

# THE MIRANDA *Just News* magazine



- 05** AEJN Conference, a resounding success
- 08** JSC honours long-serving staff
- 26** Hunt for 11 new judges begins

# CJ ASKS



1. Are you at work or on a frolic of your own?
2. If you are at work, are you doing the right thing?
3. Do you know
  - a. What to do?
  - b. How to do it?
  - c. And why you do it?

**THEN DO IT NOW**

Please enjoy your day at work.



# Editor's Note

**W**e present to you the latest edition of **The Miranda**, capturing the highlights of the opening of the 2024 legal year. The Honourable Chief Justice's address set the tone for a promising year ahead, reflecting the judiciary's commitment to upholding justice and ensuring the rule of law.

This edition carries a captivating question and answer interview with a judge who possesses a remarkable array of talents and interests. Not only does this judge excel in the courtroom, but he also displays a passion for music, sports, and farming. This insightful interview offers a unique glimpse into the multifaceted lives of our esteemed judges, showcasing their diverse passions beyond the bench.

Additionally, we feature an engaging story that sheds light on a Commercial Court judge's personal experience with the newly introduced Electronic Case Management System. This innovative system has revolutionized the way cases are managed and processed, providing judges with enhanced efficiency and accessibility to information. The judge's firsthand account offers valuable insights into the benefits and practical implications of this cutting-edge technology.

Hats off to the Judicial Service Commission (JSC) for successfully hosting the third meeting of the Africa Electoral Justice Network (AEJN) in the resort town of Victoria Falls from 31 January to 2 February 2024. This edition carries a celebratory story on the milestone.

Gentle reader, we hope that this edition of the newsletter provides you with a comprehensive understanding of the JSC's recent developments

and the individuals who contribute to its success. As always, we remain committed to keeping you informed and connected to the advancements in our judiciary.

**Enjoy your read!!**

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# From the *Secretary*

Mr W. T. Chikwana

**T**he first quarter of 2024 commenced on a high note as we opened the legal year under the theme: **The role of the Judiciary in entrenching constitutionalism.**

This year's ceremony in Harare went beyond the usual traditional processes as we held the Chief Justice's Dinner during which members of the Judicial Service who have served the JSC for thirty years and above were honoured with long service awards in recognition of their dedicated and loyal service to the Judiciary. I join others in congratulating all the awards recipients and also encourage others including myself to emulate what they have done.

We continued to soar as we successfully hosted over fifteen African countries, regional and international organisations for the African Electoral Justice Network (AEJN) symposium in Victoria Falls. The symposium provided a platform for regional collaboration and knowledge sharing by electoral courts' judges on topical issues relating to electoral justice. The symposium was well timed coming after the peaceful holding of elections in Zimbabwe in 2023. It would be remiss of me not to thank and express my outmost appreciation to members of the Judicial Service who provided administrative and logistical services and worked tirelessly in ensuring that JSC Zimbabwe successfully hosted the symposium.

Hosting the AEJN symposium gave us renewed confidence as we prepare to host over fifty countries during the Seventh Congress of the Conference of Constitutional Jurisdictions of Africa (CJCA) in the third quarter of this year. Preparations for hosting this auspicious event have already started and we will be calling upon those with an interest in events management to advise us so that they will be part of the local organising team.

The Integrated Electronic Case Management System (IECMS) fared well in all the superior courts during the quarter. This is attributable to the hardworking members of staff in the JSC especially in registry and ICT who are manning the system on the frontlines while others support court operations in their different capacities. Whilst we continue to be on the lookout for any system and associated challenges and promptly attend to such, we are satisfied with the performance and stability of the system in the superior

courts. The IECMS has made us a regional power house in the digitisation of the courts. We continue to receive inquiries and bench marking visits from other jurisdictions. We were, in this regard, honoured to receive and host during this quarter, the Chief Justice of Mozambique, Honourable Chief Justice Adelino Muchanga and his four-member delegation. Their visit was aimed at gaining insights on how we have implemented IECMS including the challenges we encountered. From the feedback they gave us, we are certain that we did justice to their visit.

As preparations for the launch of the fourth phase of IECMS in the magistrates' courts are underway, our efforts at decentralising the courts continued through various construction projects. The court at Chiredzi nears completion with its opening set for the second quarter of 2024 while significant progress was made in the construction of courts at Mutawatawa, Gwanda, Chegutu and Cowdray Park. As we move into the next quarter, we hope to make significant progress towards completion of these projects and at the same time commence the construction of court houses at Mabvuku-Tafara in Harare, Kwekwe in Midlands and Brunapeg in Matabeleland South. These are the projects planned for the year 2024.

The first quarter of 2024 has started well and the courts performed exceedingly above the set standards. Whilst previously we have taken it upon ourselves to engage with stations and provinces that would have performed poorly, we will, as we move forward and with same vigour, shout out good performers not only to motivate them to keep on doing well but also to push others to follow suit.

