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## Miranda Team

### HARARE

Ephraim Ncube (Harare Magistrates' Court)  
Rufaro Marira (Labour Court)  
Steven Gwatsvaira (High Court)  
Anxious Mbalanga (Chitungwiza Court)  
Francisca Malaba (Master's Office)

### BULAWAYO

Phillip Makondo (Magistrates' Court)  
Nqobile Mlotshwa (Labour Court)  
Musiwa Manase (High Court)

### MASVINGO

Rungano Victor Mahamadi (Magistrates' Court)

### MANICALAND

Rumbidzayi Zimunya (Mutare Magistrates' Court)

### MASHONALAND CENTRAL

Holder Mangumbi (Bindura Magistrates' Court)

### MASHONALAND WEST

Takesure Gora (Chinhoyi Magistrates' Court)

### MATABELELAND SOUTH

Servious Dube (Gwanda Magistrates' Court)

# EDITOR'S MEMO



Welcome to our second edition of Miranda for 2018, I hope I find you well.

In this edition we give you information on developments in the justice delivery system and ongoing efforts by the Judicial Service Commission (JSC) to smoothen the operations of courts countrywide.

Chief Justice Luke Malaba has introduced an annual indaba where he listens and possibly finds solutions to problems being faced by magistrates countrywide. He is also in the process of introducing a car policy that will see the judicial officers rolling in new wheels soon.

This comes as Government has opened a state-of-the-art High Court station in Mutare, easing pressure on the people of Manicaland Province who, in the past, were losing lots of money travelling to Harare for High Court cases.

President Mnangagwa has unfrozen 233 posts in the JSC with recruitment for magistrates, court interpreters and other support staff already underway. The move is expected to ease the backlog of cases at the courts and relieve workers who had to do a lot of work to cover up for current shortages. On a lighter note, Hwange Court is facing teething problems with baboons that are disrupting court proceedings and damaging the building's roof. So serious are challenges being faced because of the primates that visitors to the courts are no longer comfortable after some have had their food stolen from them by the baboons.

Enjoy your read.

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## From the Secretary's Desk

**Mr Walter Chikwana**

Secretary of the Judicial Service Commission

If I was asked to describe, in one word, the events in the Judicial Service Commission since the last *Miranda* edition, that would be an injustice.

One word can never befittingly tell our story in the last quarter.

To mention but a few, the Mutare High Court was officially opened on 7 May 2018 by Vice President Constantino Chiwenga in his capacity as acting President, marking the fourth High Court station in Zimbabwe. Two more Judges, the Honourable Lavendar Makoni JA and the Honourable Francis Bere JA, were added to the Supreme Court bench on 14 May 2018.

On 31 May 2018 we welcomed two Commissioners to the Judicial Service Commission, the Deputy Chief Justice Honourable Elizabeth Gwaunza, DCJ and the Civil Service Commission chairperson, Dr Vincent Hungwe.

Victory after a long battle is indeed sweet.

In the last quarter, we were authorised by Treasury to recruit 233 additional members of staff composed of ten Regional Magistrates (which we have already done); 60 Magistrates, 37 interpreters; 51 Assistant Registrars, 15 Clerks of Courts, 30 Judges' Clerks and 30 drivers. We were severely constrained in terms of staffing and this was a very timely and necessary intervention. The opening up of these posts enabled us to operationalise on a permanent basis Plumtree, Chipinge, Guruve and Kadoma Regional Magistrates Courts; and to establish the Karoi Regional Court and Concession Resident Magistrates' Court.

This volume bears testimony to the eventfulness of the last quarter. It tells of a story built on teamwork, passion for excellence and a quest by JSC members to see a commission that serves Zimbabwe well. To Team JSC, I say thank you.

We are in this together.



VP Chiwenga addresses the crowd during the official opening of the High Court in Mutare recently

# VP CHIWENGA OPENS MUTARE HIGH COURT

MIRANDA WRITER

**V**ICE President Constantino Chiwenga this quarter officially opened

the country's fourth permanent High Court station in Mutare, in a historic development that brought justice to the people of Manicaland.

Manicaland folk previously had to travel to Harare for High Court sessions, while a periodic circuit court would sit in the province for two weeks towards the end of every legal term.

For bail applications, civil matters and other cases, litigants would approach the High Court in Harare, close to 300km away.

On May 7 2018, the Mutare High Court opened its doors to the public

at a colourful ceremony officiated by VP Chiwenga.

Justice Hlekani Mwayera was appointed Resident Judge for the new court, while Mr Godfrey Unzemoyo was appointed Registrar. Addressing a bumper crowd in the eastern border town, VP Chiwenga hailed JSC for decentralising its operations.

"I applaud the decision by the Judicial Service Commission to make justice more accessible to the people by decentralising its operations to the provinces," he said.

Such initiatives, the VP said, support Government policies aimed at reviving the country's economy.

"In the same vein, the establishment of this court is a supporting tool to Government's policies, such as the Ease of Doing Business Initiative

and the increase in Direct Foreign Investment into the country.

"It bears testimony not only to our commitment to open up the country for investment, but to also increase the production and trading capacities of local industry," said the VP.

Business, the VP said, derives confidence from the courts that expeditiously determine commercial disputes.

"The courts must protect proprietary interests of everyone in Zimbabwe, including juristic persons. "With world-class institutions like this new High Court, Zimbabwe has no hesitation to invite those interested to invest in the country," said VP Chiwenga.

VP Chiwenga described the newly refurbished High Court structure as magnificent adding that it competes



Police offer security services during the official opening of Mutare High Court

with the best in southern Africa. He urged Chief Justice Luke Malaba to ensure the establishment of more permanent High Court stations in other remaining provinces.

“I therefore, exhort the Honourable Chief Justice, to establish with urgency, permanent High Court stations in other provincial centres, such as Gweru, Lupane and Gwanda,” he said.

Chief Justice Malaba said the Judiciary was ready to play its part in speedily resolving disputes in line with Government’s policy of promoting ease of doing business.

“The Judiciary is ready to play its part by ensuring that those disputes are resolved without delay,” he said.

The Chief Justice hailed technical experts from the Department of Public Works for renovating and customising an old dilapidated cinema house “Vista Rama” building into a magnificent courthouse.

“I am grateful to the engineers and technicians in the Department of Public Works, who helped us to turn an old and abandoned cinema house

into a world-class state-of-the-art court structure.

“The building competes with the best in the region,” he said.



Chief Justice Malaba celebrates the symbolic handover of the building from the Ministry of Local Government, Public Works and National Housing



Magistrates follow proceedings during the Chief Justice's interactive meeting in Harare recently

MIRANDA WRITER

**M**AGISTRATES will, with effect from this year, meet the Chief Justice annually to take stock of successes and challenges faced by judicial officers nationwide.

The annual indaba will discuss issues to do with staff welfare and possibly, come up with solutions.

Chief Justice Luke Malaba, who operates on an open-door policy, said the annual meeting should be attended by magistrates in-charge of the country's provinces as well as Resident Magistrates.

Such a gathering, affords the magistracy an opportunity to directly share their experiences with the Judiciary boss, a platform that never existed before.

During his interactive meeting with magistrates from Harare, Mashonaland West and Mashonaland Central provinces recently, Chief Justice Malaba directed the Acting Secretary Mr Walter Chikwana to organise the annual conferences, starting from this year.

"Every year, there should be a

## ANNUAL INDABA FOR CHIEF JUSTICE, MAGISTRATES

conference for the magistrates. During the conference, I will meet all Resident Magistrates and provincial heads to discuss issues affecting them. I will hear their concerns and discuss the best ways of improving the quality of justice offered to the people.

