawatawa Magistrates Court, Mberengwa Magistrates’ Court, or buy a car for the other magistrate. If you steal the money there is no Mtawatawa, there is no Mberengwa, and there is a humiliation to us all. We all suffer disgrace.”

JSC Secretary Mr Walter Chikwana thanked the Chief Justice for the visit saying it would go a long way in motivating staff.

He said he was proud to lead a brilliant and vibrant team whose work has seen the country’s Judiciary execute its mandate efficiently.

“I want to thank you the Chief Justice for the visit. I want to apologise for inviting you late. It is entirely my fault.

“Chief Justice, this is a brilliant team, that works very hard and are not clock watchers. They perform their functions very well and efficiently that’s why you see all courts fully operational every day,” he said.

# Justice Makomo, a shining star that burned out: JP



*The late Honourable Justice Makomo*

**“Justice Makomo will be remembered most for an excellent work ethic and as a brilliant and intelligent judge...”**

By Payidamoyo Nyoka

**T**he late Honourable Judge of the High Court, Justice Elijah Makomo was an astute legal mind, a man of unshakable integrity and a shining star that burned out too soon.

This is the summation of a man with great legal potential but whose life was cut short.

Justice Makomo died at the Avenues Clinic on 25 December 2022 at the age of 44.

He is sorely missed in legal circles and particularly in the Judicial Service Commission, his “adopted family”.

The late judge was a legal champion whose intellectual prowess would be greatly missed. In a statement following his

untimely demise, JSC described Justice Makomo “as an avid reader and a sharp legal mind who contributed a lot in the development of our jurisprudence.”

He had a keen interest in the law, two post-graduate degrees to his name and had embarked on a Doctorate in Corporate Law at the time of his death.

Justice Makomo joined the Ministry of Justice, Legal and Parliamentary Affairs as a magistrate in 2005 and rose through the ranks in the magistracy.

He was appointed Registrar of the High Court from 2012 to 2013 before being promoted to Deputy Chief Magistrate in 2018.

In 2019, Justice Makomo

became Chief Registrar of the Superior Courts,

In 2020, he was appointed the JSC Head of Policy and Legal Services before being appointed a High Court Judge in 2021.

He worked directly under supervision of the Judge President, Honourable Mariaimba Dube.

The Judge President indicated that the late Judge will be remembered as a hardworking and goal-oriented man with excellent work ethic and a person of unshakable integrity.

“Justice Makomo will be remembered most for an excellent work ethic and as a brilliant and intelligent judge. His colleagues speak highly of him,” said the Judge President.

She added that Justice Makomo was a “shining star that burned out too soon”.

“He was one of the most promising judge on the bench. He did not get an opportunity to grow and flourish as a judge. His death is a great loss to the judiciary and legal fraternity,” she added.

The Judge President said: “The death of Justice Makomo is not only a loss to his family but to the family of judges, the judiciary and the legal fraternity. The family of judges has lost a colleague, brother and friend whom they loved.

“We should be inspired by his approach to work. May we all take comfort in the fact that Justice Makomo served his country well, with dignity and honour during his tenure as a judge.”

# MORE MAGISTRATES COURTS FOR MATABELELAND NORTH

**“The Judicial Service Commission is considering opening Resident Magistrates’ courts at places such as Dete and Kamativi...”**

By Tarisai Mafura and Isaac Siyakwiye

Matabeleland North province’s court stations are not adequate to service the province and there is need for establishment of more courthouses, Deputy Chief Justice Mrs. Elizabeth Gwaunza has said.

Currently, the province has four court stations in Victoria Falls, Hwange, Binga and Lupane.

The Judicial Service Commission (JSC) is determined to make justice accessible to everyone. A number of infrastructural projects are at different stages of completion across the country. Officially opening the 2023 legal year in Bulawayo recently, DCJ Gwaunza underscored the need to build more magistrates’ courts in Matabeleland North province. She said the four operational magistrates’ court stations are inadequate to deliver service to the large population in the province.

“The stations are insufficient to serve the interests of the large population located in the province. The people in the province have to resort to travelling for long distances at a time in order to access justice,” said DCJ Gwaunza.

She said the JSC is considering

to open resident magistrates’ courts in Dete and Kamativi.

“The Judicial Service Commission is considering opening Resident Magistrates’ courts at places such as Dete and Kamativi. The institution of the modalities for opening an additional court in the province is to be undertaken without delay,” added the Deputy Chief Justice.

The Acting Chief of Lupane, Mr. John Mabhikwa Khumalo, hailed the JSC’s plans to construct more

courthouses in Matabeleland North province.

“If JSC’s plans to build more courthouses in Matabeleland North materialise, it will be an impressive development. Building courts in places like Dete, Kamativi, Siabuwa and Lusulu will greatly lessen the burden of travelling long distances to access courts,” Acting Chief Khumalo said.

Mr Albert Mudimba from Milonga village, Jambesi, said the envisaged construction of more court stations in the province is long overdue, adding that the development will ease court accessibility challenges that are currently besetting the province. “The court is needed in areas like Jambesi because we are too far from the nearest court, which is about 120 kilometers away. Accessing courts is costly. I, therefore, welcome the initiative which will greatly assist people to access the courts easily,” Mr. Mudimba said.



Deputy Chief Justice Mrs Elizabeth Gwaunza

# ZAMBADA RETIRES AFTER 35 YEARS OF SERVICE



*Mr. Zambada (2nd from left) and Mrs. Guwuriro show-off farewell present*

By Tarisai Mafura

Commitment to duty, honesty and hard work aptly describes Mr Simukai Zambada, who retired from the Judicial Service Commission (JSC) in the first quarter of 2023 after 35 years of service.

Mr Zambada, who was an Administration Officer based at the Harare Magistrates' Court, retired on January 27, 2023.

His colleagues threw a farewell party to celebrate his contribution to justice delivery.

