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MATABELELAND SOUTH

Servious Dube (Gwanda Magistrates' Court)

MASHONALAND EAST

Tendai Nzou (Marondera Magistrates' Court)

EDITOR'S MEMO



We meet again after one of the most trying and eventful periods in the history of the country's Judiciary. This follows the untimely death of Retired Chief Justice Godfrey Chidyausiku who was subsequently declared a national hero and buried at the National Heroes' Acre. His erstwhile deputy, Justice Luke Malaba was appointed substantive Chief Justice.

In this issue of Miranda, we give invaluable information on developments in the Judicial Service Commission (JSC) including the adoption of the new case tracking and monitoring system which seeks to improve efficiency and storage of court records.

This edition also features other developments in the Commission countrywide.

Enjoy your read.

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From the Secretary's Desk

Justice Rita Makarau

Secretary of the Judicial Service Commission

I do not recall a winter as cold as the one we are having. This could be as a result of a number of unrelated causes. It could be my memory. Most probably there have been much colder winters before that some of you can remember. I simply do not. It could be true that the temperatures are definitely lower this winter than before. Most possibly I am feeling colder than before because the season began on a sad note and I haven't completely shaken the sadness off. The passing on of the former Chief Justice Chidyausiku in early May 2017 is still fresh and appears to be reflected in the season. The lingering cold will not go away. Life however is like seasons. Winter gives way to spring and then summer. Even in the midst of winter, there are some bursts of sunshine and in the midst of summer, you sometimes get downpours of cold rain, especially in these parts. The period 31 March 2017 to 30 June 2017 has given us moments of sadness and moments to celebrate in equal measure. In this issue of the Miranda- Just News, we carry articles and pictures on the funeral and burial

of the former Chief Justice alongside pictures and articles on the much deserved and widely acclaimed appointment of Chief Justice Malaba. The appointment of the Chief Justice was a must and was most welcome. The other event was not but who are we to choose what should happen and what should not?

This was indeed a season when tears and happiness would always come to me together. I had tears standing in my eyes when one of our own was awarded the Outstanding Accounting, Auditing and Investment Leader of the Year during the Megafest Awards. The tears came because she said she was driven by what I said to her when she joined the JSC as head of the Internal Audit that those who succeed in the JSC (and in life) do not work according to the clock but according to the task at hand. She has since followed that advice to success and I am humbled.

Well done Cynthia!

And well done to all of us for supporting Cynthia. We gave her a professional organisation to belong to and issues to audit!

MALABA IN THE DRIVING SEAT

... appointed Chief Justice



MIRANDA WRITER

DISTINGUISHED jurist Justice Luke Malaba was this quarter sworn in as substantive head of the Judiciary of Zimbabwe, taking over from the retired and late national hero Chief Justice Godfrey Chidyausiku.

Chief Justice Malaba had served as Deputy Chief Justice for nine years until March 1 this year when he was appointed Acting Chief Justice.

He served in an acting capacity until early April when he was confirmed substantive Chief Justice. Chief Justice Malaba took the oath of office before President Mugabe at a colourful ceremony held at State House in Harare.

Chief Justice Malaba has 36 years' judicial experience.

He started his judicial career as a magistrate in 1981.

He worked in Bulawayo, Masvingo and Kadoma before being elevated to a regional magistrate in 1990.

The head of Judiciary was appointed to the High Court bench in 1994 where he worked until his promotion to the Supreme Court in 2001.

From 2001 to date, he has been sitting on the Supreme Court and Constitutional Court benches. In 2008, he was elevated to the position of Deputy Chief Justice.

He also took part in the training of lawyers in

advocacy.

The Chief Justice also served as a judge of the COMESA Court of Justice for 10 years, from 2005 to 2015.

An avid trainer, the Chief Justice has over the years participated in the educational development and training of magistrates and judges.

He was also involved in the training of court interpreters under British Council at Speciss College and managed to deliver a number of papers including:

- 1 *Introduction to Criminal Law in Zimbabwe*
- 2 *The Structures of Courts of Zimbabwe*
- 3 *Introduction to the Law of Criminal Procedure*

Chief Justice Malaba also published a book titled "The Supply, Control and Organisation of African Labour in Rhodesia 1930-1970", Review of African Economy Volume 1, 1979.

He was involved in the training of junior magistrates, prosecutors and the police where he wrote several other papers.

The veteran judge did his Ordinary Level at Empandeni Secondary School in Bulawayo.

He was awarded Beit Scholarship for the best result before attending St Ignatius College for Advanced Level.

He studied law at the University of Warwick in England and the University of Zimbabwe.