"Mr Chikwana, I want you to ensure we gather for such meetings annually, starting from this year.

"I am not saying you must not have your own associations like the Magistrates Association of Zimbabwe, but I feel I should hear from you as well at such an annual platform," he said.

Magistrates have hailed the Chief Justice for his leadership style which recognises the importance of the magistracy.

Mataberland North Provincial Magistrate Mr Aenius Magate

described Chief Justice Malaba as a game changer.

"In the past, we only saw the Chief Justice on television attending national heroes' funerals during news hour. We never had an opportunity to shake hands with him the way we have done today.

"We want to thank the Honourable Chief Justice for reaching out to us," he said.

Mr Magate said, within a short space of time, the interactions have already yielded positive results.

"Through these interactions, Resident Magistrates and Provincial Magistrates are now getting an allowance for the administrative roles.

"All magistrates are now getting cellphones from the Judicial Service Commission and cars are on their way for all magistrates," he said.



A baboon patrols Hwange Magistrates Court premises

# UNUSUAL VISITORS WREAK HAVOC

MIRANDA WRITER

**W**HILE it sounds like a chapter plucked off a horror series, events unfolding at Hwange Magistrates Court have left staff and litigants in awe.

Workers at the court seem to be fighting a losing battle with a pack of baboons that disrupt court sessions and damage the building's roof.

The primates also pose danger to litigants and court staff in dry seasons when food will be scarce.

Baboons patrol the area hunting for scorpions, lizards, insects and anything they can lay their hands on in bins.

Horror begins when their prey hide in crevices of tiles, which prompts the baboons to pull off the tiles, damaging

the roof. Hwange Regional Magistrate Mr Collet Ncube has since appealed to the Judicial Service Commission (JSC) to buy the court, a pellet gun to scare the primates away.

He also proposed that strands of razor wire or barbed wire be placed atop the security fence to keep the baboons at bay.

"Baboons do not acknowledge that

"Baboons do not acknowledge that the court is in session. They just make noise disrupting the court proceedings. We appeal to JSC to buy us a pellet gun to scare them away. Cutting down of nearby tall trees is another way of preventing the baboons from entering the court premises, . . ."

the court is in session. They just make noise disrupting the court proceedings. We appeal to JSC to buy us a pellet gun to scare them away. Cutting down of nearby tall trees is another way of preventing the baboons from entering the court premises," he said.

Mr Ncube said the security fence at Hwange was not being helpful.

"We have a security fence but still we are not winning the war. We appeal to JSC to either put razor wire or lines of barbed wire on top of the security fence to block the animals from entering," he said.

Killing baboons is a serious offence, hence the decision to engage the Parks and Wildlife Management Authority. The baboons, according to Mr Ncube, become aggressive during the dry seasons when food is scarce.

"When food is scarce, baboons pose a serious threat to the people. They forcibly take away food from children and women and at times injuring them in the process," he said.



Hwange Court staff



Bulawayo magistrates listening to the address by Chief Justice Malaba in Bulawayo

## VEHICLE SCHEME FOR MAGISTRATES



Chief Justice Malaba

MIRANDA WRITER

**T**HE Judicial Service Commission (JSC) has struck a deal with Nissan Clover Leaf Motors and two local banks for the supply of brand new vehicles to magistrates on generous repayment terms as part of measures to improve staff welfare.

Magistrates risk their lives sharing public transport with disgruntled litigants who occasionally harm them.

This also compromised their impartiality.

JSC Acting Secretary Mr Walter Chikwana said arrangements were now at an advanced stage and the transport problem within the magistracy will soon be a thing of the past.

"We have since signed agreements with Metropolitan Bank and FBC Bank and they are willing to advance funds for the purchase of the vehicles

from Nissan Clover Leaf Motors. Magistrates will then repay the loans to the banks over a period of time," said Mr Chikwana.

The only outstanding issue, Mr Chikwana said, was a meeting with the Governor of the Reserve Bank Dr John Mangudya to seek the release of foreign currency to import the vehicles.

Chief Justice Luke Malaba, during his interactive meeting with magistrates from Harare, Mashonaland West and Central provinces, said the proposed "Datsun Go" brand new vehicles will be affordable to all magistrates.

"We settled for a standard vehicle that is affordable to all magistrates. The market price of the vehicle is double the price that a magistrate will get it.

"It costs around \$20 000 on the market but the magistrates will get it at \$12 000," he said.

The Chief Justice said Nissan Clover Leaf Motors had agreed to supply 200 brand new vehicles to the magistrates.

# JSC GETS NOD TO RECRUIT 233

MIRANDA WRITER

**A**FTER eight years of pleading with Government, the Judicial Service Commission (JSC) recently got the nod to recruit 233 workers with a view to enhancing the efficiency at the courts and easing pressure on available staff.

In May, Treasury allowed the commission to employ 233 workers to beef up its staff complement.

JSC, which had been grappling under an acute staff shortage for close to a decade, will start recruiting on July 1. At least 19 courtrooms had closed down owing to the shortage of magistrates and support staff countrywide.

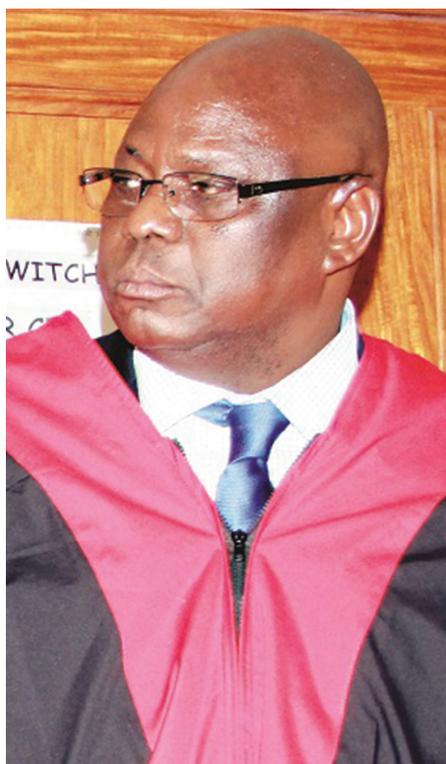
Chief magistrate Mr Mishrod Guvamombe hailed the development saying it will go a long way in restoring functionality of the courts. He hailed Government for the good gesture.

"We have been allowed to recruit 233 staff members, 70 of them being magistrates. We are quite grateful for the gesture that will restore functionality of the courts," said Mr Guvamombe.

The unfreezing of posts will see the recruitment of 70 magistrates, 37 court interpreters, 15 clerks of court, 51 assistant registrars, 30 judges' clerks and 30 drivers between July and November this year.

Recruitment starts on July 1 this year with 10 regional magistrates, 50 magistrates of other grades plus 27 court interpreters.

With effect from September 1, JSC will recruit 10 court interpreters, 20



*Mr Mishrod Guvamombe*

**"We have been allowed to recruit 233 staff members, 70 of them being magistrates. We are quite grateful for the gesture that will restore functionality of the courts, ..."**

assistant registrars, 10 drivers, 10 judges' clerks and the last batch of 10 magistrates.

In November this year, the Commission will recruit 15 clerks of court, 31 assistant registrars, 20

judge's clerks and 10 drivers.

The vacancies will be advertised and interviews will be held to select the best candidates.

The shortage, according to JSC, was posing a serious threat to the justice delivery system amid reports that 19 courts had been closed.