Bidding farewell to Mr. Zambada, the Acting Principal Administrator in the Chief Magistrate's Office Mrs. Vongai Guwuriro described Mr Zambada as a team player and a father figure who had superb leadership skills.

"Mr. Zambada is a father figure and is also grounded in the word of God. He tackled work-related challenges head on, it was a pleasure working with him as he never said no to any given task and he had good leadership skills," said Mrs Guwuriro.

In an interview with The Miranda, Mr. Zambada urged fellow JSC staff members to be efficient and diligent in executing their duties with a view to continually propel JSC to higher dimensions.

"There is need for staff members to persistently discharge their duties efficiently and diligently to



*Mr. Zambada and JSC staffers cut the farewell cake*

propel the JSC to greater heights. Dedicated, skilled and hard-working staff members competently deliver services and meet the aspirations and demands of the members of the public," Mr. Zambada said.

Commenting on the secret behind his clean record in the civil service, Mr. Zambada said he conformed to traits such as honesty, reliability, punctuality and diligence, to name just but a few. JSC staff members presented Mr. Zambada with an assortment of farewell gifts.

Mr. Zambada is venturing into commercial farming after an illustrious career in the civil service.

# VIRTUAL COURT SYSTEM BEARS FRUIT



By Tarisai Mafura

**The** country's virtual court system is now a year old and it's beginning to bear fruit.

Since its inception last year, the Chief Magistrate's office recorded a drastic reduction of the backlog of cases among other benefits.

The system is proving to be an absolute solution to court case backlogs and high traffic that used to nag the courts.

The virtual court system marked a year on the 7th of February 2023.

In an interview, the Chief Magistrate, Mrs. Faith Mushure said the virtual court system improves efficiency and reduces congestion at the court holding cells and the courthouse.

She added that it minimises the risk of Covid-19 transmission since inmates now appear before courts virtually.

"The virtual court system addresses the delays that come with the non-appearance of inmates to courts due to transport woes at Zimbabwe Prisons and Correctional Services.

"The system also reduced the risk of Covid-19 transmission between court staff, inmates and relatives of inmates," Mrs. Mushure said.

Timely court sittings also immensely improved the rate of dealing with cases leading to the drastic reduction of backlogs.

The virtual courts were initially operationalised at the Chinhoyi Court Complex, Bindura Magistrates'



*Chief Magistrate Mrs. F. Mushure*

Court, Marondera Magistrates' Court and Harare Magistrates' Court in February 2022.

The system was launched at Bulawayo, Masvingo, Mutare, Hwange, Gweru and Gwanda magistrates' courts in July 2022.

Mrs. Mushure said all provincial stations are now equipped with virtual court equipment.

She added that the virtual court system will be available at all magistrates' courts in Zimbabwe once the Integrated Electronic Case Management System (IECMS) is launched in the magistrates' courts.

The law currently allows the use of the virtual court system for remands and bail applications.



By Commissioner Nokuthula Moyo

**T**his is not an academic work. I have not carried out any scientific research into the subject of sexual harassment. I have simply talked to a few men and women who do not want either their names or their stories told, and I have reached a certain mindset on the matter. It is simply my thoughts on the subject which I present here with the hope that I might spur open debate on the subject.

One dictionary defines sexual harassment as 'behaviour characterised by the making of unwelcome and inappropriate sexual remarks or physical advances in the workplace or other professional or social situation.'

Generally speaking, we tend to consider sexual harassment as being perpetrated by men against women, and I personally believe that is the most usual thing.

I have no doubt in my mind that women can also be aggressors, but this particular article discusses behaviour exhibited by men against women as that

## “LET’S FIGHT SEXUAL HARASSMENT

# in the legal fraternity”

is what is topical in legal circles. Most complaints I have heard of are about male lawyers in senior positions taking advantage of young female lawyers, and it is that situation I have in mind. In discussions about sexual harassment with male colleagues, I often hear it said that sometimes young women throw themselves at men. I will start with that issue. I believe there are at least two scenarios where young women throw themselves at men. The one which is most common nowadays is when young women throw themselves at men for financial gain.

Social media is awash with videos and photographs of pretty young women canoodling with older men, some of whom look as if they have just one foot outside the grave. These are presumably poor young women who latch onto a man, any man, who can provide for their financial needs and wants. Such men do not consider this scenario to be sexual harassment. They believe it to be a fair bargain both parties get what they want out of the canoodling. It seems to me, however, that when young women throw themselves at men for money, that is still sexual harassment. When men are willing to use their money to attract and retain young women, they are being sexually abusive.

The second scenario is when a young woman is so blinded by admiration for an older man that she does not notice that she is walking into a sexual trap. This usually happens with men who are accomplished and respectable. A young woman might be so full of admiration for her lecturer, her coach, her pastor, her boss, or some other male figure who in her eyes is wonderful and has achieved much, that she is genuinely flattered when he pays attention to her. Such men are usually 'father-figures' who are trusted by the young women. It is usually after the damage is done that the scales fall off the young woman's eyes and she realises what has happened. When an older man who knows better takes advantage of a young woman's admiration or infatuation, this too, amounts to sexual harassment. I have heard of male colleagues in the legal fraternity who got into relationships with