The second quarter will have a lot of trainings going on both physically and virtually through our ELMS platform as part of the staff development policy. The Chief Justice will visit some provinces for him to interact with members of staff as part of the staff wellness program and his 2024 focus to engage with staff at the grass-roots. I will also be visiting at least three provinces as part on the Monitoring and Evaluation action plan by my office.

As I sign off, I continue to make the clarion call that we treat our clients, the court litigants with efficiency and dignity. This is why we hold and occupy the offices that we are in!



Hon. Chief Justice Malaba (in red) and senior officials in the justice delivery sector (seated) pose for a group photo with judges (standing) after the opening of the 2024 Legal Year in Harare.

## Justice served swiftly ... Courts shatter backlog ... New efficiency standards set

➔ BY SHEPHERD CHIBUNE

**T**he performance of the courts in 2023 across the country has been quite impressive and it resulted in a sharp decline of cases carried over in 2024.

In his remarks during the official opening of the legal year, running under the theme: “THE ROLE OF THE JUDICIARY IN ENTRENCHING CONSTITUTIONALISM”, Chief Justice Honourable Mr Luke Malaba was pleased with the courts performance which all significantly reduced their backlogs.

“The performance of the courts during the period under review has been good. In the superior courts, the year started with a total of 2127 cases carried over from 2022 but the year closed with 1381 cases. A total of 29433 cases were received and 30560 were completed and disposed of.

“All the courts reduced their backlog, some such as the Supreme Court and the High Court doing so with huge margins. The only court that saw its backlog rising at the end of the year was the Labour Court,” he said.

Chief Justice Malaba also revealed that the magistrates’ courts performed well.

“The criminal courts opened the year with a total of 1218

cases, received 111934 cases, and completed 102916 cases, leaving a balance of 9018 cases as at 31 December 2023. In the civil courts, the number of cases carried over from 2022 was 1424, 102354 cases were received during the year, of which 103778 cases were completed, leaving a balance of 851 cases at the close of the year. All judicial officers and court staff are congratulated for the pleasing work done”, said the Chief Justice.

Deputy Chief Justice, Mrs Elizabeth Gwaunza who was in Bulawayo told the delegates that the courts in the city of Kings region “demonstrated commendable performance during the reviewed period, successfully reducing their backlog.”

In Bulawayo, the clearance rate was 98.2% for civil cases and 93% for the criminal divisions of the High Court while the Labour Court clearance rate was 77.5%

It was an impressive 100% clearance rate for the Mutare High court both criminal and civil divisions. There was also a reduction in the case backlog at the magistrates’ courts compared to 2022 in Manicaland.

In Masvingo, the High Court clearance rate was 95.5% for the civil division while for the criminal division was 97.6%. The performance of the Magistrates’ court was equally impressive.

The Chinhoyi High court also performed well during the period under review with a clearance rate of 98.1% from the 28094 cases received. Major attributes to the good performance were the use of alternative dispute resolution mechanisms such as PTC procedure and weeding out of dormant cases in accordance with the Practice Direction 1 of 2022 among others.

The 2024 legal year opening marked the celebration of the tenth anniversary of the current constitution in which everyone has a role to play in the entrenchment of constitutionalism by obeying the express commands of the constitution.

# JSC shines bright

...Successfully hosts AEJN regional conference



Chief Justice Malaba addresses the gathering during the AEJN conference in Victoria Falls recently.

## BY SHEPHERD CHIBUNE

**T**he Judicial Service Commission (JSC) successfully hosted the 3rd Annual Meeting of the Africa Electoral Justice Network (AEJN) which was held in the resort town of Victoria Falls recently.

The meeting was attended by Hon Chief Justices from Swaziland, Eswatini, Zambia, Zimbabwe and a former chief justice of Kenya. A number of serving and retired judges from different African countries and various stakeholders dealing with electoral justice also attended.

Upon arrival, all the delegates were given VIP treatment from the airport to their hotel rooms. The ever-alert Zimbabwe Republic Police escort became the signature tune of the resort town whenever it appeared from whichever direction with the delegates, the siren and blue lights signalling the right of passage for the convoy. Visiting tourists and locals would stand still trying to figure out who the vehicles occupants were.

As the convoys arrive at the hotel, each judge was given a liaison officer to assist them throughout the conference while the smartly dressed ushers seamlessly received luggage and assisted with the check-in process.

Throughout the conference, the Honourable Chief Justices had an impenetrable police escort 24/7 which ensured their safety in the conference centre and at their hotel rooms.

It was an unforgettable experience when the delegates were taken on a tour of the Crocodile Farm, had a game drive and eventually visited Victoria Falls Rainforest. Most of them could be heard testifying that Zimbabwe is indeed, a must visit marvel of the continent.

What then became the talking point throughout the conference was the host Chief Justice's dinner at the Boma Restaurant. The unique traditional set up and sumptuous food blended with unmatched traditional dance and music mesmerised the delegates, who effortlessly and smilingly, took to the dance floor after taking care of their stomachs to their fullest satisfaction.

In his opening remarks, AEJN Chairperson, Hon. Justice Boissie H. Mbha - Retired Justice of the Supreme Court of Appeal and immediate past Chairperson of the Electoral Court of South Africa emphasised on the need to facilitate peer-to-peer knowledge exchange among a diverse and inclusive group of election arbiters, the electoral justice across the African continent and to centre focus on the voter and the vote for which the Network was established.