At Harare Magistrates Court alone, four courts were now redundant due to shortage of magistrates while in Mutare, one was closed.

Fourteen others were locked up at various stations countrywide, a development that increased the workload on the few available magistrates.

Zimbabweans, according to JSC, had become too litigious and unfreezing of the posts was the best way to go to improve efficiency of the courts.

Recently, Government set up Anti-Corruption Courts in Bulawayo and Harare with a view to fight graft and the development requires more magistrates and support staff.

The specialised anti-graft courts, will be decentralised to all the country's 10 provinces.

JSC also requires more staff considering that all court stations are now handling commercial disputes, in line with Government's thrust of improving ease of doing business.

Treasury unfroze the posts following the intervention of the presidium.

Vice President Constantino Guvheya Nyikadzino Dominic Chiwenga, while officially opening the country's fourth permanent High Court in Mutare on 7 May this year, bemoaned the shortage of staff in the Judiciary and undertook to come up with an immediate solution.

Barely a month later, JSC received the good news of the unfreezing of posts.



Mr Muzenda (touching tender boxes) poses for a photograph with his team

## PROCUREMENT MANAGEMENT UNIT FOR JSC

MIRANDA WRITER

**I**N line with the Government's thrust of promoting good governance, the Judicial Service Commission (JSC) has established a new department to handle procurement.

The Procurement Management Unit (PMU), an independent unit headed by JSC's Procurement Manager Mr Elias Muzenda, was set up in terms of Section 17 of the Public Procurement and Disposal of Public Assets Act (Chapter 22:23).

Its operations are guided by regulations gazetted under Statutory Instrument Number 5 of 2018.

Mr Muzenda is deputised by Mr George Madzikura.

For gender balance, the two work with three women—Mrs Beverly Dengende, Ms Constance Jason and Mrs Mbiriya Mwari Dhliwayo.

In an interview, Mr Muzenda said the unit was based at JSC head office in Harare, but procurement was now being done at provincial level.

"The department also procures at provincial level. We have decentralised our operations,

although our offices are at head office in Harare."

Mr Muzenda said his unit operated under the directive and supervision of the Procurement Regulatory Authority of Zimbabwe (PRAZ).

"PMU represents what used to be known as the State Procurement Board (SPB) in the previous establishment. We can handle tenders and award contracts up to prescribed thresholds. Above those thresholds, we will have to refer the work to PRAZ," said Mr Muzenda.

The new unit brought about the separation of functions between the procurement entities and the regulatory authority.

"The regulatory authority's function is to regulate, monitor, to review and to issue instructions or directives. The whole procurement function is the responsibility of JSC, through the PMU," said the Procurement Manager.

The procurement boss said there was need to introduce training courses for his team to sharpen their skills for efficiency.

The unit's vision, according to Mr Muzenda, was to provide an efficient and effective procurement platform that will equip JSC with the necessary resources.



PMU team poses for a photograph outside their office

**“There is no great achievement that is not a result of patient working and waiting”, writes Josiah Gilbert Holland, an American poet.**

Justices Lavender Makoni and Francis Bere sat on the High Court bench for 16 and 14 years, respectively, with a clean record that later catapulted them to the apex of the Judiciary.

When the Judicial Service Commission (JSC) advertised four vacancies on the Supreme Court bench in September 2016, the two judges were among eight High Court judges who were nominated to attend the selection interview.

Interviews were held end of September 2016 and the eight judges impressed.

The names were forwarded to the Executive and the appointment dragged for nearly 18 months.

It was, indeed, a long wait.

The two judges, on May 11 this year took the judicial oath before Chief Justice Luke Malaba at a colourful ceremony held at Mashonganyika Building in Harare.

They joined the Supreme Court bench, which was heavily understaffed.

In an interview, Justice Bere could not hide his joy.

“It is a culmination of 14 solid years of hard and honest work. It is every judge’s dream to be elevated to the Supreme Court because it is the apex of the Judiciary. I am looking forward to the new challenge,” he said.

Justice Makoni said she had waited long for the appointment.

“Finally I am very elated and excited. The appointment has been in the pipeline for about 18 months, when we

**“It is a culmination of 14 solid years of hard and honest work. It is every judge’s dream to be elevated to the Supreme Court because it is the apex of the Judiciary. I am looking forward to the new challenge, . . .”**



Justices Bere and Makoni chatting after taking oaths of office

## JUSTICES MAKONI, BERE ELEVATED TO SUPREME COURT

were interviewed. We waited patiently until the appointments were finally made,” she said.

Justice Makoni said JSC was striving to comply with the constitutional requirements of gender balance by considering women as judges of the Supreme Court.

“JSC is trying hard to comply with the Constitution regarding gender. At Supreme Court, there is a balance of male and female judges.

“However, at the High Court, women are still fewer than men. With time, I hope to see gender balance as well at the High Court,” she said.

Justices Bere and Makoni were among eight High Court judges who were interviewed for the vacant posts of Supreme Court judges in 2016.

The eight, six men and two women were interviewed on September 29, 2016. Other judges who participated in the interviews were: Justices Priscilla Chigumba, Alfas Chitakunye, Charles Hungwe, Samuel Kudya, Joseph Mafusire and Nicholas Mathonsi.

Justice Makoni served as a High Court

judge for 16 years before the latest elevation to the Supreme Court. She was now a senior judge in-charge of the High Court’s civil division based in Harare.

Prior to her joining the Judiciary, Justice Makoni practised as a legal practitioner and founded Makoni Legal Practice. She also served as a law officer in the Attorney-General’s Office for 12 years.

Justice Bere was appointed to the High Court bench in 2004 and worked in Harare. Prior to his appointment to the High Court bench, Justice Bere served as a judge of the Administrative Court for four years.

At the time of his appointment to the Supreme Court, he was now senior judge in-charge of the High Court in Bulawayo.

Justice Bere started off as a teacher and worked at three schools in Murehwa, Mutoko and Bindura in the 1980s.

He joined the magistracy in July 1990. Justice Bere then practised as a legal practitioner with Bere & Associates Legal Practitioners from 1993 to 2000.



*The dome on the Bulawayo High Court is now back to its original look and colour, thanks to the recent refurbishment of the building. The dome, which looked green owing to dirt and the vagaries of weather, now boasts of a shiny copper look. It now also gives a magnificent ambiance to the recently painted High Court Building and its surroundings.*

## SUPREME COURT SHORT OF FOUR JUDGES

MIRANDA WRITER

**T**HE Supreme Court remains understaffed and at least four more judges are required to ease pressure on the available judges, Chief Justice Luke Malaba has said.

Speaking at the swearing-in ceremony for Justices Lavender Makoni and Francis Bere to the highest court of appeal recently, the Chief Justice hailed Government for the appointments but indicated that the bench still needed more judges.

The Judiciary boss declared four more vacancies at the Supreme Court with a view to meeting the Judicial Service Commission (JSC)'s set target of legally and administratively separating the Supreme Court and the Constitutional Court by 2020.

Already, renovation and customisation of the Old Supreme Court building into a proper court is now underway to accommodate the court of appeal.

When renovations at the Supreme Court's original base are complete,

the court of appeal will move out of Mashonganyika Building, which will strictly be reserved for Constitutional Court business.

The Chief Justice said despite the appointment of the two new judges to the Supreme Court, the court remained understaffed.

"We are very grateful for the appointment of the two judges to the Supreme Court. We have been looking forward to this happening for some time.