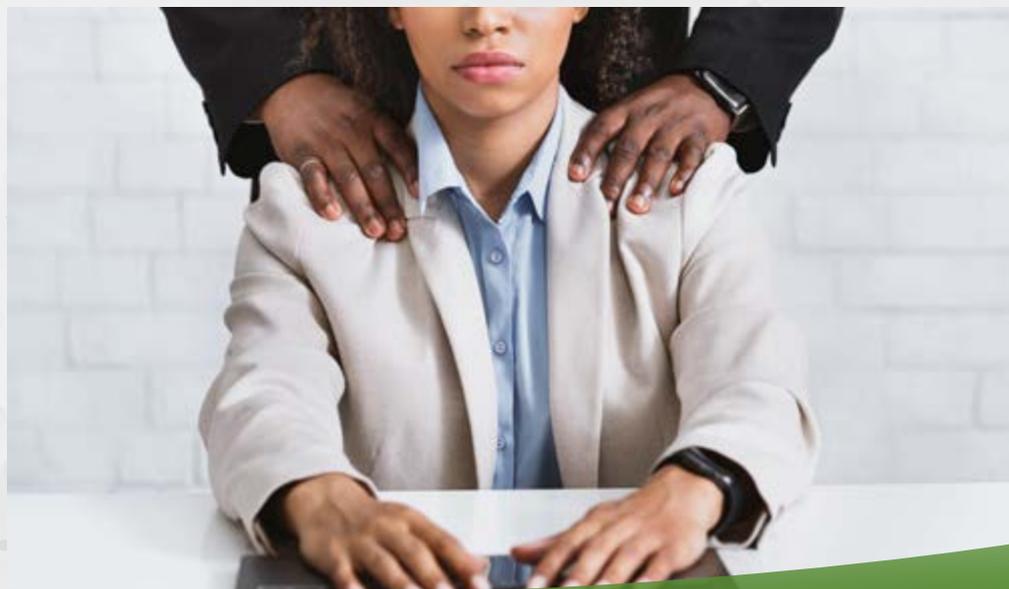
**A respectable lawyer should be able to handle the attentions of admiring young lawyers and not take advantage of the admiration. Self-control is a virtue.**

their interns or their associates and blame the young women for throwing themselves at them. A young woman may well be so blinded by a lawyer's legal skills and oratory that she may feel honoured if he pays her sexual attention. It usually ends in tears.

A respectable lawyer should be able to handle the attentions of admiring young lawyers and not take advantage of the admiration. Self-control is a virtue. I said this to a male colleague once, and his reply was, 'My sister, you are not a man, you do not understand.' These are the two scenarios I am aware of where young women throw themselves at men. Then there are situations where men are the aggressors but they think the women are consenting. One classic situation is where a man who is higher up the corporate ladder makes advances on a woman in circumstances where she fears losing her job if she resists. The threat of losing a job may be express or perceived. If a woman 'agrees' to a sexual liaison out of fear, that is not consent. There are also situations where a woman applies for a job or attends a job interview and she gets the impression that if she agrees to a sexual liaison with the prospective boss she will get the job. She 'consents' to a sexual liaison in order to secure the job. That is sexual harassment. Sometimes a woman in a workplace gets the impression that she will only get certain benefits if she allows her boss to benefit from her body. There are workplaces where a small number of men are sleeping with so many women at the workplace. Only women who grant sexual favours to the bosses get promoted. Or they are taken on work-related trips purely for the sexual gratification of the boss rather than on merit. A woman who 'consents' may get a company car when others do not get it, or a better model car than others. In these circumstances, the woman's 'consent' is driven by her need for job security rather than a mutual desire. This is particularly aggravated by the fact that the men

are not even using their personal resources to lure these women, but they are abusing their office and misappropriating the employer's resources to gain sexual advantages.

Sexual harassment in these circumstances may border on criminality. This form of sexual harassment is harder to dismantle because the men involved are also protecting their jobs. Their hold on the workplace tends to be a vice-like grip, and even starting a conversation on sexual harassment will be resisted. Then there are situations of classic harassment where the men do not even bother with trying to get any kind of consent from a woman. There are men who touch or grope women at will and with impunity. There are men who fondle women's breasts or pat their bottoms at will, and they think women should not complain about such things. Such men, finding an opportunity, will also rape women and then gaslight them. Many women in such situations will suffer in silence. If it came out that they had been 'intimate' with the boss, regardless of the circumstances of that encounter, they would lose their marriages and maybe even their children. The terrified silence of a woman in this situation often gives the abuser unlimited impunity. These are my few thoughts on sexual harassment of the nature we are faced with within the legal fraternity. It is time we tackle the subject. Men need to understand that women live in fear of men because of their superior physical strength. Men need to understand that 'consent' which is a result of coercion of any kind is not consent. The ideal situation is simply to keep sex out of the workplace, unless the workplace be a brothel. Somebody said to me recently, that it is difficult to deal with private issues. There should be no private issues in the workplace. The workplace is a public space, and we should all keep our private inclinations out of it.





Honourable Deputy Chief Justice Mrs Elizabeth Gwaunza

## Gender equality: The fight rages on!

Fortious Nhambura

**It's not yet uhuru.**

# The

fight continues. The battle for women's emancipation and gender equality will not end soon. This summarises the thoughts of someone who has been in the trenches for long.

The Honourable Deputy Chief Justice (DCJ) Mrs. Elizabeth Gwaunza said, "All we can do is to fight, pass on the baton to young women who still have energy to fight till tired, and pass on to the next generation.

The inequalities are so entrenched. They are going to continue for a long time."

When they started the fight for women emancipation in Zimbabwe, they understood that prejudice against women, oppression, discrimination, the inequalities would go on for a

long time. It needed a brave heart.

Their only hope was and is "that equality can be achieved."

This calls for women to unite and be resolute.

"As we celebrate the women's month, women must believe in themselves, have confidence and pursue whatever a dream they have. They must not say that (career) is not for women; I must be a nurse or a teacher; when in actual fact, one desires to be an engineer or pilot.

"I say go for it and break the ceiling," she declares.

She said there are so many problems affecting women in life but It is important to value themselves.

She reckons that the socialisation process disadvantages the girl child and actually instils in them a sense of inferiority but it is the women who "must crack the shell."

Hon. DCJ Gwaunza has seen it all in the legal and justice system for 40 years.

Graduating from the Faculty of Law at the then University of Rhodesia in 1977, Justice Gwaunza joined Ministry of Justice, Legal and Parliamentary Affairs as a legal officer, moved to the Deeds Office and later transferred to Ministry of Home Affairs.

At independence, she headed the department of Legal Affairs in the Ministry of Women's Affairs for 10 years.

"Our main task in the ministry was bringing equality between men and women. Remember back then, women were still regarded as minors in all sectors of life. The thinking was after the war, in which women fought side by side with men, women could not continue to be seen as minors," she said.