"It therefore gives me much pride and great joy to report to you that yesterday the 31st of January 2024 the statute governing the network was formally adopted and signed here in Victoria Falls in Zimbabwe... The legislative focus in terms of the adopted constitution will and must be on the centrality of the voter and the vote", Hon. Justice Boissie H. Mbha said.



From left to right: Dr Mathosa, Hon. Chief Justices, Maphalala and Malaba follow proceedings during the recent AEJN conference in Victoria Falls.

Speaking at the same occasion, the honourable Chief Justice of Zimbabwe, Justice Mr Luke Malaba, reminded those in attendance that the African Charter is an important document towards democratisation of the African electoral space.

“What is of greatest importance to all of us here, pan Africans is to understand that we are on a journey. We have never declared anywhere that the democracy that we voluntarily chose under which we, as the people of Africa choose those who are to represent us is an event. That document is important to us, the charter on democracy, elections and governance principles. Those principles laid out there must breathe life to the governance system that we have chosen for ourselves, we as Africans have voluntarily adopted as ours,” said Chief justice Malaba emphatically.

The discussions, engagements, brainstorming and dialogue at the event were centred on the promotion, nurturing, strengthening and consolidation of democracy through effective judicial practices in electoral matters.

The guest of honour, Dr Khabele Mthlosa, Ex-Director for Political Affairs, African Union Commission and author of the African Charter on Democracy, Elections and Governance said the symposium revealed a paradigm shift by the continent from the doctrine of non-interference to the doctrine of non-indifference.

Said Dr Mthlosa; “With the aim to give legal teeth to the new doctrine of non-indifference, Article 4H of the constituted act of the AU vividly provides for “the right of the Union to intervene in a member state pursuant to accession of the assembly in respect of grave circumstances namely war crimes, genocide and crimes against humanity.”

“This doctrinal change and paradigm shift heralded a new era whereby national sovereignty would no longer be used as a shield for human rights violations including genocide.”



JSC Secretary Mr Chikwana addresses delegates in Victoria Falls.

The AEJN meeting is a regional forum that brings together Judges and individuals who adjudicate electoral disputes in courts, tribunals, and judicial election management bodies from across the African continent

The symposium followed the inaugural Africa Regional Electoral Justice Network conference in Johannesburg, South Africa, held in April 2019, and the follow-up in-person Symposium held from 19 to 20 July 2022 in Malawi.

The overall objectives of the meeting were to stimulate dialogue on common approaches to good governance, democracy and rule of law, contributing to electoral justice in Africa; discuss the challenges to the independence and impartiality of judges and the potential impact of the new resolution of the African Commission on Human and People’s Rights on the steps taken to monitor the independence of judiciaries, and the impact of judicial observations during elections in Africa among others.





Chief Justice Malaba

## Chief Justice Malaba dismisses false accusations against judiciary

➤ BY TARISAI MAFURA

**C**hief Justice Honourable Mr Luke Malaba has rebuked litigants for unrestrained denigration, unfounded corruption allegations, threats and spurious complaints against the Judiciary and judicial officers.

In his keynote address during the official opening of the 2024 Legal Year recently, Chief Justice Honourable Mr Malaba expressed displeasure over unfounded allegations, disparaging and damaging remarks against the Judiciary that were made especially during the election period in 2023.

“During the course of the elections period, disparaging and damaging remarks were made against the Judiciary in general and some Judges of the Supreme Court and the High Court. The unwarranted aspersions stemmed from decisions which the courts had made,” said Chief Justice Mr Malaba.

He was more perplexed by legal practitioners who made unfounded allegations against judicial officers, a situation that forced the Judicial Service Commission (JSC) to engage the Law Society.

“Even more concerning was the fact that the disparaging remarks were

made by some members of the legal profession who are expected to have known better. The JSC engaged the Law Society. The engagement resulted in the matters being resolved amicably,” Chief Justice Mr Malaba said.

Chief Justice Malaba revealed that seven judges have fallen victim to the intimidation and misinformation in the preceding legal year.

“There have been instances where litigants who lost cases went on a tirade, casting aspersions on the integrity of the courts and the Judges. They raised unfounded allegations of corruption, threatened, and attempted to intimidate judicial officers who would have made decisions against them.

“At the last count, seven Judges had fallen victim to the vile misinformation and attempted intimidation,” said the Head of the Judiciary Mr Malaba.

Honourable Mr Malaba encouraged litigants to seek legitimate ways put in place by the law to challenge the unfavourable decisions of the courts.

“The respect for the rule of law and the independence of the courts demanded by constitutionalism requires that litigants should comply with court orders and legitimately use the remedies put in place by the law to challenge the unfavourable decisions of the courts,” added Honourable Mr Malaba.

He implored Judges to execute their duties diligently without fear, adding that it would be an affront to the doctrine of constitutionalism if Judges were to allow themselves to be intimidated by errant litigants who lost cases in court.