"However, we still require more judges for the Supreme Court. In 2016 we declared four vacant posts but unfortunately, we got only eight nominees for the public interviews. We were supposed to forward to the President three names for every vacancy, but we ended up submitting only eight, the total number of the candidates who participated in the interviews.

"The President, using his discretion only picked two names from the list of eight. This was because his freedom of

choice was limited.

"It is on that basis that we have two new judges, instead of four," he said.

The assignment of Justice Tendai Uchena to the Land Commission coupled with the hospitalisation of Justice Susan Mavangira, brought the Supreme Court back to its original situation where it was short of four judges.

"Justice Uchena was appointed chairman of the Land Commission and that assignment has taken all of his time. We have actually removed him from our court roll for some time. Again, one of our judges, Justice Mavangira is hospitalised. She had an operation and she is excused from duty for some time. "She needs time to recover. That situation, coupled with the appointment of only two judges, instead of four, brings us to the situation that prevailed in 2016 when we declared four vacancies in the Supreme Court," said Chief Justice Malaba.

The Chief Justice said JSC will soon advertise the vacancies.

# 2018 2<sup>ND</sup> QUARTER IN PICTURES







Mr Chingombe



Mr Madzikura



Mr Makomo



Mr Manyenga

# JSC MAKES SENIOR APPOINTMENTS

MIRANDA WRITER

**T**HE Judicial Service Commission (JSC) has made four senior management appointments in the second quarter of 2018.

Mr Million Chingombe is now JSC human resources manager, filling the vacancy created by the death of Mr Marumura in 2016.

Mr Chingombe has vast experience in human resources after holding management positions at big companies that include, Mutare Bottling Company, Sandvik Mining in Ngezi and Maranatha Ferrochrome Private Limited in Kadoma.

He also worked as human resources officer for Zimbabwe Power Company (ZPC) and at Mazowe Mine.

Mr Chingombe holds a Master of Business Administration degree from Gloucestershire in the United Kingdom and a Diploma in Personnel Management (IPMZ).

He is a full member of the Institute of People Management of Zimbabwe (IPMZ).

Mr Elijah Makomo is now the country's Deputy Chief Magistrate, taking over from Mr Gibson Mandaza, who is now Deputy Registrar (Civil Division) at the High Court.

The new Deputy Chief Magistrate is a lawyer, who has served as a magistrate for 13 years.

At the time of his appointment to the current position, Mr Makomo was a regional magistrate in the Eastern Division.

He has served as chairman and board member for Chitungwiza Central Hospital.

Mr Makomo is studying towards a Master of Business Administration degree at Midlands State University.

Mr Obey Manyenga was elevated from the position of deputy information and communication technology manager to be the department's manager.

He graduated with a Bachelor of Science Honours degree in Information Systems from Midlands State University and joined JSC as IT liaison officer in 2012.

Mr Manyenga was promoted to be deputy IT manager in July 2015 before his latest elevation on April 26 this year.

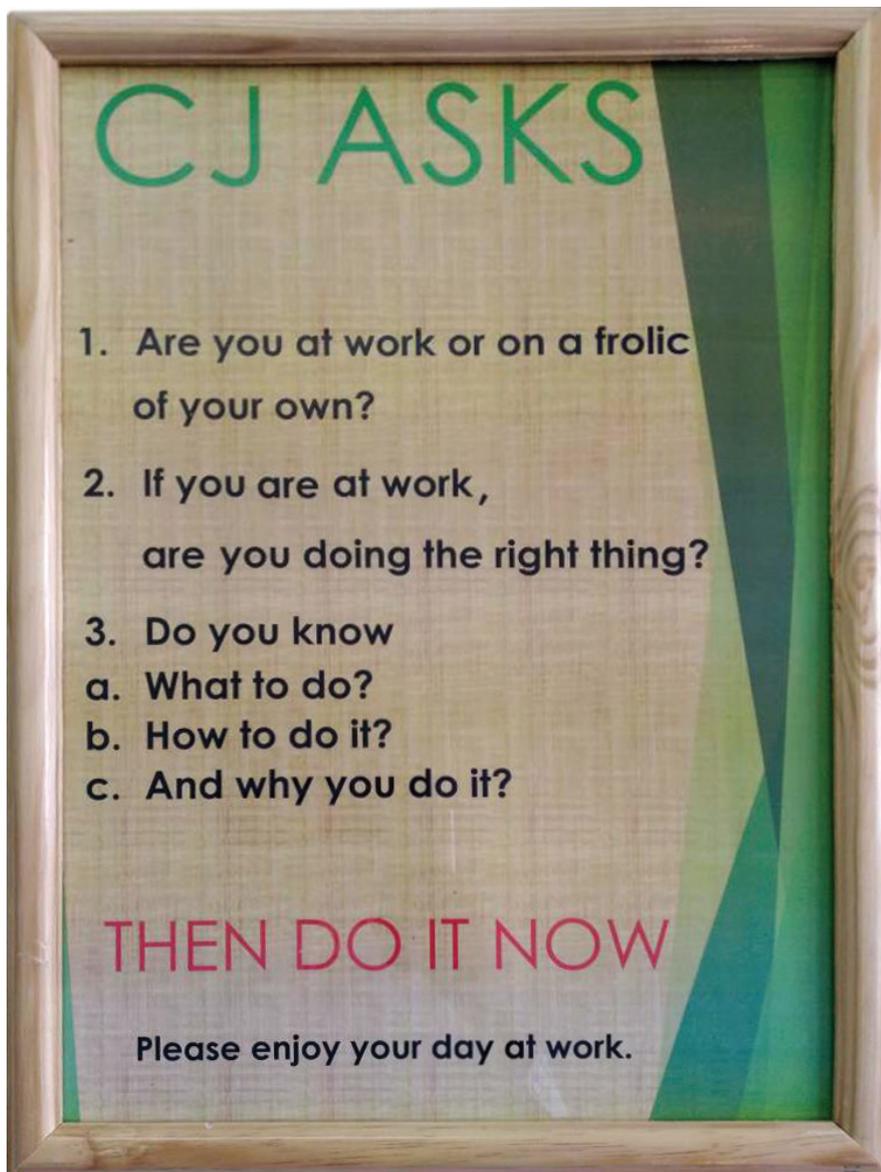
Mr George Madzikura is now deputy procurement manager.

He started off as a Clerk of Court in 1999 before being promoted to an administration officer in Bulawayo.

He moved to JSC head office in Harare in 2014 where he worked as an administration officer responsible for transport.

Mr Madzikura headed the transport section for four years until his latest promotion in April this year.

He holds an Executive Masters' degree in Business Administration. He is also a holder of a Higher National Diploma in Purchasing and Material Management (Institute of Administration and Commerce).



## CJ MALABA INTRODUCES NEW WORK ETHIC

BY NYASHA LEE VITORINI

**W**hen asked to give a vote of thanks after the CJ's interactive meeting with magistrates in Mashonaland East, Mr Ignatius Mugova had this to say:

*"In my 34 years as a magistrate, I have never sat in a meeting addressed by the Chief Justice. This is the first time it has happened to me."*

Mr Mugova's comment incited an introspective understanding of how

the Judicial Service Commission (JSC) communicates within itself as an organisation.

Before the inception of the JSC, secretariat services of the Judiciary were provided by the Ministry of Justice. Is it possible to therefore establish the internal communication policy of pre-JSC into the JSC dispensation?

For me, the natural starting point in this quest was a cursory look at the communication symbols in my office (when I was Resident Magistrate at Mutoko).