The ministry was tasked with addressing among others, the inheritance law, customary law, property rights, the income tax regime and she did not fail.

"We went all over the country



talking about women's rights and advocating for changes in the law. That is how we got the Legal Majority Act and the reforms to the Marriage Act. We laid the foundation of the current reforms," she adds.

She rejoined the Ministry of Justice, Legal and Parliamentary Affairs and headed the Legal Aid department.

A strong advocate of women's rights, Hon. DCJ Gwaunza later joined a women advocacy and research Non-Governmental Organisation (NGO), Women and

Law in Southern Africa Research Trust. Their task was to research on issues affecting women and children in the region.

The NGO went on to produce lots of literature on property rights and children's rights, some of which is being used in the country's colleges.

She was sworn in as a High Court judge in 1998.

Back then there were still a lot of white judges who eventually left and she was asked to act as a judge of the Supreme Court.

"I was confirmed in 2002.

There weren't many judges in the Supreme court. There were only five of us, that is Judge Chidyausiku, Judge Sandura, Judge Cheda (senior), Judge Ziyambi and myself."

In 2008, she left for The Hague, Netherlands to join the United Nations International Criminal Tribunal for the Yugoslavia.

Hon. DCJ Gwaunza re-joined the Supreme Court in 2013.

She was appointed Deputy Chief Justice in 2018.

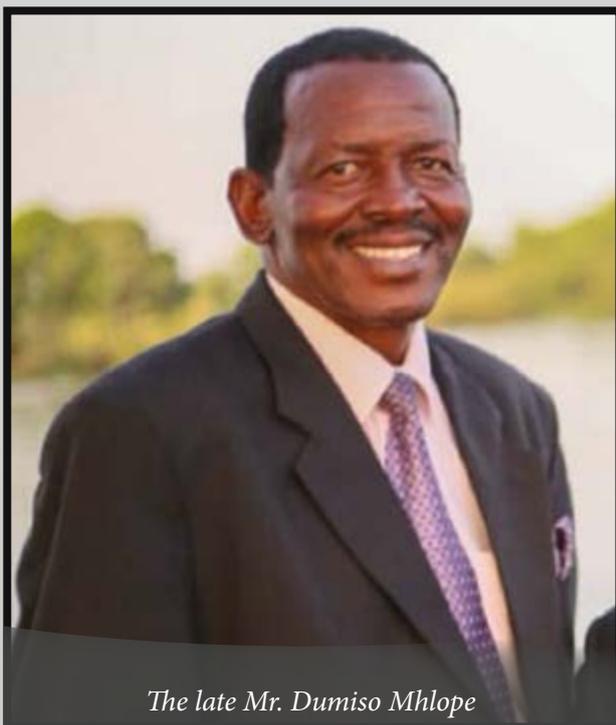
## BEFITTING SEND-OFF FOR MHLOPE

By Sheriffah Ndlovu

There was a somber

atmosphere at Pelandaba Seventh-Day Adventist Church in Bulawayo as the late Dumiso Mhlope's body was brought in, while the church's "Companions Choir" provided soft music.

Mourners could be seen sobbing uncontrollably as they tried to come to terms with the death of a long-serving driver and protocol officer to the



*The late Mr. Dumiso Mhlope*

country's Chief Justice, Honourable Luke Malaba. He succumbed to kidney complications on December 30, 2022.

Besides being the Chief Justice's chauffeur, Mhlope was a devoted Christian who played an integral role in the formation of a number of choral groups.

His singing talent was noticed during his early years as a school boy and he participated in a number of school and church choral groups.

Back in the days, Mhlope would mobilise the youths in his church and set up a number of choral groups, including the "Echoes of Eternity", "Sing Man" and the "Companions Choir".

At the time of his death, Mhlope was singing with the Companions Choir.

Speaker after speaker, described Mhlope as a dedicated Christian, a unifier and a responsible family man.

Speaking at the funeral service, Judicial Service Commission (JSC) Deputy Secretary Mr Sithembinkosi Msipa said the commission had lost a good protocol officer who groomed juniors in his department.

Mr Msipa said Mhlope was a loyal protocol officer who served the Malaba family very well.

"Mr. Mhlope was a fountain of knowledge and we relied on him when it came to grooming other colleagues. He was a humble man. He has left an indelible signature within us," said Mr Msipa.

Born on 12 June 1967, Mhlope learnt at Jotsholo Secondary School in Lupane. He loved playing soccer and he was a gifted gospel singer. He is survived by three sons and a grandchild.



# Criminal cases dominate Chinhoyi

By Shepherd Chibune

**T**he Judge president of the High Court of Zimbabwe, Justice Maryimba-Dube has called for a coordinated approach to reduce crime in Mashonaland West Province after the Province recorded a high crime rate in 2022. .

She made the call while officially opening the 2023 legal year in Chinhoyi on the 9th of January held under the theme; *“PROMOTING COMPETENCY AND QUALITY OF SERVICE TO ENHANCE PUBLIC CONFIDENCE IN THE JUDICIARY.”*

The bulk of the work currently carried out at this court is criminal in nature. There is a high incidence of robbery and murder cases in the area under review. The number of murder cases in this province is disconcerting as murder has serious effects on the lives of surviving family members.

“The police cannot on their own prevent and protect the public from crime. It is our responsibility



*Hon. Justice President  
Mrs. M. Zimba-Dube*

as members of our different communities to report crime to law enforcement agencies and actively discourage crime,” she said.

Judge President Dube told the different stakeholders in attendance that a total of 1515 cases were received during the year 2022 at Chinhoyi High Court with a total of 1474 cases having been completed during the legal year under review giving a completion rate of 97%. 41 cases were pending at the end of the year and were carried over into the 2023 legal year.

All the stakeholders were reminded that JSC’s quest for ‘A Zimbabwe in which world Class justice prevails’ remains and that it needs their collective support to ensure quality justice thereby inculcating public confidence in the judiciary as it undertakes to live up to its vision to provide quality service.