REMEMBERING JUSTICE CHIDYAUUSIKU

The late former CJ never let pressure cloud his vision as a judge of the High and Supreme Court. His astute leadership and intelligent interpretation of the law helped in modelling the national law as it stands now. His role in addressing the land question and transforming the country's Judiciary should never be underplayed.



BY FORTIOUS NHAMBURA

On May 3, 2017 Zimbabwe woke up to sad news on the demise of a legal guru, respected lawyer and retired Chief Justice Godfrey Guwa Chidyausiku.

A fearless and independent judge, the late Retired Justice Chidyausiku, who was declared a national hero and subsequently buried at the National Heroes Acre, shaped the country's Judiciary which he served as head for 16 years. The late retired Chief Justice Chidyausiku succumbed to liver and kidney complications in May, barely three months after leaving the bench on attaining the mandatory retirement age of 70. The late former CJ never let pressure cloud his vision as a judge of the High and Supreme Court. His astute leadership and intelligent interpretation of the law helped in modelling the national law as it stands now. His role in addressing the land question and transforming the country's Judiciary should

BY NYASHA LEE VITORINI

For the larger part of the Judicial Service Commission (JSC) family dotted around Zimbabwe, outside the capital city, "The Miranda" has to flow through the bureaucratic channels until it reaches us. The March edition reached Mutoko on May 5. The timing of the arrival of this copy was the most symbolic. News of the untimely passing



on of the former CJ had been filtering through. The cover of this edition has smiling faces of part of the JSC family jovially waving at the then CJ. That cover picture seems to be a contemporary animation of John Donne's

never be underplayed.

Faced with all sorts of opposition, both local and international, Justice Chidyausiku stood his ground, helped sanitise the land question and through a number of pronouncements ensuring that Zimbabweans took ownership of their land. He was pivotal in dismantling colonial laws that stood in the way of Zimbabwe's land reform.

His background of struggle with the racist white minority informed his work and persona.

As President Mugabe aptly described him, former Chief Justice Chidyausiku was in total agreement with the ideals of Zimbabwe's struggle and its ideology and "never deviated from the path of the principles" of the liberation struggle.

President Mugabe said, "As Chief Justice, the late Godfrey Chidyausiku will be remembered for the most important role he played in defending and shaping the course of our Land Reform Programme."

In his landmark ruling in the *Davies & Ors*

versus Minister of Lands, Agriculture and Water Development 1994 (2) ZLR 294 (*H Davies' case*), Chidyausiku held that it was constitutional that land could be taken from the whites without compensation.

In the case, he reasoned that the State had sovereign authority over all land and could acquire it in the public interest, albeit in compliance with constitutional requirements for compensation.

Justice Chidyausiku held that while designation was not acquisition, it was nevertheless control or regulation of private property which was also permitted in the public interest. Where such power is exercised reasonably and properly, there is no need to pay compensation to affected persons.

Compensation could only be paid where the regulation or control amounts to acquisition.

In drawing a distinction between acquisition and control, Justice Chidyausiku ruled that designation was merely a control measure.

A VALEDICTION:

Forbidding mourning

poem, "A Valediction: Forbidding Mourning".

The now late former CJ stands separated from brimming faces of the staff on the stairway. Dramatic irony? "Adieu. Go well. As the JSC we won't cry but celebrate a life lived to the fullest." I hope I am not reading too much meaning in trying to identify who stood at the top of the stairway and the 'Chipumhas' standing right at the bottom. (seems like a cross section of the JSC family joining hands to write an eternal epitaph for the then CJ.)

While those from the border areas may be least qualified to document the milestones of the late CJ's tenure, the cover page of the Miranda March 2017 will forever be a premonition of an eternal

farewell for the late former Chief Justice. I shall do well to reproduce the first three stanzas of John Donne's "A Valediction: Forbidding Mourning:"

As virtuous men pass mildly away,

And whisper to their souls to go,

Whilst some of their sad friends do say

The breath goes now, and some say, No:

So let us melt, and make no noise,

No tear-floods, nor sigh-tempests move;

Twere profanation of our joys

To tell the laity our love.

Moving of the earth brings harms and fears,

Men reckon what it did, and meant;

But trepidation of the spheres,

Though greater far, is innocent.

This was a brave statement from the bench that gave grounding and effectively provided justification for the Land Reform Programme.

Retired CJ Chidyausiku will also be remembered for championing changes to the Judicial Act that gave birth to the Judicial Service Commission (JSC).

The JSC advises government matters pertaining to the judiciary, promoting and facilitating the independence and accountability of the judiciary and nominating judges including acting judges.