I noted the usual portraits of the Head of State and the Chief Justice.

A mint portrait had recently been

added: this one had no picture but simply headlined; "The CJ Asks".

Many will agree with me that the pictures hanging on our walls tell stories in a profound manner, more than words will ever convey.

Looking at the "CJ Asks" portrait I thought out loud;

"For my few years on the bench I have never read what the CJ thinks except in judgments and statements in the media."

This portrait deserves attention because when the Chief Justice says his mind in a case before the court, he speaks the law and when he writes a note (transformed into a portrait) he speaks policy.

The starting point is the topic or headline of the portrait, The CJ Asks. Simply put, these are questions from the head of both the Secretariat and the Judiciary.

In reading through the portrait, one notes that it is in three (question) paragraphs.

The literary critic would then ask, why using questions to talk to your audience?

The question mode is an engaging literary technique. It allows a two-way communication between the speaker and the listener.

The question approach places the speaker at the same level with his audience. The speaker allows his listener to respond i.e. he is also prepared to listen. This initiator of the conversation is also prepared to listen to the listener. Profound! The question technique is a must have tool in Judicial proceedings. It is used in a guided manner to place evidence before the court or tribunal.

The question approach in criminal or civil trials allows a witness to tell his or her story. It gives the witness a voice. The use of the question approach by the CJ may therefore be read as underlining two things:

- That the speaker is a seasoned lawyer who knows how to make effective use of

the question approach to establish the truth or propagate certain positions.

- That the CJ is setting a policy of engagement within the JSC internal communication policy. He is setting an example on how leaders or heads should communicate with subordinates.

One may contend that the “CJ Asks” portrait is a deliberate shift of policy from directives to engagements. It is pertinent to note that leaders however do not endlessly engage. At the end of the day leaders direct. The portrait ends with the “Do it now” directive. After asking questions the CJ still remains the leader who directs!

Many in the JSC will agree that the circular has been the prominent feature of communication in the pre-JSC into the JSC era. We also saw some creativity in the issuance of Joint Memorandums from the Chief Magistrate and the Registrar

of the High Court sometime in 2012-2014. There were also practice directives from the Chief Justice over the last two years. All these forms of communication are generally directive; they tell members of what is expected. The “CJ Asks” portrait may therefore be read as a statement introducing an ‘engage and direct’ approach within the JSC.

A look at the first question shows unmistakable firmness in the tone of the wording used. The question may pass a rhetorical question meant to whip errant members into line. The C.J is unable to engage anyone who is frolicking.

The second question is a reinforcement of the first question, if you are at work, are you doing the right thing.

The following three questions under paragraph three suggest a sudden shift in tone; the CJ addresses the substantive, procedural and ethical aspects of work in arguably a calm manner that even lowers the crescendo of the whole portrait.

“What to do” is the content aspect i.e. the substantive. It seems the CJ suddenly thought that it’s futile to ask people to do the right thing when they do not know what to do. It is also impractical to do the right thing where one is ignorant of the procedural aspects i.e. the how part. Finally the why question may be read as an appeal to the ethical aspects of justice delivery. Paragraph 3 of the portrait is therefore arguably the most engaging part. The questions compel the listener to introspect in a profound manner.

The last line, written in red, is an express directive, the CJ directs a bare fight with the all too common inner procrastinator: the I will do it later syndrome. Given the nature of our judicial system, most tasks are time specific so the "do it now" is our buy line. If you have something in your ‘in’ or ‘pending’ tray please do it now (at least after reading this article). In signing out let me borrow from the CJ; “Please enjoy your day at work.”

#### MIRANDA WRITER

**C**HIMANIMANI is a major tourism district in Manicaland province that appears to be totally forgotten in terms of access to justice.

Apart from being favoured with tourist attractions like the Bridal Falls, Chimanimani National Parks among others, there is a great deal of farming, timber processing and mining activities taking place in the district.

The crime rate is high and the district is serviced by a number of police stations including, Chimanimani Police Station, Cashel Police Station, Nyanyadzi Police Station and several police posts.

Surprisingly, the district does not have a permanent court of law.

For court appearances, the police either take the suspects to Mutare or Chipinge. Although the Judicial Service Commission (JSC) has made efforts to bring justice to the district through periodic circuit courts, Chimanimani needs a resident court.

Chimanimani, which is dominated by



Minister Mutsvangwa

### DESIGNATE A COURT FOR CHIMANIMANI: MINISTER

the Ndau people, is 143km away from Mutare and 73km from Chipinge.

The two towns surrounding Chimanimani have permanent magistrate courts, but the distances are too much for the people of the “forgotten” district.

Speaking at the official opening

of Mutare High Court recently, Manicaland Provincial Affairs Minister Senator Monica Mutsvangwa lamented the long distances travelled by the Chimanimani folk to access justice.

She spelt the need to establish a permanent court in Chimanimani as part of the JSCs drive to ensure access to justice for all.

“The people of Chimanimani travel long distances to get to court. Chimanimani has no permanent court station. The people there, rely on periodic circuit court sessions.

“I appeal to the Government to designate Chimanimani as a permanent court station to ensure access to justice for all people.

“The establishment of a court in Chimanimani will go a long way in bringing justice to the people,” said Minister Mutsvangwa.

Sen Mutsvangwa bemoaned the shortage of staff at the available courts in the province.

She pleaded with the Treasury to grant the request by JSC for unfreezing of the posts.



President Mnangagwa (putting on a scarf) flanked by Justice Gwaunza (left) and Dr Hungwe (right) pose for a group photo at State House

MIRANDA WRITER

**D** EPUTY Chief Justice Elizabeth Gwaunza and Civil Service Commission (CSC) chairperson Dr Vincent Hungwe are now commissioners of the Judicial Service Commission (JSC) after taking their oaths of office before President Mnangagwa at State House recently.

Justice Gwaunza, who in March this year, was sworn in as Deputy Chief Justice, was back at State House, two months later, for another oath to serve as a commissioner.

By virtue of being the DCJ, Justice Gwaunza automatically qualified to deputise the commission's chairperson. In the absence of the Chief Justice, Justice Gwaunza will chair the commission's meetings.

Dr Hungwe also joined JSC, barely a month after being appointed CSC chairperson.

The chairperson of the CSC, in terms of the law, must also be sworn in as a commissioner for the JSC.

The pair's appointment brings to 11, the number of JSC commissioners.

JSC, according to the Constitution, must have 13 commissioners.

Two others – a law trainer and another from the human resources field – are still to be appointed.

Dr Hungwe, a former permanent secretary in the Ministry of Local Government, Public Works and National Housing, has vast experience in management.

In terms of the Constitution, Dr Hungwe will also chair the Defence Forces Service Commission, Police



Justice Gwaunza

## GWAUNZA, HUNGWE NOW JSC COMMISSIONERS

Service Commission and the Prisons and Correctional Service Commission.

Justice Gwaunza attended St David's Bonda High School and St Faith Mission in Manicaland before studying law at the University of Zimbabwe.

She also holds a diploma in legal drafting from the same university.

Justice Gwaunza joined Government in 1977 as an Examiner of Deeds at the Deeds Office before joining the Ministry of Home Affairs in 1981 as a senior administrative officer (legislation).

She worked for the Ministry of Community Development and Women's Affairs as assistant secretary (legal affairs) between 1981 and March 1984.

Justice Gwaunza worked as a legal

officer in the Ministry of Justice, Legal and Parliamentary from March 1984 to December 1989.

She was registered as a legal practitioner in 1987.