“In pursuing the entrenchment of constitutionalism, the Judiciary thus notes that vexatious litigation, unrestrained denigration, threats and spurious complaints against judicial officers have no place in a country controlled by a constitutional order. The Judiciary will continue to dispense justice in terms of the law, impartially, without fear, favour or prejudice.”

Chief Justice Mr Malaba said constructive criticism of Judges designed to improve the efficiency of the courts is encouraged as long as it is done with decency and respect.

The 2024 Legal Year is running under the theme, “The role of the Judiciary in entrenching constitutionalism.”

Minister of Justice, Legal and Parliamentary Affairs Honourable Ziyambi Ziyambi, Prosecutor General Honourable Mrs Loice Matanda- Moyo, Attorney General Mrs Virginia Mabhiza, Justice, Legal and Parliamentary Affairs Permanent Secretary Mrs Vimbai Nyemba, Service Chiefs and legal practitioners graced the 2024 Legal Year Official Opening.

# JSC honours long-serving staff



*This collage shows scenes at the recently held long serving awards ceremony in Harare where Vice President Chiwenga was the Guest of Honour*

➤ **BY FORTIOUS NHAMBURA**

**T**he Judicial Service Commission (JSC) has honoured 103 long-serving employees who have dedicated their time and expertise to the effective and transparent administration of justice in Zimbabwe.

The employees honoured have served the justice sector uninterrupted for 30 years and more in various capacities. Some have even dedicated their labour to dispensing justice in Zimbabwe since independence.

The staffers were honoured at the Chief Justice's Dinner held in Harare on the evening of 8 January 2024, after opening ceremony of the 2024 Legal Year.

The awards were in two classes: the gold category, which consisted of staffers who have served the judiciary for a period stretching from 30 to 39 years, and the platinum category, which comprised those who have served for 40 years and above.

Among the beneficiaries were judges, magistrates, and administrators, office assistants.

Vice President, Dr Constatino Chiwenga handed the recipients their certificates and shields. There was also a monetary token for the loyal and dedicated staff.

Speaking before the presentation of the awards, Vice President Dr Chiwenga expressed the Government's gratitude to the recipients for their service. He said the illustrious service was a clear sign of dedication to duty and the nation.

"It is true recognition of the time and meeting the expected behaviour of their roles over a sustained period.

“

**It is true recognition of the time and meeting the expected behaviour of their roles over a sustained period. The illustrious men and women receiving the awards today are living examples of people who have dedicated themselves to the development of our beloved nation in various spheres."**



The illustrious men and women receiving the awards today are living examples of people who have dedicated themselves to the development of our beloved nation in various spheres.

"I must also commend the JSC for organizing such a wonderful event whose outlook is grounded in the policies of the Second Republic on human capital development.

"It would be impossible to host today's ceremony if the identified recipients of the awards had conducted themselves in a manner that undermined the purpose of their respective offices and had led to their discharge from judicial service," VP Chiwenga said.

JSC Secretary, Mr Walter Chikwana, said the awards were a recognition of the employees' dedication to duty.

Mr Chikwana said the awards were an expression of appreciation for the great job that JSC employees were doing in the justice delivery system.

Those in the gold class, walked away with US\$500 while those in the platinum category were given US\$1 000.

Among the platinum recipients of the awards were Judge of Constitutional Court Honorable Justice Paddington Garwe, judges of the Supreme Court Hon Mr Chinembiri Bhunu JA, Hon. Tendai Uchena JA, Hon. Alfas Chitakunye JA, Hon. Samuel Kudya JA, and High Court judges Hon. Justice David Mangota, and Hon. Justice Herbert Mandeya, private secretary Kelly-Loughlin Jean Mary, Assistant Registrar Sezzy Hellen, and office assistant Mr Thomas Magochera.



JSC researchers and law reports editors attending the law reports editing training in Harare recently

# Law reports editors sharpen skills

BY SHEPHERD CHIBUNE

**THE Judicial Training Institute of Zimbabwe (JTIZ) continues to shine as the bedrock for elevating the standards of law reporting within the Judicial Service Commission (JSC), as it successfully conducted a four-day training workshop on law reports editing.**

The training conducted from 15 to 18 January 2024 was delivered by Blackhall Publishing, whose trainers from South Africa were Mr Ciaran Sean Mac Glinchey and Mr Joseph Owen Barrow.

The Deputy Chief Justice of Zimbabwe



Law reports editing trainer makes a presentation during the training session.

Honourable Mrs Elizabeth Gwaunza, in her opening remarks, hailed the training programme saying it was in tandem with the JSC'S theme for the 2024 legal year, which is "The Role of The Judiciary In Entrenching Constitutionalism".

She said the workshop demonstrates the commission's commitment to the improvement and institutionalisation of jurisprudence.

"Let us collectively recognize the paramount importance of precision in our legal documentation. You have been selected to be custodians of the integrity

and quality that underpins our legal system within the JSC of Zimbabwe when it comes to the quality of our law reports", said DCJ Gwaunza.

DCJ Gwaunza underscored the need for meticulous editing of law reports so that they are accepted and recognized globally.