JSC Secretary Justice Rita Makarau described him as a subtle teacher, who would not openly correct someone but would offer counter suggestions.

He was a visionary and keen legal brain who would project the idea a lot more, beyond what you had initially thought.

She said the late retired Justice Chidyausiku inspired all to be efficient, always uphold the rule of law even if it was detrimental to one's reputation. It is under his tenure that the country achieved a unitary judiciary answerable to the Chief Justice.

Despite coming from a background where the colonial government did not give blacks equal opportunities at advancement, Justice Chidyausiku excelled to become a legal expert whose name will remain among the chief architects of Zimbabwe's constitutional reforms. Justice Chidyausiku retired from the bench on March 1 this year after serving as head of the judiciary for 16 years.

He was appointed the country's Chief Justice in July 2001.

Born on February 23, 1947 in Domboshava, Chief Justice Chidyausiku attended Mutake School at Makumbi Mission, and then St Ignatius College in Chishawasha.

He got a place at the then University of Rhodesia from 1968 to 1972 where he studied law. He then went into private legal practice.

At the 1974 general election, Justice Chidyausiku won the Harare African Roll Constituency, standing with the unofficial support of the African

National Council which had been set up by Zanu, Zapu and Frolizi.

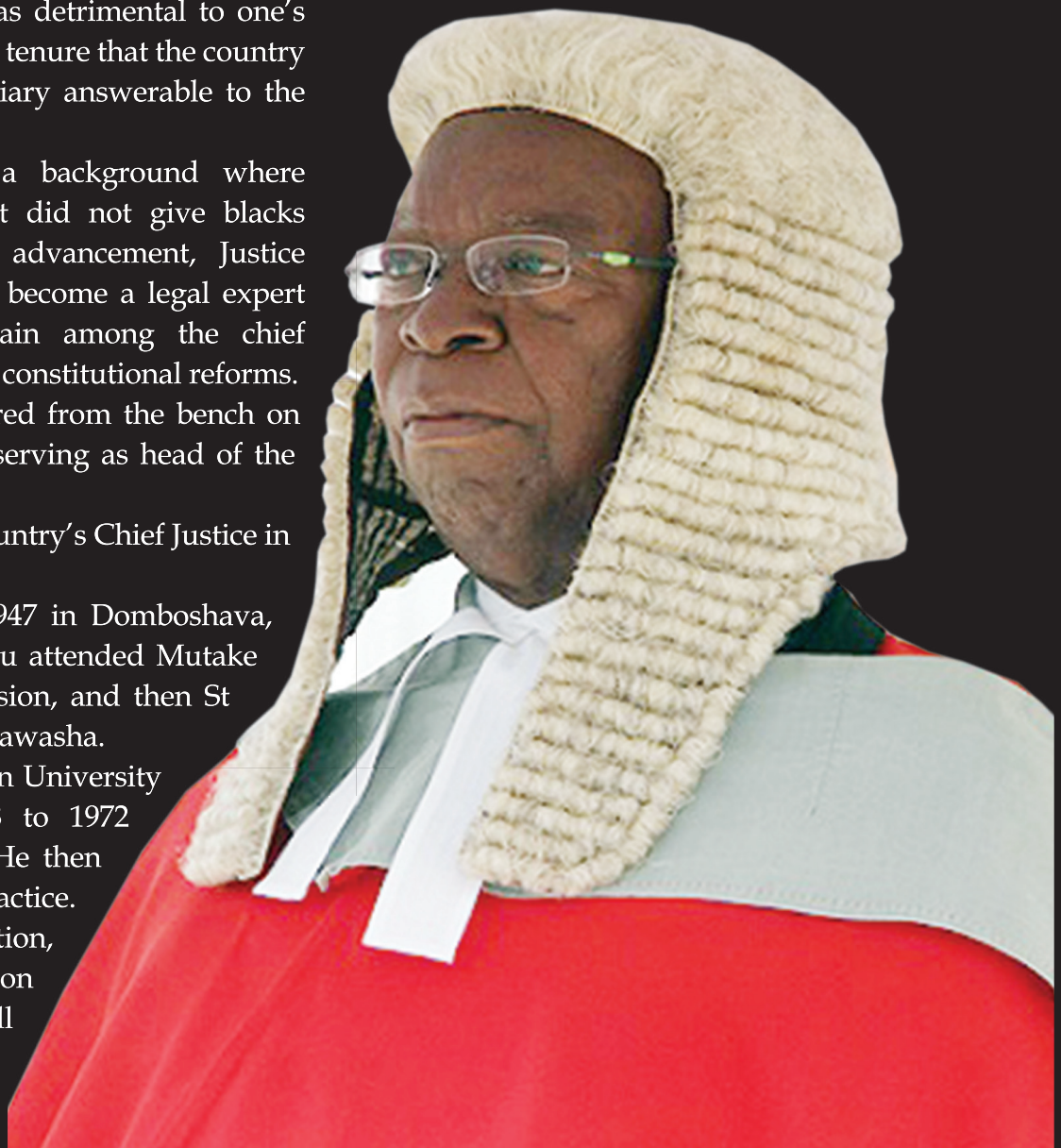
He acted in opposition to the government of Ian Douglas Smith.