Justice Gwaunza was appointed judge of the High Court in August 1998 and in November 2002 she was elevated to the Supreme Court.

She was the founding member and past president of the Zimbabwe Association of Women Judges and member of the International Association of Women Judges.

She also chaired the Wills and Inheritance Project, a joint venture of Britain's Department for International Development and the Ministry of Justice, Legal and Parliamentary Affairs.



Magistrates listening to the address by Chief Justice Malaba in Bulawayo

MIRANDA WRITER

**C**HIEF Justice Luke Malaba has urged magistrates to diligently and outstandingly execute their duties to be considered for promotion.

Addressing magistrates in Bulawayo during the "Meet-the-Chief Justice Tour," the head of Judiciary said only hard work could elevate judicial officers to more senior positions.

The Judiciary boss, however, said nepotism and corruption had no place in the Judiciary.

"Don't sit back and hope you will be seen. Pop up and be seen. Don't sit back and expect to see a finger pointing at you saying come, because I know you. No more!

"What about I, who is unknown? What about I, who has no relatives in higher offices? Where will I go? We are saying, in the Judiciary, only merit can take you up. Merit, merit and merit alone. If you are asleep, we will leave you asleep," said the Chief Justice.

He implored judicial officers to shun corruption.

# ONLY MERIT CAN TAKE YOU UP: CJ MALABA

**"Every promotion must be competitive. If I keep on seeing your name in the documents of corruption complaints, then your chances of rising become slim. A name should not keep on appearing in corruption complaints because that will reduce your chances of being promoted."**

"Every promotion must be competitive. If I keep on seeing your name in the documents of corruption complaints, then your chances of rising become slim.

"A name should not keep on appearing in corruption complaints because that will reduce your chances of being promoted," he said.

The Chief Justice said JSC was putting in place measures to weed out corrupt elements.

"I receive many corruption complaints and I get worried. But I warn you to desist from corrupt activities. There are a few of us who are tarnishing the profession.

"For your own information, we are putting in place measures, which we will not tell you, to get rid of the bad apples. We want to remain with real magistrates. I cannot be proud to lead people who are being accused of corruption, day in, day out," he fumed.



Regional Magistrates pose for a photograph with Chief Justice Malaba at a recent workshop in Gweru

## REGIONAL MAGISTRATES SHARPEN SKILLS

MIRANDA WRITER

**C**HIEF Justice Luke Malaba this quarter took regional magistrates for a two-day training workshop in Gweru to fine-tune their skills in judgment-writing and referral of matters to the Constitutional Court, among other important topics.

The workshop was conducted at Antelope Park from April 20 to 21.

Regional magistrates from all provinces of Zimbabwe converged to listen to the wise counsel of the Chief Justice.

The course was conducted with a view to improving the quality of justice dispensed by the courts countrywide.

The Judiciary bosses identified the problem areas in the operation of magistrates before preparing presentations to clarify all the issues.

On the afternoon of April 20, Chief Justice Malaba presented

an hour-long paper on how to write quality judgments.

He emphasised the need to hand down judgments within a reasonable time after the conclusion of a hearing.

During the same day, the head of the Judiciary also lectured on the proper procedure of referring cases to the Constitutional Court from the lower court.

The presentation was made after the Constitutional Court had complained of a number of matters that were being improperly referred to it by magistrates.

At the same event, Judicial College of Zimbabwe principal Mr Rex Shana addressed magistrates on the expected ethical conduct.

JSC Acting Secretary Mr Walter Chikwana made the welcome remarks, while regional magistrate Mr Temba Kuwanda recapped the topics and thanked all those who contributed to the success of the workshop.

## UNLOCKING CONVENIENCE TO THE PEOPLE

MIRANDA WRITER

**T**HE Master of High Court, with effect from June 4, opened an office in Chitungwiza in partial fulfilment of the Judicial Service Commission's (JSC) vision to bring justice to the people.

Chitungwiza, which has a population of at least 2 million people, relied on the Magistrates Court that solely dealt with the estates of those married under the customary law.

Those married under the Marriages Act Chapter 5:11, had to travel to the Master of High Court's office in Harare for assistance on issues to do with deceased estates.

Chitungwiza Magistrates Court, acting on behalf of the Master of High Court, did not have jurisdiction to deal with estates involving holders of marriage certificates issued under Chapter 5:11.

They also had no jurisdiction to deal with estates that have wills as well as foreign estates.

JSC has issued a statement announcing the latest development.

"The Judicial Service Commission wishes to advise the public, Estate Administrators' Council and its members, the Law Society of Zimbabwe and all legal practitioners that with effect from June 4 2018, henceforth, the Master of High Court will have an office at the Chitungwiza Magistrates Court to deal with all deceased estates (customary and civil)."

The new office will deal with cases from areas like Beatrice, Chitungwiza urban and Seke rural community. Registration and administration of all deceased estates from Beatrice, Chitungwiza and Seke rural will now be done at the Master's office at the Chitungwiza Magistrates Court with effect from the same date," reads the statement.

The Master of High Court Mr Eldard Mutasa said the development was part of the Commission's idea of decentralising and bringing justice to the people's doorsteps.

"Chitungwiza has a bigger population of more than 2 million people but we did not have our own office there.

"All those people were coming to the Harare office, which was also struggling to manage its own pressure there.

"My office, with the wise counsel from JSC Acting Secretary Mr Walter Chikwana, decided to decentralise and open a new office at Makoni.

"It is a way of promoting access to justice for all and to ensure uniformity of approach to estate issues," said Mr Mutasa. The Master deployed his own staff at Chitungwiza Magistrates Court to deal with all types of deceased estates there.

Mr Mutasa said, given more staff, his office can quickly decentralise to every province without challenges.

"If we get more human resources, we can quickly decentralise and set up offices in every province ahead of the High Court itself.

"At the moment we are understaffed considering that some of our seasoned staff were deployed to the newly-opened High Court stations in Masvingo and Mutare."



(Above and below) Renovations at Rotten Row Court in progress

# HARARE MAGISTRATES COURT GETS FACELIFT

BY EPHRAIM NCUBE

**L**aws, like any other pieces of order, inevitably get repealed from time to time.

Nothing maintains its initial appearance for ever and ever. Sooner or later, Mother Nature defaces and devalues anything, structures included.

Harare Magistrates Court, the largest single court structure in Zimbabwe, has seen better days so to speak. Mother Nature inherently, has been gradually eroding its facets.

The Judicial Service Commission (JSC), in its quest to attain world class justice, has lived up to its valued standards by sprucing up the image of one of its main complexes.

The famous Rotten Row Building that houses the Harare Magistrates Court is undergoing renovations with four out of 21 courtrooms, having been completed.

JSC's renovation work resonates well with its concept of taking justice to the people and making the courts more user-friendly.

So appalling are the newly refurbished courtrooms that some renowned hotels would be left green with envy.

A critic may challenge the concept, "why the comfort, after all, court rooms should be simple?" The most probable and palatable response would be: "The new dispensation concept knows no boundaries".

The new dispensation has surely weaved its way into the justice delivery system. All players, accused persons included, should enjoy the human face of the judicial services.

Business is conducted in a conducive environment, which puts a smile on one's face, regardless of one's fate.

JSC commenced renovations at Rotten Row building early this year



with a courtroom that is now being used for special anti-graft matters.

The ongoing refurbishment will run until all the 21 courtrooms at the famous building are complete.

The four completed courtrooms have been nicely tiled and carpeted.

Air conditioners were installed in the newly-refurbished courtrooms and the walls were painted.