"The global recognition and acceptance of legal judgments hinges upon their quality and meticulous editing. In an interconnected legal landscape, only well-crafted judgements possess the potential to transcend borders and influence legal discourse the world over. The editing of law reports is an art that requires not just skill but a profound understanding of the measurable criteria against which judgements are scored", she said.

The Head of JTIZ Dr Rosalie Katsande expressed gratitude towards Blackhall Publishing for a well-delivered workshop.

Participants interviewed by the Miranda indicated that the content of the workshop was necessary, balanced and relevant to their duties.

The workshop was attended by 29 participants drawn from the part-time Zimbabwe Law Reports editors and members of the Research and Policy and Legal Services departments.

The training covered content, which included the criteria employed in the selection of judgements for reporting, examining the constituent parts of a judgement, editing and preparation of headnotes and fly notes, preparation of the judgement text and the marketing of law reports.



**The global recognition and acceptance of legal judgments hinges upon their quality and meticulous editing."**



Hon. Justice Chirawu at work

# A judge's journey in the paperless court revolution

BY HON. JUSTICE SLYVIA CHIRAWU MUGOMBA

**O**n the 6th of May 2022, the Commercial Division of the High Court was officially opened by his Excellence, the President of the Republic of Zimbabwe, Honourable E.D Mngangwa amid pomp and fanfare. The Integrated Electronic Case Management System (IECMS) that had been in the works for a long time had finally come to fruition.

I had been selected as one of the five Judges who were to move from the main High Court to the Commercial division. At that time, I was in the civil division. The former Labour Court building had been turned into the Commercial Court. Therefore, the move had double significance in that not only was it physical but we were moving to a paperless court. During presentations and trainings on the IECMS, everything was in abstract. In my head, I envisaged all sorts of things on this new system. I was actually nervous but also excited.

Upon entering my new chambers, I

was gratified to see the main tool of trade, a state-of-the-art desk top computer. With the assistance of the ICT department staff that was ever near and present, I was assisted with setting up and logging in. For the first time that I successfully logged in, I experienced a minor epiphany upon realising the impact that the IECMS was going to have on my work as a Judge. The screen lit up and all the details appeared. I was taken through by the ICT department on how to navigate the system. My then research assistant had also received training and upon reflection, we made a good tag team.

My excitement was further amplified when the cases started coming in on the system. No more paper files. No more carrying files home to work on a judgment. All the pleadings and documents were available at a click. One of the cases happened to be an urgent chamber application. In terms of the rules, being the High Court (Commercial Division) Rules, 2020, when an urgent chamber application is placed before a Judge, they must consider whether preliminarily it is urgent or not. I considered that the

application was urgent and set a date for its hearing. Little did I know that I was making history, because that case constituted the first ever virtual hearing of a matter in the division. On the allocated date and time, I logged into the system and held the hearing from the comfort of my chambers. The legal practitioners were connected from their respective offices. The record was available electronically. Submissions were done virtually. I reserved judgment. Once done with writing it, I signed it electronically and uploaded it virtually. There was no more need to have it pronounced in the Wednesday motion court.

Many months later, the IECMS has become the home of most judges in dealing with cases that are placed before them. There have been challenges as should be expected but the system has resulted in the speedy disposal of cases. Barring challenges, sessions are expected to commence at the allocated time. No more late commencement of proceedings. The era of misfiling and missing pleadings is over. As a judge, you literally speak to your 'machine'. The hardworking Deputy Registrar and her team in the commercial division has made our work easier. The ICT department is always at hand to attend to issues that do arise from time to time. I must confess that I loved the physical court sessions but having been using the IECMS since May 2022, I have come to realise its many benefits. A new era in the justice delivery system is finally upon us, one that I as a Judge has fully embraced.

# Staff wellness framework on cards

...As JSC concludes nationwide Staff Total Wellness Campaign

BY ANXIOUS MBALANGA

**The Judicial Service Commission (JSC) is on the cusp of establishing an all-encompassing staff wellness framework, an initiative set to be of monumental importance within the Commission's workforce.**

The policy's most acclaimed niche will be its potential ability to appropriate an equalizing thread of importance and balance based on the views and contributions from staff members. With a resolutely entrenched mission of staff wellbeing the Commission's multi-faceted staff-centred solution will above all, wade into the uncharted territory of mental health, a subject traditionally stigmatised within most professional ranks.

At the commencement of the year 2023, the Secretary for the Judicial Service Commission inaugurated the Staff Total Wellness Campaign (STWC). Chaired by Commissioner Trish Jasi, the Staff Wellness committee set out on an enterprising nationwide tour in a fervent bid to evaluate the most conspicuous elements of staff well-being. The results collated from the consultations would form the chassis from which a fully-fledged policy would suffice.

In November 2023, after a consultative tour which saw the Staff Wellness committee trudge throughout the JSC's 70 stations strewn across the country, the committee has managed to gather the required information. While the committee managed to successfully traverse the humongous task of compilation of information, the last hurdle on the home stretch awaits, that of implementation.