Justice Chidyausiku stood down at the 1977 election.

He was Deputy Minister in the then Ministry of Local Government and Housing and of Justice from 1980, and was appointed Attorney-General in 1982.

Chief Justice Chidyausiku became a judge and served as chair of the constitutional convention charged with drafting a new Constitution for Zimbabwe in 2000.

After the resignation of former Chief Justice Anthony Gubbay, Chief Justice Chidyausiku was named as Zimbabwe's new Chief Justice in July 2001.



CASE TRACKING SYSTEM SPREADS TO LOWER COURTS



BY ANXIOUS MBALANGA

The case tracking and monitoring system is an electronic programme designed and conceived by the Judicial Service Commission (JSC) to boost efficiency in tandem with the demands of the computerised global system.

The system is proving to be the answer to case management challenges affecting court operations.

Before the year 2012, the registry across the judicial fraternity solely relied on physical files in registering, processing and storage of court procedures and information.

This was an archaic method with insurmountable challenges.

The main challenge of the physical method was lack of

back up, which left records at the mercy of errors and manipulation because the physical record doubled up as the only reference to a case.

In situations where a record got misplaced or misfiled, this spawned costly delays on the litigants.

If a record went missing without trace, the process of reconstructing would be infested with undesirable effects.

*Data Capturers
at Chitungwiza
Magistrates' Court
(Pic by Anxious
Mbalanga)*

*Apart from tracking a case
from its filing to its disposal,
the system compiles
statistically generated data into
comprehensive reports that can
be used to address challenges
faced by courts.*

But thanks to the new case tracking system, all these will be things of the past.

According to Mr Obey Manyenga, deputy administration manager in charge of the IT department, the idea of the case tracking system became a pilot project of which tests began at the deep end in the waters of the High Court and Harare Civil Court, and it was funded by DANIDA who have been JSC's long time and biggest partner in numerous projects.

After successfully withstanding the High Court and Civil Court tests, it was time to act.

A 40-strong contingent of data capturers weighed in and was spread around the country, driving the system into full throttle.

Though ostensibly simple, the case tracking system performs incredible record management feats.

Apart from tracking a case from its filing to its disposal, the system compiles statistically generated data into comprehensive reports that can be used to address challenges faced by courts.

As clerical staff update the cases at each stage, data capturers correspondingly enter the processes into the system, consolidating the record into an undisputed and incorruptible document.

BY VICTOR MAHAMADI

CHIEF magistrate Mr Mishrod Guvamombe has applauded magistrates countrywide for hard work and excellence in executing their duties despite operating under difficult conditions.

Speaking at a swearing in ceremony held for a new magistrate Ms Purity Gumbo in Masvingo this quarter, Mr Guvamombe described the magistracy as a winning team that deserves a pat on the back.

"Magistrates have shown character and an amazing amount of industry. They are spending long hours in court. They are doing their best against all odds," said Mr Guvamombe.

The Chief Magistrate also showered praises on the department for discipline, saying 2016 ended without any magistrate being charged for corruption.

"Let us continue shunning the evil of corruption. I believe expeditious conclusion of cases is one weapon to fight corruption. That approach will also reduce the backlog of cases," he said.

The Chief Magistrate advised the newly sworn-in magistrate that complaints from litigants were part and parcel of the work.

"You must however minimise complaints being

made against you by being diligent in your work. One sure way of minimising complaints is delivering judgements and sentences expeditiously."

He urged the magistrates to dispense justice to whoever appears before the courts without fear or favour.

"Court users must not abuse the complaints procedure by making unfounded and baseless allegations against magistrates to intimidate them from making proper decisions or take them out from a particular case. Complaints must

be justified and not spurious.

A few legal practitioners are also guilty of the same conduct. That must stop. Magistrates must be allowed to do their judicial work without interference."

Representatives from

the National Prosecuting Authority, Zimbabwe Republic Police, Prisons and Correctional Services, The Law Society of Zimbabwe attended the ceremony.

The swearing in of Ms Gumbo upped the number of magistrates at Masvingo from five to six.