JSC bought new furniture for the courts to replace worn out benches, chairs and tables.

# SPECIAL COURT FOR POLITICAL VIOLENCE CASES

MIRANDA WRITER

**T**HE **Judicial Service Commission (JSC) has set up a special court to expeditiously deal with cases of politically-motivated violence and intimidation before, during and after the 2018 harmonised elections.**

The court will sit in the country's 10 provinces and 58 magistrates have been designated to preside over the cases.

The special court was gazetted under General Notice 379 of 2018 which became operational on June 1 this year. The election is slated for July 30.

JSC issued the notice following the proclamation of the election date by President Mnangagwa.

The notice reads: "It is hereby declared that the Judicial Service Commission, in terms of Section 133 J (3) of the Electoral Act (Chapter 2:13), has designated the magistrates listed in the schedule below to try cases of politically motivated violence and intimidation in the provinces under which their names appear before, during and after the harmonised elections for President, members of the National Assembly and councillors scheduled to take place on Monday 30th July 2018."

In Harare, five magistrates were appointed to try politically-motivated violence and intimidation cases.

The magistrates are: Mr Elisha Singano, Ms Josephine Sande, Mr

Stanford Mambanje, Mr Francis Mapfumo and Ms Barbara Chimboza. In Matabeleland North, the following magistrates were appointed to try the violence and intimidation matters: Mr Enias Magate, Mr Gladmore Mushove, Ms Rosemary Dube, Ms Ailene Munamati, Ms Lindiwe Maphosa, Mr Victor Mpfu, Mr Collen Chiruma and Mr Ndumo Masuku.

In Midlands, Mrs Phathekile Msipa, Mr Musaiwoma Shotgame, Mr Christopher Maturure, Mr Archie Wochiunga, Mr Livard Philemon, Mr

working in the special court.

Four magistrates – Mrs Vongai Guwuriro, Mr Nixon Mangoti, Mr Shingirai Mutiro and Ms Rutendo Muchena – will preside over violence and intimidation cases.

Manicaland magistrates who will deal with politically-motivated violence and intimidation matters are: Mrs Sekai Chiwundura, Mr Tendai Mahwe, Mr Shane Kubonera, Mr Dennis Mangosi, Ms Gloria Takundwa and Mr Farai Gwitima.

In Mashonaland East, Mr Tandaridze Mugova, Mr Arnold Maburo, Ms



**"It is hereby declared that the Judicial Service Commission, in terms of Section 133 J (3) of the Electoral Act (Chapter 2:13), has designated the magistrates listed in the schedule below to try cases of politically motivated violence and intimidation in the provinces under which their names appear before, during and after the harmonised elections for President, members of the National Assembly and councillors scheduled to take place on Monday 30th July 2018."**

Tayengwa Chibanda, Mr Tawengwa Sangster and Ms Evia Matura, will preside over violence cases.

Mr Tinashe Ndokera, Ms Constance Mutandwa, Mr Rungano Mahamadi, Mr Honesty Masiyiwa, Mr Bishard Chineka, Ms Florence Nago and Ms Caroline Tafira will be working in the special court in Masvingo province.

In Matabeleland South, Mr Willard Moyo, Mr Obedience Matare, Mr Taurai Manwere, Mr Langton Mukwengi, Mr Ephraim Mzingayemoyo, Mr Arafat Kozani and Mr Tawanda Muchemwa will be

Judith Taruvinga, Mr Paul Mudonhi, Mr Ngoni Nduna, Mr Elijah Sibanda and Mr Takunda Mtetwa were appointed to the special court for politically-motivated violence cases.

Ms Jessie Kufa, Mr Felix Mawadze, Mr Takudzwa Gwazemba, Mr Toindepi Zhou, Mr Sam Chuitumwe and Mr Ferlix Chauromwe will deal with the political violence matters in Mashonaland West province.

The court was set up in compliance with the Electoral Act, to expeditiously deal with cases brought before it.



Justice Makonese hands over a farewell present to Retired Justice Kamocha

MIRANDA WRITER

**V**ETERAN judicial officer Justice Lawrence Kamocha retired from the High Court bench on November 15 last year after serving a record 47 years, but a farewell dinner that had been planned in his honour was cancelled on the 11th hour.

All had been set for the event, but due to circumstances beyond the Judicial Service Commission (JSC)'s control, it had to be called off.

On the retirement day, a delegation led by JSC Acting Secretary Mr Walter Chikwana was sent to the judge's residence in Bulawayo with a gift and more importantly, a message from the Chief Justice of Zimbabwe Mr Luke Malaba.

The crucial part of the message reads: "We had organised a farewell party for you but unfortunately, it has been cancelled this morning. "However, the Chief Justice sent me to assure you that the ceremony

## JSC BIDS KAMOCHA FAREWELL IN STYLE

will be held at a later date to be announced".

To the doubting "Thomases" like this writer, it sounded like an empty promise crafted to manage the elderly judge who had high hopes of a big farewell bash.

However, true to his word, the Judiciary boss fulfilled his promise. Five months later, a farewell dinner was held at Rainbow Hotel in Bulawayo when the people least expected.

Finally, the retiree had an opportunity to bid farewell to his colleagues.

Almost all judges of the High Court, some from the Labour Court, magistrates, lawyers, JSC support staff and others graced the occasion.

Speaking at the dinner, Chief Justice Malaba hailed the retired judicial officer for the role he played in developing the law in Zimbabwe.

The Chief Justice described Justice Kamocha as "an epitome of dedication to public service".

"Justice Kamocha is an epitome of dedication to public service. You saw him rising through the ranks. "He could only have done that on merit because he deserves it. He worked for it.

"It is this dedication to duty and outstanding contribution that we are gathered here to celebrate.

"In saying farewell to Justice Kamocha, we, in the Judiciary, recognise and acknowledge publicly that the judge is an

**"You have to write Justice Kamocha into that history. He has made history. He is part of the history. "You cannot avoid writing about him. Many of his judgments have found pride of space in the law reports. They fit there, they become part of the rule of law."**

embodiment of the high values we cherish so dearly," said Chief Justice Malaba.

Justice Kamocha, the Chief Justice said, made history in the Judiciary.

"He deserves the respect for his sterling contribution to the Judiciary. If you take away the history of Kamocha, I am sure the history of the Judiciary of this country will have some kind of a gap.

"You have to write Justice Kamocha into that history. He has made history. He is part of the history. "You cannot avoid writing about him.

"Many of his judgments have found pride of space in the law reports. They fit there, they become part of the rule of law.

"Those judgments remain a legacy for posterity. They are quoted every time. That is why Justice Kamocha has remained embedded in our history," he said.

Justice Francis Bere, who was Justice

Kamocha's senior at Bulawayo High Court, described the retiree as a source of wisdom and guidance to other judicial officers.

"The man, for whom we are gathered here tonight, was a source of great wisdom and guidance, gathered over the years which he had been exposed to this job.

"Through his own rich experience, he leaves a rich legacy to us—a legacy of straightforwardness, courage and honesty in the discharge of our duties as judges," he said.

He urged fellow judges to take a cue from Justice Kamocha who exhibited bravery and professionalism throughout his 47 years of service.

"His own experience teaches us that in this profession, we must learn to endure frustration, humiliation and at times, even threats to our own lives. Despite all these, we must remain principled and steadfast.

"We must not lose focus as we remain the last line of defence in upholding the rule of law," Justice Bere said.