In a communiqué addressed to the JSC senior management, the secretary

Mr. Walter Chikwana streamlined the road map consequent to the roving STWC committee's findings and recommendations report. "The report has been placed before the Commission and management has been requested to come up with an implementation matrix of recommendations made in the report," he noted.

"On the basis of the report, I have identified five key fundamental areas which must be attended to urgently and which will formulate clear policies



**The crafting of the policy is in line with various global charters on equality, international instruments on gender equality and most importantly our own constitution. This will create an equilibrium which will ultimately create a safe working environment, which is the whole point of the Staff Total Wellness Campaign, . . ."**

for all members of the Judicial Service Commission. The areas are as follows: Disability, Gender and Sexual Harassment, Transfers, Leave and Staff Deployment," he added.

It is therefore, against the backdrop of the identified key areas that the implementation process will be focused. To steer the process five committees have been set up. The five committees each drafted and proffered recommendations

for the key areas under their purview. In turn, their recommendations will be tabled before the Commission for adoption in the formulation of a comprehensive policy for the JSC.

Meanwhile, the Miranda engaged Regional Magistrate Mrs Marehwanazvo Gofa, who is the chairperson for the Gender and Sexual harassment committee. Mrs Gofa acknowledged that during the consultative tours the Gender and sexual harassment chapter drew intense debates during the deliberations. A brief look over the shoulder into the history of gender injustice validates the existing aspersions between men and women, a situation which has inevitably seeped into professional spaces.

With such evident distrust between the dichotomy of genders, Mrs Gofa set to enlighten the importance of her key area.

"The crafting of the policy is in line with various global charters on equality, international instruments on gender equality and most importantly our own constitution. This will create an equilibrium which will ultimately create a safe working environment, which is the whole point of the Staff Total Wellness Campaign," she said.

Mrs Gofa said the participation of JSC staff during the processes was overwhelming.

"The participation of all staff members involved was overwhelming as we got a large percentage of the information we will need from the consultations. We even managed to get a rough picture of the prevalence of sexual harassment within the organisation. "Out of 1000 cases there were 42 cases in which the participants have experienced a form of sexual harassment. Although it looks like a small percentage, I would say for the JSC it is still a big number, " she outlined.



Mahusekwa Circuit Court building



Mahusekwa Circuit Court staff

# Circuit Court opens in Mahusekwa

➤ MIRANDA EDITOR

**In the heart of Mahusekwa, a thriving growth-point in Mashonaland East province, a new circuit court emerged with a view to bring justice closer to the people. With hope in the air, a transformation was underway, promising a fair and accessible legal system for all.**

This is the story of how Mahusekwa Circuit Court became a beacon of justice, forever changing the lives of its people.

For years, the legal system had been a distant concept, an elusive pursuit for justice that required arduous journeys to Marondera town. Villagers had written to the Judicial Service Commission (JSC) requesting for the establishment of a court to deal with soaring criminal cases in the community.

Mahusekwa Rural District Council had gone to an extent of offering land to the JSC to construct a Magistrates' Court.

They also offered a building that JSC could customize into a courthouse but the authorities later settled for Mahusekwa Police Station premises.

The JSC considered the plight of the villagers, who would bear the brunt of traveling between 50km and 75km to Marondera to access justice.

With effect from October 25 last year, a magistrate and other court staff now drive from Marondera to Mahusekwa once fortnightly to deal with criminal cases.

"The idea to set up the court came about as a response to a request to the Secretary of the Judicial Service Commission by the Mahusekwa Crime Liaison Committee," said Mashonaland East provincial magistrate Ms Sekai Chiwundura.

The committee, which comprises ordinary residents, members of the business community and the local police, was concerned with the long distances that court-users would travel to access justice.

They were also concerned with the high crime rate, particularly, the increase in stock-theft in Mahusekwa.

Police investigations revealed that most criminals were coming from as far as Harare and Chitungwiza to steal cattle for resale back home.

Mahusekwa Circuit Court receives cases from Mahusekwa Police Station, Landas Police Base and Border Church Police Base.

Ms Chiwundura added: "The circuit court therefore brought justice to the door step of the ordinary people of Mahusekwa. This development galvanized the existence of access to justice by all, thereby attaining the objective of access to justice illustrated in the strategic plan."

From the time the circuit court opened its doors to the public, Ms Chiwundura said, 50 criminal cases have so far been received.

Of the 50 cases, the court completed 45, leaving five pending cases.

A Mahusekwa resident Ms Jessica Phineas hailed the development saying justice was now more accessible.

"Before you set up Circuit Court, people would just give up if any crime was committed against them. One would begin to think about all the logistics associated with traveling before throwing in the towel. Now it is as if justice is next door. In the long run, I would recommend the establishment of a permanent court station here in Mahusekwa," she said.

A local businessman Mr Peter Chiwandamira liked the idea of setting up a circuit court. He, however, called for the setting up of a civil court at Mahusekwa.

"It is good that we now have the court within reach. Most of the crimes against our businesses such as theft are being processed and we feel a measure of security. We implore you to also avail the Civil Court. Our businesses these days really depend on court processes to recover debts."