However, the station which should have a staff complement of at least 12 magistrates, remains understaffed.

MAGISTRATES SHOWERED WITH PRAISES



Ms Gumbo takes oath of office before Chief Magistrate Mr Guvamombe (Pic by Victor Mahamadi)



Hon. Justice Bhunu JA



Hon. Justice Bere

ZIM JUDGES LAND REGIONAL POSTS

MIRANDA WRITER

CONSTITUTIONAL and Supreme Court judge Justice Chinembiri Energy Bhunu has been appointed a judge of the COMESA Court of Justice, while High Court judge Justice Francis Bere joined the SADC Administrative Tribunal. Justices Bhunu and Bere remain judges of the Superior courts of Zimbabwe, although they are doubling as judges of the regional courts. The Judicial Service Commission (JSC) this quarter issued a statement wishing the two judges well in their new appointments.

“The Chief Justice Honourable Luke Malaba, Commissioners of the Judicial Service Commission, all judges, magistrates and the entire JSC family wish to extend heartfelt congratulations to Honourable Judge of the Constitutional Court and the Supreme Court Justice Chinembiri Bhunu, on his appointment as judge of the COMESA Court of Justice and the Honourable Judge of the High Court Justice Francis Bere on his appointment as a judge of the SADC Administrative Tribunal.

“We are proud of the confidence the region

continues to show in our Judiciary as we aspire to attain world class justice.

“We hope the achievements they have made will inspire them and others to excel more in their judicial work,” reads the statement.

Justice Bhunu was sworn in as a Judge of the Court of the First Instance Division of the COMESA Court of Justice at a summit held in Antananarivo, Madagascar recently.

He replaced the late Justice Andrew Mutema who died five months after his appointment in 2015.

Justice Mutema, a national hero, was the Principal Judge of the First Division Court.

Justice Bhunu’s appointment followed his election during the first extra-ordinary meeting of Ministers of Justice and Attorneys General held on the side lines of the COMESA Policy Organs meetings in Madagascar last year.

Justice Bere came out tops in the selection interviews for the SADC Administrative Court post that were publicly held in Harare last year. After succeeding in the public interviews, his name was forwarded to the relevant authorities resulting in his appointment.

2017 2ND QUARTER IN PICTURES

Chief Justice Malaba Swearing in ceremony in pictures



**RTD CHIEF
JUSTICE CHIDYUSIKU
FUNERAL PICTURES**



MIRANDA WRITER

On April 7 2017, newly-appointed Chief Justice of Zimbabwe Honourable Luke Malaba made his inaugural address to judges of the superior courts, as head of the Judiciary, at a judges' symposium in Masvingo.

The maiden speech was read a day after the Chief Justice's swearing-in ceremony at State House, taking over from the now late national hero Retired Chief Justice Godfrey Guwa Chidyausiku.

Addressing judges of the Constitutional and Supreme Courts, High Court, Labour and Administrative Courts as well as other members of the Judiciary who attended symposium, the new Judiciary boss shared his vision, expectations and emphasised on hard work as key to success.

For the benefit of the entire Judicial Service Commission family and other stakeholders who were not in attendance, The Miranda reproduces here the maiden speech.

Chief Justice Malaba **SHARES HIS VISION**

REMARKS BY THE HONOURABLE MR. JUSTICE L. MALABA CHIEF JUSTICE ON THE OPENING OF THE 2017 FIRST TERM JUDGES' SYMPOSIUM AT GREAT ZIMBABWE HOTEL, MASVINGO.

I wish to welcome you all to this symposium. You will be aware that the JSC and the International Commission of Jurists entered into a partnership where it has been agreed that at the end of every legal term the two organisations would facilitate a retreat for judges to meet on their own and engage each other and discuss operations of the courts and the administration of justice in general. It is during gatherings like this one that judges from the various courts meet under one roof and share experiences as colleagues. With the ever increasing workloads in the courts, this indeed is a welcome break from the daily court routines.

Over the last couple of years a lot of achievements have been made in terms of both the output and quality of our work. We have also learnt to appreciate each other as judges. It is in this context that I wish to pay tribute to Retired Chief Justice Chidyausiku for agreeing to the concept of holding these symposia at the end of each term and for his vision and insistence that these meetings be religiously held.

My predecessor had a vision which he pursued. That vision was not a personal vision but a collective ideology informed by the Judicial Service Commission's five year Strategic Plans of 2012-2016 and 2016-2020.

The strategic plans are important in that they direct the focus of the Commission in its activities. These plans were crafted after extensive consultations with both external and internal stakeholders.