Justice Charles Hungwe who worked with Justice Kamocha for a long time said the High Court will be poorer without the contribution of Justice Kamocha.

"Let me take this opportunity to express the High Court's profound gratitude for Justice Kamocha's hard work and the great time we have shared with him.

"He is a remarkable colleague and a friend who has spent 47 years in the public service. Lawrence is an active, cheerful, productive, reliable, persistent, loyal, industrious, resourceful and talented colleague. We will dearly miss him. We will miss his valuable contribution to the bench. With Lawrence we would get the job done perfectly and expeditiously.

"We are proud to be associated with you. We know that you have worked hard to deliver excellent results. Your contribution towards our shared successes will remain in our hearts forever. With a grateful heart I say thank you Lawrence for making our work fun. I wish you and your family good luck," said Justice Hungwe.





Newly appointed regional magistrates pose for a group photo after receiving their Ford Ranger double cab vehicles in Harare

# JSC APPOINTS 10 REGIONAL MAGISTRATES

MIRANDA WRITER

**T**he Judicial Service Commission (JSC) has this quarter promoted 10 judicial officers to the apex of magistracy.

The 10, who were holding different grades in the magistracy, will assume duty on July 6 this year as regional magistrates.

The officers include Mr Chrispen Mberewere, Ms Bianca Makwande, Mrs Phathekile Msipa, Mr Tandaridze Ignatius Mugova, Mr Timeon Makunde, Ms Jessie Kufa, Ms Gloria Takundwa, Mr Bishard Chineka, Mr Taurai Manwere and Ms Sibonginkosi Mnkandla.

The new regional magistrates were promoted after coming out tops in the interviews conducted by the JSC in June this year.

It was necessitated by the recent unfreezing of 233 posts in the JSC.

Of the 233 posts, 10 were reserved for regional magistrates.

Prior to the elevation, the 10 held different positions in the magistracy.

Mr Mberewere and Ms Makwande were acting regional magistrates for Bulawayo and Harare, respectively.

Mr Makunde was Deputy Registrar for Bulawayo High Court.

Mrs Msipa was provincial head for Gweru while Ms Kufa was in-charge of Chinhoyi.

Mr Mugova was provincial magistrate in-charge of Marondera.

Ms Mnkandla and Mr Chineka were senior magistrates at Masvingo and Chivi magistrates' courts respectively.

Ms Takundwa and Mr Manwere were provincial magistrates at Nyanga and Plumtree courts respectively.

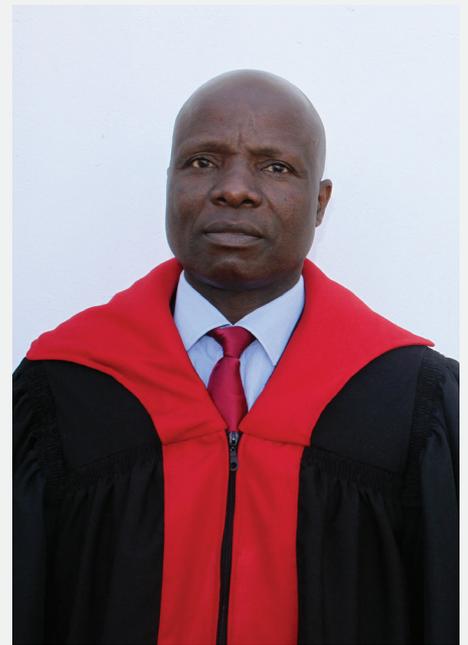
JSC will deploy the 10 to court stations that require regional magistrates.



Mr Chineka



Mr Manwere



Mr Mugova



Mr Mberewere



Mrs Msipa



Ms Kufa



Ms Makwande



Ms Mnkandla



Ms Takundwa



Mt Darwin Court staff

# COURT CRIES OUT FOR A FACELIFT

MIRANDA WRITER

**STAFF at Mt Darwin Magistrates Court are bearing the brunt of working in a condemned building whose ceiling is sagging and have to make do with sharing offices.**

Despite the acute shortage of space, furniture at the station is crying out for replacement.

When Miranda visited the station, resident magistrate Mrs Rutendo Muchena was hearing a matter from a crammed office.

So deplorable was the situation that in front of her table, were two chairs for the prosecutor and defence lawyer. Behind the lawyers, were two or three benches that served as the public gallery.

The occupants were squashed in the magistrate's chambers, compromising the security of the magistrate.

The acute shortage of space has resulted in interpreters and the clerk of court sharing a small room where civil records are kept.

The community service officer and clerks share another room in which criminal records are kept.

The same criminal registry office is also used as a storeroom for hoes, axes and other garden tools.

Exhibits are also kept in the same room. The accountant and receptionist at the court station, share the same office.

The court has no waiting area for witnesses. During the rainy season, witnesses huddle in the bedraggled courtroom for shelter.

Males and females share one toilet, which is also used by litigants, court staff and lawyers.

However, this quarter the Judicial Service Commission (JSC) deployed a team to assess the situation on the ground with a view to finding a lasting solution to the challenges.

Mrs Muchena confirmed the

team's visit and was optimistic that something would be done to ease their plight.

"A delegation from head office came here and inspected the premises together with officers from the Public Works Department. They also went to see the JSC's stand where a new court will be constructed. The Public Works team compiled a bill of quantities that I will forward to JSC head office," she said.

Mrs Muchena has sent photographs to the JSC head office to give a clear picture of the challenges faced by the staff at Mt Darwin Magistrates' Court.



Community service officer (red top) and the clerk of court (blue shirt) in their shared office



Justice Mathonsi



Justice Makonese

# JUSTICES MAKONESE, MATHONSI PROMOTED

MIRANDA WRITER

**J**USTICE Martin Makonese is now Senior Judge In-Charge of the Bulawayo High Court, while Justice Nicholas Mathonsi was transferred to Harare to head the bench's Civil Division.

The appointments were made following the elevation of Justices Lavender Makoni and Francis Bere to the Supreme Court in May.

Justice Makonese took over from Justice Bere, while Justice Mathonsi replaced Justice Makoni.

Justices Mathonsi and Bere were stationed at the Bulawayo High Court.

Records show that Justice Mathonsi joined the High Court bench in 2010 while based in Bulawayo.

He served for a year before being transferred to Harare.

In January 2016, Justice Mathonsi was moved back to Bulawayo where he served until his latest appointment.

Justice Mathonsi practiced as a lawyer for 18 years before being appointed a judge of the High Court. He also worked as company secretary for Kusile Medical Centre in Bulawayo.

Justice Makonese practised as a legal practitioner for 24 years before his appointment to the High Court bench in September 2011.

He was a councillor for the Law Society of Zimbabwe (LSZ) from 1997 to 2002.

Justice Makonese was also a member of the Chartered Institute of Arbitrators.

He had set up his law firm, Makonese and Partners, which was based in Kwekwe.



## LEGAL CODEBREAKER QUIZ NO.7

BY MAYOR

The words required to fill this puzzle answer to the clues to your right.

Each number in the grid represents the same letter throughout.

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

CLUES	ANSWERS
Court verdict (9)	
Zimbabwean prison (9)	
Asian country (5)	
Government by two independent bodies (7)	
Zimbabwean soccer club (7)	
Goodwill (5)	
Finish (3)	
Zimbabwean judicial institution (4,5)	
Repaired (5)	
Past agreed date (7)	
Bread spread (3)	
..... Order, usually sought at court (5)	
Ulcer (5)	
Offence of a sell-out (7)	

### 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 NO.6

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



Comments & Suggestions Welcome  
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