Judging on the statistics given, the servicing of the circuit court has had a positive impact on the expeditious disposal of cases. Witnesses now travel shorter distances to the circuit court and this has the effect of bringing down travelling costs.



**Before you set up Circuit Court, people would just give up if any crime was committed against them. One would begin to think about all the logistics associated with traveling before throwing in the towel. Now it is as if justice is next door. In the long run, I would recommend the establishment of a permanent court station here in Mahusekwa, . . ."**

## Judicial officers celebrate International Day of Women Judges in style



Hon. Deputy Chief Justice Gwaunza



Hon. Guvava JA



Hon. Judge President Dube

### ➤ BY TARISAI MAFURA

**Celebrating the International Day of Women Judges in a unique way, three distinguished senior women judges were interviewed on national television, shedding light on their remarkable journeys within the justice system.**

The interviews provided a platform for these accomplished jurists to share their experiences, challenges, and triumphs, serving as an inspiration for aspiring women in the legal profession.

The International Day of Women Judges, observed annually on March 10, aims to recognize the invaluable contributions of women in the field of law and highlight the need for gender equality and diversity within the judiciary.

This year's celebrations ran under the theme: "Women in Justice, women for Justice".

All along, the day would pass without any activities done publicly but this year the Deputy Chief Justice Hon. Elizabeth Gwaunza, Senior Judge of the Supreme Court Hon. Justice Antonia Guvava and the Judge President of the High Court Hon. Maria Dube went on air sharing their experiences and speaking on the significance of the day.

The televised interviews presented a rare opportunity for viewers to gain insights into the lives and careers of these esteemed women judges, who have made significant strides in the pursuit of justice and equality. The interviews showcased their personal stories, highlighting the hurdles they encountered and the achievements they attained along the way.

Deputy Chief Justice Honourable Elizabeth Gwaunza said the day is important and it seeks to promote women's participation in the development of the country. She emphasised that men and women should have equal opportunities when it comes to appointment of judges.

"Well, just like any field of human endeavour, women should be involved. They make more than half the population

of the world and it is only logical that they be involved actively in processes that drive the world at a bigger scale," she says.

"As far as the judiciary is concerned, we have intelligent women alongside men, hence equal opportunities. So, there is no justification for differentiating in terms of practice in terms of theory.

"It is important because the world is made up of men and women after all. So, why would we want the other gender to have an advantage over the other gender?"

"I know we follow different parts in life as women or men. It's fine we have different obligations, childbearing, responsibilities, and caring for families but as far as the brain is concerned, we are the same.

"So, a person's gender should not be used to disadvantage them one way or the other where a man in the same situation is not disadvantaged."

The Senior Judge of the Supreme Court Hon. Antonia Guvava said the International Day of Women Judges recognises the important role played by women judges. She added that the day makes women realise that they can scale up the ladder to become judges.

"International Day of Women Judges is something that is amazing that has been introduced by the United Nations. It is a recognition by the United Nations that women judges play an important role in the judicial system.

"It is a way of showing the world, the young women lawyers and magistrates that there is hope for them to be judges," said Justice Guvava.

She said it is critical to have women on the bench to bring in the softening of the whole atmosphere in the judiciary.

"You can imagine you walk into a courtroom and you find a full bench of male judges and you are a woman.

"I think it is enough to frighten you, but if there are one or two women, it tones down the atmosphere in the courtroom," says Justice Guvava.

Justice Guvava, who has been

a judge since 2001, named Justices Gwaunza and Rita Makarau as her role models who inspired her to join the bench.

She encouraged other women to work hard until they become judges.

"It has taken us 40 years to be where we are, but we have arrived. "We are still aiming higher. We are also emulating other Judges like the Deputy Chief Justice who's the First Deputy Chief Justice in Zimbabwe.

"I think all female judges are emulating her and looking forward to moving up to such a high position as well. Other female judges see us, what we are doing in society; the work that we are putting in, they should also want to join and become judges as well, which is good for the justice delivery system and the nation at large."

Judge President of the High Court, Hon. Maria Dube said the International Day of Women Judges is the time she gets to reflect on the role female judges are playing in the Judiciary of Zimbabwe.

"I look at this day and ask myself how far have we gone in terms of advancing women in the Judiciary," she says. "I also look at whether or not we have any challenges, barriers that the judges may have and say to myself how best these barriers, challenges, if any, can be addressed. I also look at opportunities that these women bring to the bench to the judiciary and the opportunities they also have being part of this judiciary."

She added: "We, as women, have the opportunity to implement policies that promote gender diversity, equity, and inclusion within judicial institutions and create a conducive environment for women," she says.

"I think it is very comforting when you come to court and see a fellow woman adjudicating a law matter, you do not want to see male faces all the time. Also in the process of adjudicating you are comforted that there is another woman. You say this woman understands me, we as women understand each other."

# Women's Month Special





# Celebrating the Women's month this year, The Miranda spoke with women in JSC who highlighted the importance of March to all women.