They therefore generally represent the wishes of all those involved in the administration of justice in Zimbabwe.

Let me also hasten to say that this symposium is particularly important as it is the first I preside over as head of the Judiciary and chairperson of the Judicial Service Commission.

I could not have asked for a better opportunity to address both judges and other members of the Judicial Service and share my vision with you. As deputy Chairperson of the Judicial Service Commission and Deputy Chief Justice of the country I played a key role in the formulation of the policies which guided our operations and other key activities since the inception of the Judicial Service Commission as an independent Commission, responsible for the running of the courts in 2010. I am fortunate to take over the reins during the consolidation stage of that strategic life cycle. I therefore intend to neither abandon that clear road map nor to reinvent anything. I simply wish that together, as a united front, we take this vision to the next level. May I make it clear therefore, that I derive my vision from the successes the Judicial Service Commission and the judiciary have scored before.

We have done a lot to reposition the courts and reassert our independence as the judiciary. We have successfully rebranded, rehabilitating old courthouses,

Chief Justice
Malaba at
a Judges'
symposium in
Masvingo



building new court infrastructure, improving access to justice by our people including rolling out an elaborate plan to decentralise the High Court, and ensuring the provision of judges' conditions of service. I believe that we are on solid ground.

Going forward, the emphasis will be on efficiency and improved quality of both the products which come out of our courts and the general services provided to litigants and other court users.

By virtue of their place in the Constitution, the courts are the last line of defence in terms of the citizens' constitutional rights. Litigants look up to judges for protection of their rights. That calls for efficiency, hard work and accountability on the part of judges.

The role of the Judicial Service Commission in that process is to promote and facilitate the independence and accountability of the judiciary. In that regard I will work closely with the Secretary of the Commission.

I intend to work hand in glove with the Heads of Courts i.e. Judge President Chiweshe for the High Court, Senior Judge Mhuri in the Labour Court and judge Mandeya in the Administrative Court. I beseech these heads of court to be proactive in the management of their respective courts. When I request for accountability from judges I will start with the leaders. In this approach I intend to be more hands on when it comes to supervision of judges whilst at the same time assuring you that I do not intend to interfere with your independence. If anything I will go an extra step in protecting it. The independence of judicial officers is guaranteed in the Constitution. It does not mean dilatoriness in delivery of judgements, lack of accountability in one's work nor tardiness

in finalising cases.

I am informed that an entire segment of this symposium has been reserved for the discussion of the performance of courts and judges. It is in that discussion that we will together walk through some of the expectations I have and the modalities of monitoring and evaluating the performance of judges.

Continuous professional development of judges is a strategic priority area for the Judicial Service Commission in its efforts to strengthen the quality of services offered to the public. It is against that background that we gather here again to discuss issues which affect us in our day to day management of judges' court and chamber work. Various topics mainly dealing with procedural issues have been lined up for discussion. It is my conviction that at the end of the symposium we will all be intellectually richer and wiser.

Allow me to take this opportunity to thank the International Commission of Jurists for their unwavering commitment in supporting the professional development of judges. We value your support and assure you that the fruits of your investment are evident in the huge strides our courts have taken in the few years that we have walked together with you.

I also wish to express my gratitude to Professors Madhuku and Gwisai, both renowned lecturers of law at the University of Zimbabwe and jurists in their own right for taking time to come and share their experiences with us.

With these remarks I welcome all of you to The Great Zimbabwe, pronounce this symposium officially open and wish all of you fruitful deliberations.

THANK YOU.

MIRANDA WRITER

CULTIVATING and smuggling of dagga have kept Mutoko Magistrates' Court officials on their toes as they battle to clear the offences that are now prevalent in the border community.

Statistics show that cases of illegal possession and cultivating dagga were dominant in the area.

Mutoko runs a circuit court at Kotwa Business Centre, 20km from the Zimbabwe-Mozambique border at Nyamapanda.

The Miranda visited the court station and interviewed the magistrate who was in charge Mr Elijah Sibanda.

Mr Sibanda told the writer that most cases of illegal possession of dagga involved international truck drivers

MBANJE CASES INUNDATE MUTOKO COURT

who smuggle the drug into Zimbabwe through Nyamapanda Border Post.

"The most complex cases of possession of dagga that we deal with here involve truck drivers who try to smuggle the drug from Malawi.

"Some of the dagga will be nicely packaged to deceive the

police or any officials at the border.

"The nicely packaged drug is normally stashed in secret compartments of the vehicles," said Mr Sibanda.