She applauded the National Prosecuting Authority (NPA) for having ‘indicted and set down trial for 25 murder cases’ this first term of the 2023 legal year. She also thanked all other stakeholders for ‘the cordial relationship’ that the Judicial Service Commission (JSC) has enjoyed with them ‘from the beginning,’ which has remained intact. The stakeholders were urged to “maintain the constant and consistent engagement,” with the courts to ensure competent, efficient and effective judiciary in the country.

# CJ sets up Crime Justice Council



Chief Justice Hon. L. Malaba

By Shepherd Chibune

**C**OMPLETION of criminal cases is set to be expedited following the setting up of a Council, whose function, among others, is to ensure an efficient and effective reform of the criminal justice delivery system in Zimbabwe.

Chief Justice, Honourable Malaba revealed this while officially opening the 2023 legal year on the 9th of January in Harare.

The council is known as the National Council on the Administration of Criminal Justice whose rationale for setting up is the fact that ‘the finalisation of criminal cases is dependent on inter-institutional cooperation’.

“The main objective of the National Council on the Administration of Criminal Justice is to ensure a

coordinated, efficient, effective and consultative approach in the administration and reform of the criminal justice delivery system in Zimbabwe”, CJ Malaba said.

The expectation is that the council provides “effective solutions to ensure that the backlog of criminal cases is wiped out and the recurrence of the prevailing situation prevented”.

Addressing Council members during its inaugural meeting on the 14th of February 2023 in Harare, Hon. CJ Malaba said ‘there must be certainty in proceedings and promotion of independent decisions, integrity and individual rights’.

He bemoaned the problem of overcrowding at the prisons, trial periods exceeding three years and unresolved criminal matters in all court levels among other worrying issues. He said the bottlenecks in the criminal justice system call for an effective multi-sectoral approach for their resolution.

“Each of the different stakeholders performs functions independent of the other and hence the system is fragmented”, added CJ Malaba

The Judge President of the High Court is the Chairperson of the Council, deputised by the Prosecutor General. Other key stakeholders appointed include the Commissioner General of Police, the Head of the Bulawayo High Court, the Head of the Criminal Division of the Harare High Court, The Commissioner General Zimbabwe Prisons and Correctional Services (ZPCS), the Chairperson of the Zimbabwe Anti-Corruption Commission (ZACC), The Secretary- Judicial Service Commission, The Chief Magistrate and Secretary of the Law Society of Zimbabwe.



**“We have opened quite a number of courthouses across the country to improve justice accessibility...”**

# JSC in massive construction drive

By Tarisai Mafura and Sheriffah Ndlovu

## The

Judicial Service Commission has embarked on a massive construction drive that will see the completion of a number of projects on its 2023 projects calendar. A number of construction projects are underway across the country. Justice inaccessibility in some parts of the country has prompted the JSC through government support to construct more courthouses.

New courthouses in Harare, Mutare, Mount Darwin, Chinhoyi and Lupane have opened their doors to the public from 2018 to date and several construction projects are underway across the country.

Commenting on JSC’s previous and current construction projects, JSC head of Administration, Mr. George Madzikura said the

Commission is doing well as far as construction projects are concerned to make justice easily accessible.

“We have opened quite a number of courthouses across the country to improve justice accessibility. We are doing well on infrastructure projects according to our statistics from 2018 to date,” Mr. Madzikura said.

People who spoke to The Miranda in February 2023 applauded JSC for bringing justice closer to them through building more courthouses.

Cowdray Park resident Mr. Khulekani Mhlanga said the building of a courthouse in Suburb is a noble idea that will lessen the burden of travelling long distances to access the West Commonage and Tredgold Magistrates’ Courts.

“Cowdray Park has expanded close to Nyamandlovu, a rural district. It is a noble idea to build a court in Cowdray Park because it is difficult and expensive to

access the West Commonage and Tredgold Magistrates’ Courts,” said Mr. Mhlanga.

Another resident in Emganwini where a courthouse is expected to be built, Mr. Maqhawe Sibanda echoed Mr. Mhlanga’s sentiments saying the courthouse will go a long way in easing the hardships of accessing the courts in Bulawayo Central Business District.

Mr. Stephen Malota who resides in Mutawatawa could not hide his excitement over the construction work of the new Mutawatawa Magistrates’ Court and he urged the JSC to expedite the construction work.

“As Mutawatawa residents, we welcome the building of a new courthouse. This is a development milestone we embrace. There is, however, the need to accelerate this construction project,” Mr. Malota said.

Mrs. Tsitsi Mukasa also from Mutawatawa said the new courthouse is large and is built on spacious ground which will accommodate high traffic frequenting the court.



# SUMPTUOUS MEALS AT CHINHOYI CANTEEN

...Canteen brings convenience, motivation

By Takesure Gora and Shepherd Chibune

The opening of a canteen (the first of its kind) at Chinhoyi courts has brought convenience and motivation to the Judicial Service Commission (JSC) staff and its stakeholders.

Walking out of court premises to look for food on the streets, is now a thing of the past.

During lunch-time JSC staff, prison officers, police officers and National Prosecuting Authority officials gather in the canteen to buy food, which costs just a dollar per plate.

Mostly, the food comprises sadza or rice with stew, roasted beef or chicken, vegetables.

Staff at Chinhoyi Court Complex have hailed the development.

Ms Maoneke, an assessor at the High Court had this to say;

“The food is of high quality and it is well prepared. It is worth it. However, I would love to see traditional food like munyevhe (Cleome gynadra), mufushwa une dovi (dried vegetables in peanut butter) and muboora (pumpkin leaves) also being served here”.

Another assessor Mr. Manyangadze said: “traditional food is healthier than fast foods. Eating from our canteen is safer as we know that the food is prepared by our own colleagues whom we trust. Their ingredients are known and we enjoy their recipes.”

