



**REMARKS BY THE HONOURABLE MINISTER OF
LOCAL GOVERNMENT, PUBLIC WORKS AND
NATIONAL HOUSING**

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**ON THE OCCASION OF
THE OFFICIAL OPENING OF THE COMMERCIAL
DIVISION OF THE HIGH COURT
BRISTOL HOUSE**

2022

SALUTATIONS

The true hallmark of a Government for the people lies in what it does to address the issues and challenges that the people face. Collaboration in the identification and addressing of those issues is an inevitable component of any effective process of problem eradication and resolution. The Chief Justice of Zimbabwe, Honourable, Mr. Justice Luke Malaba and the Judicial Service Commission, having through their **Strategic Plan 2021 - 2025** identified the need for improved access to justice, have tirelessly and relentlessly set in motion processes and projects aimed at achieving this goal.

As evidence of this dedication and coupled with robust collaboration with other able and committed stakeholders, I am proud to stand here, addressing **HIS EXCELLENCY** the President of the Republic of Zimbabwe, **HIS EXCELLENCY** the vice President of the Republic of Zimbabwe, and all the distinguished ladies and gentlemen, as one of the stakeholders that have produced this glorious and marvellous building.

Our Constitution, being an embodiment of the ideas and resolve we have as a nation, states unequivocally that for the

people of Zimbabwe the desire for freedom, justice and equality is not only common, but tantamount to an entitlement for which the State has a corresponding duty to deliver. This responsibility is placed on all of us, to ensure that the people who give us the authority to govern are catered for. Justice, in particular, is a culmination of different notions and principles that ensure that everyone can live in harmony, and where there is discord, a remedy is promptly provided.

Although the Judiciary, constitutionally, is given the primary responsibility of dispensing justice, we all have a part to play in connection thereto. In order to ensure that court services are decentralised, infrastructure development continues to be a national objective, whose achievement boosts national development and progress.

As we gather here, we marvel at the success so far achieved and registered, the momentum that this adds to national development, is so unstoppable that it can only add onto the determination to continuously better our economy through continued and accelerated development.

Collaboration and synergy have brought us to this momentous occasion. In order to ensure that this goal was

achieved, we came together, putting our hands and heads together, guided by the desire to develop our nation. This impressive building, standing majestically with all the trappings of modernity, is what we have to show for this collaborative industry. To the Judiciary, for the initiative and commitment, we say well done. To all the stakeholders, for making this day a resounding success, we express our deep-seated appreciation.

It is an inescapable fact that the Department of Public Works carries the important function of infrastructural development which involves the construction of roads, schools, hospitals, and as in this instance, courthouses.

The projects that Public Works has commenced and finalised range from construction, repair, renovation to maintenance of public buildings, structures, sewers, water works, roads and bridges. This is only possible if there is adequate budgetary support. I would therefore like to highlight this as another side of the matrix, which I must say, the Judiciary ably discharged.

YOUR EXCELLENCY, the mandate and mission that informs the way our ministry performs its duties entails promoting sound local governance – the institutional processes for decision

making and implementation, and undertaking and coordinating rural and urban development to enhance the socio-economic development of Zimbabwe. It is these precepts that guide what we do, how we do it, and why we do it. At the end of the day, the Zimbabwe we live in today should be better than yesterday.

One of the responsibilities of the Ministry of Public Works is to co-ordinate government programmes and development initiatives. This consolidation of infrastructure development under the banner of one ministry has been beneficial. It has been instrumental in promoting coherence, coordination and improved efficiency in governmental projects.

YOUR EXCELLENCY, the Ministry of Local Government, Public Works and National Housing has provided the technical expertise for a number of projects. This was done to ensure the optimal use of resources as a direct consequence of a central organising unit. Having this role assigned to this one unit no doubt limits confusion, and encourages transparency. This is undoubtedly a contributing factor to the professionalism of completing tasks.

We are honoured to have been a part of this project which will undoubtedly facilitate the devolution of the courts and court processes. I am told, **YOUR EXCELLENCY**, that this court will handle complex commercial concepts that are brought in the form of disputes. The business of resolving these disputes does indeed deserve a standalone court. This one step sets us aside from a number of countries who do not have this prestigious facility. It, no doubt, improves the position of the country in the contemplation of potential investors, as well as our peers in the different justice systems.

Without the initiative and foresight that the Chief Justice of Zimbabwe, Honourable Mr. L. Malaba and the Judicial Service Commission have displayed, we would not have registered this sterling achievement. Coupled with the successful partnership between the Ministry and the Judicial Service Commission, this foresight has yielded results that have been demonstrated time and time again. Barely last year, we congregated in Mashonaland West to commission the Chinhoyi Court Complex, and before that, the Labour Court, and other Courts that were designed to specifically assist in the promotion of access to justice and the delivery of justice to all.

It is a fact we must all be aware of that economic growth, especially as a result of direct and foreign investment, will thrive more in a developed and well integrated Court system. As we speak, the Judicial Service Commission has launched a system that allows for the thread of justice to be weaved into all courts and stakeholders at just the click of a button. This is the **Integrated Electronic Case Management System (I.E.C.M.S.)** that the Judicial Service Commission has introduced and this system will play a major role in delivering justice to the people who seek it. This system works in tandem with the physical courtrooms that we have played a part in constructing. These physical courts in themselves, make up a network and system of courts designed to bring justice as close to the people as possible.

Disputes are bound to arise and multiply in a growing economy like ours. The hope is that at some point in the near future, this growth will be multiplied at an exponential rate. That also means that the disputes are more likely than not to increase just as much. Having a dedicated court to handle the inevitable influx of cases is one sure way of ensuring that justice is not delayed. The Commercial Division of the High Court will enable businesses to operate in a more efficient

and productive manner by reducing the amount of time and money they need to have a dispute resolved. The Ministry also has the role of supervising consultants in the execution of the duties delegated to them, and we may find ourselves calling on the services of this Commercial Division ourselves.

YOUR EXCELLENCY, courts in general are influential in the processes of a State that not only attracts, but retains businesses and their interest in growing in a particular economy. This Court goes a step further than that. It leverages on the business and economic acumen of the Judges chosen to preside over cases, and will definitely produce an efficiency of court process, consistency predictability of judgments. The reasoning behind implementing such a court in our jurisdiction is that it will streamline the court's efficiency, and enhance the education of the judges and litigants due to constant grappling with complex matters.

It seems that since the strike of the Covid-19 pandemic, it has dominated news cycles all over the world. When it started, it spread awe and despondency characterised by the unwelcome news of intermittent losses and defeat. As will be

noted, it is now clear that the losses and the defeats were a battle, and not the war. We have fought the war and we still continue to fight it. Notwithstanding, every day, we find more and more positive developments to report on in Zimbabwe, and even the world over. From the vagaries of Covid-19, have been born the most advanced technologies which developing countries have leveraged, and our country through the Judicial Service Commission has not been left behind.

With these remarks, I handover the key to the Commercial Court to the Honourable Chief Justice, Mr. L. Malaba. The journey leading up to today has been filled with its fair share of challenges which we have ably overcome. May this collaboration continue to be a fruitful partnership, and may this building be cornerstone of justice delivery and national development.

I thank you.