Mr Sibanda said most drivers deny the charges arguing that since they were mere transporters, they were not



Mutoko Clerk of Court holding nicely packaged dagga



Mutoko Court staff pose for a group photo

Charehwa is infamous for growing of the illegal plant and most of the suspects are arrested in that area following tip-offs. Police conduct raids in the area resulting in the arrest of the accused persons who are later brought here. The growers are usually the elderly."

aware of the contents. On cultivating the drug, Mr Sibanda said the bulk of the cases came from a village called Charehwa in Mutoko.

"Charehwa is infamous for growing of the illegal plant and most of the suspects are arrested in that area following tip-offs. Police conduct raids in the area resulting in the arrest of the accused persons who are later brought here. The growers are usually the elderly," he said.

The exhibit room at Mutoko Court was full to capacity of bags of dagga.

At Mutoko Centre, the writer witnessed running battles pitting the police and suspected drug dealers.

Police Dog Section teams were conducting an operation to arrest drug dealers and abusers using sniffer dogs.

Sniffer dogs would chase those in possession of illicit drugs leading to the arrest of many, who were mainly the youth. According to statistics accessed at the station, in 2015, Mutoko received

74 cases of either possessing or cultivating dagga.

Last year the figure increased to 91.

Between January and April this year, the cases had already reached 40, an indication that the cases are on the rise.

Sexual offences are also rife in Mutoko.

Commenting on the cases of having sexual intercourse with minors, Mr Sibanda did not totally divorce the offence from abuse of drugs.

"The offences are related and in most cases, those who abuse children are school dropouts who are not employed.

"They abuse girls under the influence of dangerous drugs," he said.

Mutoko Magistrates' Court receives an average of 600 cases a month. Two magistrates are stationed there together with five clerks, three interpreters, two office orderlies, two security guards, one executive assistant and one accounting assistant.

PROFESSIONALISM

Enhances credibility



Judges' clerks who attended the workshop

“
The electronic case tracking system relies on information brought from judges' chambers, so IT returns must be a full representation of information on the ground. The person responsible for putting information on the IT return should pay attention to detail. Accuracy is important, otherwise the integrity of the system will be compromised.”

STEPHEN GWATSWAIRA

JUDGES' clerks and assistants this quarter attended a one-day training workshop to sharpen and enlighten them on how the newly-adopted case tracking and monitoring system works.

Held on May 20, the workshop focussed on the conduct expected of clerks, their reporting structure and reminding them of their core business. Clerks from all provinces converged at Monomotapa Crown Plaza Hotel where the top brass in the registry section of the Judicial Service Commission (JSC) presented papers on selected topics.

Registrar of the High Court Mrs Faith Mushure dwelt on the importance of confidentiality, integrity, propriety, competence and diligence.

She also spoke on how best the staff in question can properly manage the judges' chambers.

On confidentiality, Mrs Mushure enthused: “What happens in Rome should stay in Rome. Proceedings that are happening in chambers should not find their way into the streets.”

She implored judges' clerks and judges'

assistants to maintain independence and remain impartial when dealing with the public.

JSC Deputy Manager for the Information Technology Department Mr Obey Manyenga presented a paper on the case tracking system.

He urged clerks to be accurate in their IT returns.

“The electronic case tracking system relies on information brought from judges' chambers, so IT returns must be a full representation of information on the ground. The person responsible for putting information on the IT return should pay attention to detail. Accuracy is important, otherwise the integrity of the system will be compromised,” said Mr Manyenga.

He said accuracy boosts stakeholders' confidence in the tracking system and statistics.

The main aim of the system, said Mr Manyenga, was to electronically track a case from the time it enters the system to finality.

Mr Manyenga said the system helps create back-up files to ease problems associated with misfiling or loss of court documents.

GWERU MAGISTRATE DIES IN A CAR ACCIDENT



MIRANDA WRITER

VETERAN magistrate Tendai Madanire this quarter died in a road accident while travelling from his workstation in Gweru to his home in Kwekwe.

Madanire, who was based at Gweru Magistrates' Court, left behind wife Ms Sheila Mdhlanu and two children, son Tendai Jonathan and daughter Lena.

Chief magistrate Mr Mishrod Guvamombe described the late Madanire as affable, hardworking and dedicated judicial officer who would be sadly missed.

"The void that he left will be difficult to fill. On behalf of all the magistrates, I would like to extend my condolences to his wife children and the entire Madanhire family," he said.

Born in Bulawayo 1967, Madanire did his primary and secondary education in Bulawayo.

Madanire was appointed into service in 1992 as a court interpreter. He later enrolled with the Judicial College of Zimbabwe graduating as a magistrate in 1997.

Seeking to improve his career, he enrolled at the Midlands State University to read for a Bachelor of Law (Honours) Degree graduating in 2006.