Mrs. Ireene Mapfumo from NPA applauded the initiative saying, “the food is well prepared and it is worth the amount. In fact, it is better than most outlets in town.”

Mr. Zhou, a provincial Magistrate had this to say; “The food is very good and the price although fair needs to be reduced to fifty cents so that every member of staff can afford”.



*Picture collage shows staff at Chinhoyi Court Complex having lunch at the new canteen*





*JSC staff exercising during the Magistrates' Conference in Victoria Falls*

## JSC embarks on staff wellness programmes

By Fortious Nhambura

**The** Judicial Service Commission (JSC) has introduced Zumba dance classes for its workers as it moves to improve the physical fitness and mental wellness of staffers. Dubbed “Team JSC Fitness Club,” the classes also seek to enhance the need for employees to be health conscious and for one to respond early to signs of stress and diseases. Chief Magistrate Mrs Faith Mushure, who is the coordinator for the wellness programme, said the programme was open to all employees regardless of the position held. “It’s open to all employees that is why it is called “Team JSC fitness club. The programme is for the mental wellness and physical fitness of the members of staff,” she said. The classes are being conducted after work daily at the Harare Magistrates’ Court. There are plans to introduce the wellness programme at other court stations countrywide.

“The classes were introduced after realisation that due to the work schedules, officers at JSC may not have enough time to attend to activities which may enhance their mental wellness and physical fitness,” said Mrs. Mushure.

Participants are required to pay a monthly fee of US\$25 per person.

“Classes are held after working hours and do not interfere with the normal working operations for the staff,” she added.

The JSC’s move to introduce programmes aimed at promoting health awareness dovetails with Government policies to promote mental health among its citizens.

Zimbabwe has identified mental health conditions among the top non-communicable diseases affecting Zimbabweans. Such health challenges result in diminished productivity among workers.

The Government has adopted various legislation and regulations to organise mental health care delivery in Zimbabwe in addition to other health concerns of its population.

# LABOUR COURT, ADMINISTRATIVE COURT NOW DIGITAL

By Kudzai Rusakaniko

**L**abour Court and Administrative Court have finally gone digital as the Judicial Services Commission (JSC) successfully implemented the second phase of Integrated Electronic Case Management System (IECMS) on the 1st of February, 2023. The day started and ended well without any glitches. The implementation was a resounding success as the litigants and lawyers were waiting for that day.

Labour Court deals with National Employment Councils, Trade Unionists and the Ministry of Labour in most of their cases. The members from the aforementioned organisations were assisted by the E-filing officers to create their accounts. Judges

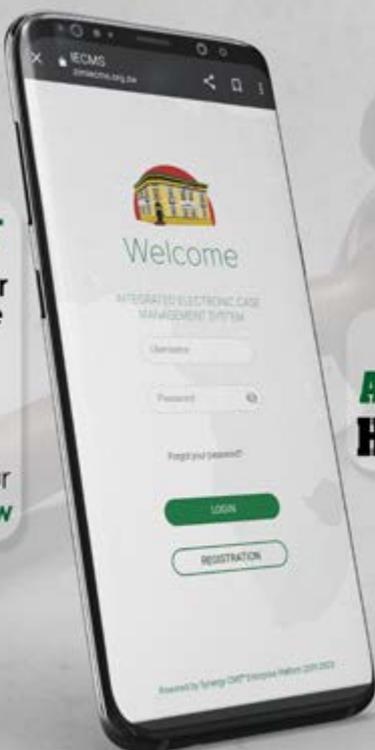
have been conducting virtual hearings at both the Labour Court and Administrative Court. During an interview with the Miranda correspondent, one of the prominent Lawyers, Mr. Abraham Maguchu, clearly pointed out that they were waiting for the second phase of the IECMS saying, “it makes life easy for us for we do not need to travel to different places to serve papers or to file cases for the same process can now be done online.” The introduction of IECMS has made life easy for so many people. It is efficient and it also saves costs.

Speaking during the launch, Chief Registrar, Ms. Anita Tshuma said it was a very busy day as a result of a successful publicity campaign. “Publicity campaign was very successful because of the response that

we got from the members of the public and the Lawyers.” She also said that they received 5 cases at the Labour Court on the day of the launch.

According to Ms. Shamiso Muserere, the Deputy Head of IT-Digital, litigants were filing their cases online at the Labour Court in Harare and Bulawayo. “There has been a lot of activity at the Labour Court in Harare. Litigants have been utilizing the E-Filing offices at the courts and being assisted in creating their accounts, filing their cases and making payments. Litigants who had pending matters before the introduction of the IECMS are being linked to their cases in the IECMS,” said Ms. Muserere.

The commission is set to implement the second phase in the High Court and the Magistrates’ court before the



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 Judicial Service Commission





# Misconduct Watch

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## CASE 1

The member who was an ICT officer, stationed at a certain court station, is alleged to have failed to take reasonable care of an **ISUS HDMI Display Screen** that was left in his custody. The **ISUS HDMI Display Screen** then went missing. The circumstances are that on the **9th of June 2022**, the member was requested by the Court Recorder to remain to man Court 1 since the court was still in session. The Caretaker, then arrived at the Courtroom intending to secure it under lock and key. Unfortunately, he realised that the member was still executing his duties in the Courtroom. The member then agreed to advise the Caretaker, once he has completed his duties in order to have the courtroom secured. Despite his assurance to advise the Caretaker, the member left the courtroom with the **ISUS HDMI Display Screen** unsecured leading to its disappearance. He only discovered the missing ISUS HDMI Display Screen the following morning and then proceeded to advise his Provincial Head.

The member was charged with acts of misconduct, however he resigned during the disciplinary process.

## CASE 2

An Assistant Registrar for a certain High Court station was suspended from duty because an appeal filed in the Supreme Court was dismissed using a letter that had originated from the member. The member, fraudulently and dishonestly handled

the matter in that she falsified entries in the dispatch book, deleted case tracking information relating to the matter, and also refused to identify the person who brought a forged return of service to her. It is further alleged that she wrote the letter of inspection on the **15th of September 2022**. However, the endorsement in the dispatch book shows that the letter was dispatched on the **13th of September 2022** and served on the **19th of September 2022**.