Hard work saw him rise from the post of Magisterial Assistant, Magistrate, Senior Magistrate to Provincial Magistrate, a grade he held until the time of his death.

During his period of service Provincial Magistrate Madanire worked at Kwekwe, Rusape and Bulawayo Magistrate Courts. At the time of his death he was working at Gweru Magistrate Courts.

Madanire was buried at his rural home in Sese Village in Chivi.

SECRETARY'S TOURS SPAWN INFRASTRUCTURE UPGRADE

BY SAVIOUS DUBE

Judicial Service Commission (JSC) secretary Justice Rita Makarau and her entourage this quarter visited Matabeleland South Province to assess the Commission's operations, state of infrastructure and the general performance of staff.

The visit was part of her countrywide tours to have an appreciation of operations and to identify areas in need of intervention.

In March, Justice Makarau and her team toured various stations in the Midlands Province.

The Mat South tour ran from June 5 to 9.

Her delegation comprised Deputy Secretary Mr Munamato Mutevedzi and representatives from the Administration, and Finance departments.

Mr Mutevedzi noted with concern the accommodation crisis at Gwanda Magistrates' Court.

"The accommodation situation at Gwanda is not pleasing at all. Our various offices there are hardly identifiable because some are housed within other Government departments' buildings.

"Unlike other stations, Gwanda does not have a standalone JSC structure."

Beitbridge Magistrates' Court was the first station to host the JSC delegation on June 5.

The team visited the new court complex which handles criminal cases, before proceeding to the old District Administrator's office which houses the Civil Court.

After inspecting the two courts, the team's next port

of call was Filabusi Magistrates' Court.

On June 6, the delegation visited Gwanda Magistrates' Court where it inspected the civil court, a building housing the criminal court and a massive court structure that is still under construction.

The same day, the delegation drove to Esigodini Magistrates' Court.

On June 7, the team proceeded to Kezi before visiting Plumtree Court on June 8.

The Secretary also had a luncheon with JSC institutional managers in Bulawayo.

Deputy Registrar of the High Court in Bulawayo Mr David Dodzo, Matabeleland North Provincial Magistrate Mr Aeneas Magate, Deputy Registrar of the Labour Court Mr Brian Matomba, Additional Sheriff for Matabeleland South Mr Nathaniel Bhunu, Additional Sheriff for Bulawayo Mr Nzvere and Deputy Master of High Court for Bulawayo Mr Antonio attended the meeting.

In March, the Secretary visited Midlands Province and immediately after the tour, she directed the procurement of visitors chairs, filing cabinets, photocopiers, refrigerators, fax machines and others for the various stations.

She ordered that a borehole be sunk at Shurugwi Magistrates' Court which was facing a water crisis.

All Resident Magistrates' offices in Midlands were furnished and the courtroom at the Labour Court in Gweru was also repaired.

JSC also repaired the Victim Friendly Court in Gweru.



MAT NORTH TOUR IN PICTURES






LEGAL CODEBREAKER NO.4

SET BY MAYOR

Each number in this puzzle represents the same letter throughout.
To the right of the grid are clues to the expressions required.
The clues are not in any particular order and you have to decide where each solution fits.

		1		2	PUZZLE FEEDBACK WELCOME		3	4	5
5	6	7	7	8	9	10		8	
6		11		16		7		1	13
23		14	15	12	7	8		14	
19	WHATSAPP 0776367719		20		14		12		11
13		21	8	11	4	22	12	4	20
5		8		2		24	PUZZLE FEEDBACK WELCOME		13
10		6		11	18	8	4	12	23
4	16	10		18		2		1	12
		12		11	2	2	12	14	12
25	12	4	WHATSAPP 0776367719		25		12		

CLUES	ANSWERS
Treat badly	
Lose life	
Claimed	
Border	
Morally tainted	
Zimbabwean city	
..... to court (sue)	
Cites	
Cross-..... (quizzed, in trial)	
Ready	
Guilty party	
Without lying	
Sets aside (charges)	
Affirmative answer	
Judicial Service Commission, in short	
Bible book, in higher courts!	
Justice who?	

WORKING SPACE

1	2	3	4	5	6	7	8	9	10	11	12	13
14	15	16	17	18	19	20	21	22	23	24	25	26

SOLUTIONS FOR PREVIOUS PUZZLE

1	2	3	4	5	6	7	8	9	10	11	12	13
L	E	G	A	B	R	O	K	P	I	Z	W	X
14	15	16	17	18	19	20	21	22	23	24	25	26
T	N	F	D	U	C	J	M	V	S	H	Y	Q