The member was charged with acts of misconduct and pleaded guilty to all counts. The member was reprimanded and transferred to another station.

## CASE 3

The member was on suspension because he was facing a criminal charge. He was convicted for contravening **Section 174(1) (a) of the Criminal Law (Codification and Reform) Act [Chapter 9:23]** (Abuse of duty as a Public Officer) and was subsequently sentenced to “3 years imprisonment of which 1 year imprisonment was suspended for 5 years on condition the accused person does not commit any offence of Contravening Section 174(1) (a) of the code for which if convicted accused will be sentenced to imprisonment without the option of a fine. The effective sentence was 2 years.”

The member was discharged from service on the basis of his conviction and imprisonment.

## CASE 4

The member who was, a Deputy Registrar was suspended from duty on the basis that he may have committed acts of misconduct in that, he wilfully gave false or incorrect information pertaining to a certain application filed. The said application was received by his subordinate but was not served to the Registrar. The member was dishonest in his submissions concerning the missing application and he also failed to report the improper conduct of his subordinate in handling the application.

The member resigned pending the disciplinary process.

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# NOTICE BOARD

## APPOINTMENTS | PROMOTIONS

**Tatenda Vhovha** E-Filling Centre Officer *Chief Magistrate*  
**Kudakwashe Mapfumo** ICT Officer *Chief Magistrate*  
**Nomalanga Moyo** Accounting Assistant *Chief Magistrate*  
**Kurauone Muswere** Accounting Assistant *Chief Magistrate*  
**Prince Sihle Unganai Maraidza** Office Orderly *Chief Magistrate*  
**Tasimbiswa Karimanzira** Assistant Clerk of Court *Chief Magistrate*  
**Try Mutengwa** Driver - to Judge Musakwa *Supreme Court*  
**Makhosazana Caroline Khupe** Accounting Assistant *Chief Magistrate*  
**Nyasha Mandaza** Accounting Assistant *Chief Magistrate*  
**Sengano Ndlovu** Driver to CJ Malaba *Chief Magistrate*  
**Fiona Tapfuma** Procurement Officer *JSC Secretariat*  
**Talent Marowa** Procurement Officer *JSC Secretariat*  
**Talent Taruona** Procurement Officer *JSC Secretariat*  
**Florence Pirayi** Office Orderly *Chief Magistrate*  
**Hobane Mthabisi** Court Interpreter *Chief Magistrate*  
**Givemore T. Turo** Assistant Registrar *High Court Harare*  
**George Madzimure** Assistant Registrar *High Court Harare*  
**Pride Muwishi** Assistant Registrar *High Court Harare*  
**Tafadzwa Mtombeni** Virtual Centre Officer *Chief Magistrate*  
**Viola Tariro Mutema** Assistant Registrar *High Court Harare*  
**Tafadzwa Hove** Court Interpreter *Chief Magistrate*  
**Geoffrey Name** Assistant Clerk of Court *Chief Magistrate*  
**Nyaradzo Khimbini** Assistant Clerk of Court *Chief Magistrate*  
**Lizzie Gono** Assistant Clerk of Court *Chief Magistrate*  
**Norest Mabvurira** Assistant Clerk of Court *Chief Magistrate*  
**Takudza Chuma** Assistant Clerk of Court *Chief Magistrate*  
**Michael Mandeya** Assistant Clerk of Court *Chief Magistrate*  
**Trymore Mharakurwa** Assistant Clerk of Court *Chief Magistrate*  
**Artwell Masimba** Assistant Clerk of Court *Chief Magistrate*  
**Mary Magarira** Accounting Assistant *Chief Magistrate*  
**Chalihanika Bwami** Virtual Centre Officer *Chief Magistrate*  
**Abednego Themba Ndebele** Assistant Clerk of Court *Chief Magistrate*  
**Thabiso Rumbidzai Phiri** Deputy Registrar *High Court*  
**Stanhope Singende** Assistant Clerk of Court *Chief Magistrate*  
**Emmanuel Kudzai Mawire** Assistant Clerk of Court *Chief Magistrate*  
**Kemson Clive Mapfacha** Assistant Clerk of Court *Chief Magistrate*  
**MacPhillip Matope** Assistant Clerk of Court *Chief Magistrate*

**Promise Mandiwanzira** Assistant Clerk of Court *Chief Magistrate*  
**Dingulwazi Ndlovu** Assistant Clerk of Court *Chief Magistrate*  
**Vesnat Dziga** Assistant Clerk of Court *Chief Magistrate*  
**Kudzai Bridgette Phiri** Assistant Clerk of Court *Chief Magistrate*  
**Bekezela Sibanda** Assistant Clerk of Court *Chief Magistrate*  
**Monze Muntanga** Court Interpreter *Chief Magistrate*  
**Darlington S. Matyukira** Assistant Clerk of Court *Chief Magistrate*  
**Panashe A. Baye** Assistant Clerk of Court *Chief Magistrate*  
**Monze Muntanga** Court Interpreter *Chief Magistrate*  
**Hugh Tawanda Gondo** Virtual Centre Officer *Chief Magistrate*  
**Mmeli Nyoni** Accounting Assistant *Sheriff Bulawayo*  
**Emmanuel Chasara** Office Orderly *JSC Secretariat*  
**Tichaverenga Tirivavi** Office Orderly *Chief Magistrate*  
**Tavonga Mhodo** Accounting Assistant *Chief Magistrate*  
**Esther Mberego** Executive Assistant *Chief Magistrate*  
**Danai Guruva** Assessor *Gweru High Court*  
**Precious Chikuvadze** Senior Additional Sheriff *Sheriff Harare*  
**Thembelihle Ncube** Court Interpreter *Chief Magistrate*  
**Ratidzayi Hove** Executive Assistant *Chief Magistrate*  
**Rumbidzai Chineka** Assistant Registrar *High Court Masvingo*  
**Tendai Chigudu** Assistant Registrar *High Court Bulawayo*  
**Michelle Muvirimi** ICT Officer (Assistant Registrar) *High Court Harare*  
**Robert Magorimbo** Accounting Assistant *Sheriff Marondera*  
**Perseverance Janyure** Accounting Assistant *Sheriff Harare*  
**William Gwatiringa** Assessor *High Court Harare*  
**Tashinga Chiruka** Principal Statistician *High Court Harare*  
**Dorothy Varaidzo Sengweni** Judges' Assistant *High Court Harare*  
**Abigail Maduche** E-Filling Centre Officer *Harare Labour Court*  
**Shingirai Moore Nago** Assistant Clerk of Court *Chief Magistrate*  
**Lawrence Takudzwa Bore** Judges' Assistant *High Court Harare*  
**Tinomudaishe C. Marumahoko** E-Filling Centre Officer *Chief Magistrate*  
**Kumbirai Mutsambwa** Assistant Registrar *High Court Harare*  
**Immaculate Mupotaringa** Judges' Assistant *High Court Harare*  
**Chioneso Mandebvu** Executive Assistant *High Court Chinhoyi*  
**Jesca Madamombe** Assistant Clerk of Court *Chief Magistrate*  
**Wensley Takaadini Mutinhima** Accounting Assistant *Chief Magistrate*  
**Paula Patience Mukwenha** Judges' Assistant *Labour Court Harare*

## RESIGNATION

**Sanelisiwe Moyo-Maphuza** Accounting Assistant *Sheriff Bulawayo*  
**Richard Chigonera** ICT Officer *Mutare Magistrates' Court*  
**Tafadzwa Mukusha** Accounting Assistant *Sheriff Marondera*  
**Edwin Marecha** Provincial Magistrate *Mutawatawa Magistrates' Court*  
**Takunda Charity Chipeta** Magistrate *Norton Magistrates' Court*  
**Blessing Makanga** Accounting Assistant *Harare Magistrates' Court*  
**Chenai Mashingaidze** Assistant Registrar *Administrative Court*  
**Henry Sande** Provincial Magistrate *Kezi Magistrates Court*  
**Nyasha L. Vitorini** Provincial Magistrate *Mbare Magistrates Court*  
**Ruvimbo N. Murandu** Magistrate *Gweru Magistrates Court*  
**Tafadzwa L. Chitemamwise** Principal Statistician *High Court Harare*  
**Nomasiko Ndlovu** Magistrate *Kezi Magistrates Court*  
**Dudzile Ndebele** Court Interpreter *Plumtree Magistrates' Court*  
**Terrence Charangwa** ICT Officer *Bulawayo Magistrates' Court*  
**Shepherd Munkuli** Accounting Assistant *Binga Magistrates' Court*  
**Caroline Kaitano** Magistrate *Chinhoyi Magistrates' Court*  
**Tanaka B. Goredema** Executive Assistant *Harare Magistrates' Court*  
**Wadzanai Chireshe** Executive Assistant *Constitutional Court*  
**Sylvia Nyakudya** Executive Assistant *Supreme Court*  
**Rumbidzai Mwanza** Judges Assistant *High Court Harare*  
**Tsitsi Kapito** Assistant Registrar *High Court Masvingo*  
**Theophilus Nyika** E-Filling Centre Officer *Labour Court Harare*  
**Ronica F. Madondo** Senior Additional Sheriff *Sheriff' Office Harare*  
**Tatenda Siwardi** Accounting Assistant *Sheriff Harare*  
**Andrei T. Kwenda** Judges Assistant *High Court Harare*  
**Beauty Farasi** Assistant Clerk of Court *Masvingo Magistrates' Court*  
**Tadiwanashe Magaya** Judges' Assistant *High Court Harare*  
**Garikayi S. Mataga** Assistant Internal Auditor *JSC -Secretariat*  
**Raphael Chingombe** Judges' Assistant *Labour Court Harare*  
**Arnold I. Kasinamubare** ICT Officer *Supreme Court*

## PROMOTION

**Custom Kachambwa** Senior Judge of the Labour Court *Labour Court Harare*  
**Terrence Machededze** Acting Deputy Head of PMU *JSC Secretariat*  
**Obester Malezo** Acting Head of Transport and Logistics *JSC Secretariat*

## DISCHARGE

**Takunda M. Muyendes** E-Filling Centre Officer *Bindura Magistrates' Court*  
**Dominic Muyawiki** Virtual Centre Officer *Gwanda Magistrates' Court*  
**Ngoma Joice** Assistant Registrar *Bulawayo High Court*  
**Brian Taurai Shoniwa** Driver *High Court Harare*  
**Rutendo S. Muvirimi** Clerk of Court *Chitungwiza Magistrates' Court*  
**Evans Jongwe** Court Recorder *Chitungwiza Magistrates' Court*  
**Felix Chauromwe** Provincial Magistrate *Karoi Magistrates' Court*  
**Tawanda Muchemwa** Magistrate *Gwanda Magistrates' Court*  
**Llyod Toendepi** Judges' Clerk *Supreme Court*

## RETIREMENTS

**Austin Ncube** Clerk of Court *Chief Magistrate*  
**Simukai Zambada** Executive Officer *Chief Magistrate*  
**Gabriel Ncube** Court Interpreter *Chief Magistrate*  
**Evelyne I. Nyandoro** Clerk of Court *Chief Magistrate*  
**Dolly Magarasei** Principal Court Interpreter *Chief Magistrate*  
**Flora Florence Changadzo** Private Secretary *Superior Courts*  
**Collen Nhika** Court Recorder *Chief Magistrate*  
**Taruvunga Mhaambirwi** Accounting Assistant *Chief Magistrate*

## DEATHS

**Tsitsi V. Muskwe** Additional Sheriff *Sheriff Services*  
**Polite Mushangazhike** Magistrate *Chief Magistrate*



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