**MS CATHERINE CHIWARA- OFFICE ASSISTANT**



Women now have equal education and employment opportunities with men, a development that sets a better future for us.

**MRS SIBONGILE MPOFU SIBANDA- ASSISTANT CLERK**



*Wathinta umfazi wathinta imbokodo (You strike a woman, you strike a rock, you will be crushed)*

**MS MARIA CHAKAWA- ASSISTANT CLERK OF COURT**



In March we celebrate the achievements by women in various sectors of the economy like agriculture, mining, tourism and others.

**MS RUDO GWATI- ASSISTANT CLERK OF COURT (HARARE MAGISTRATES' COURT)**



As women, we are breaking the glass ceiling. I am grateful to the authorities for giving women unlimited opportunities in social, economic, and political spheres.

**MS CHENGETAI BVUMBAMERA- EXECUTIVE ASSISTANT (BINDURA MAGISTRATES' COURT)**



In the past, women were viewed as lesser beings who could not even run a business. This has however, changed through women's empowerment.

**MS SHEILA MDHLANO- PRINCIPAL ACCOUNTANT**



I would like to thank the JSC leadership for being gender sensitive and considering women by affording us equal employment opportunities. Women now hold senior positions within the commission.

**MS VIMBAI MADAMOMBE- E-FILING OFFICER**



Giving women space to work, supporting their entrepreneurial initiatives, and involving them in key decision-making spur socio-economic development.

**MISS CAROLINE NCUBE- OFFICE ASSISTANT**



March is an important month where we celebrate our achievements as women. It is also a month for reflection, recognition, and action.

**MS GLADYS GWESHE- COURT INTERPRETER**



We feel honoured, as women. Our rights are now being considered and empowerment is now benefitting everyone without discrimination

# Unveiling JSC's unsung hero: Magochera honoured

➤ BY FORTIOUS NHAMBURA

**H**e has served five Chief Magistrates as an administrative assistant. Some prefer to call him an office orderly.

Others have come and gone, but his sheer will to provide for his siblings and later his wife and children has kept him going.

For his toil, Mr Thomas Magochera was awarded the Judicial Service Commission (JSC) Platinum Long Service Award, the highest honour for long-serving staff at the commission.

He is one of the 17 longest-serving members of the Commission. The award was a tribute to those who have served the country's courts for an uninterrupted 40 years and above.

Magochera's journey in the sector started when independence was still green, and for 42 years, he has served one master and is proud of his stroll.

On April 7, 1981, a year after our independence, Mr. Magochera saw the administration of the courts metamorphose from the Ministry of Justice to the Ministry of Justice, Legal, and Parliamentary Affairs, and now to the Judicial Service Commission. He started his illustrious journey at the then-Salisbury Magistrates Court in the capital.

Mr. Magochera says he is elated to have received recognition for his work.

"I am grateful to JSC for the recognition that it has given us. We received national recognition when we shook hands with Vice President Dr. Constatino Chiwenga in January. It was a moment of glory. I will always cherish the day.

"We received our certificates on the day with a promise that a monetary reward would follow. I am elated that the Commission has since honoured its promise and has already paid the monetary part of the awards.

"The award money has since been paid into our accounts, and I plan to use it to construct my house. This shows that indeed, our employer recognizes our efforts. The recognition clearly shows that our employer values our contribution to



From left to right: Vice President Chiwenga, Mr Magochera, Hon Chief Justice Malaba and Hon. Ziyambi pose for a photo during the long serving awards ceremony held in Harare recently.

“

I have colleagues who left but are now seeking to comeback. They have been to many other organizations, some outside the country, but they have nothing to show for their toil. I want to advise the young people to work hard and never get distracted by the passing winds . . . ,



Mr Magochera

the sector," he said.

Mr Magochera worked with a number of Chief Justice, some of whom are now Honourable judges. He worked with Retired Honourable Justice Misheck Cheda, Constitutional Court judge Hon Garwe (JCC), and High Court Judge, Honourable Justice Mangota during their tenures as Chief Magistrates. In 2003, Mr Magochera transferred to his present station at Gutu Magistrates Court. He wanted to relocate to a station closer to his rural home in Chirumhanzu.

Mr Magochera encouraged the young people who are joining the service to always work hard and never get distracted by the so-called greener

pastures.

"I have colleagues who left but are now seeking to comeback. They have been to many other organizations, some outside the country, but they have nothing to show for their toil. I want to advise the young people to work hard and never get distracted by the passing winds," he said.

Mr Magochera has managed to build his rural home in Gutu and another house at Mupandawana Growthpoint . He is married with three grown-up children. His youngest child recently completed Advanced Level and he is looking forward to enrolling at one of the country's tertiary institutions.



Chief Magistrate Mrs Mushure presides over the swearing in of 23 new magistrates in Harare.

# 23 new magistrates sworn in

➔ BY PAYIDAMOYO NYOKA

**C**hief Magistrate Mrs Faith Mushure recently swore in 23 new magistrates in a move meant to alleviate the shortage of magistrates and ensure timely access to justice.

The new magistrates joined the bench at a colourful ceremony held at the Harare Magistrates' Court. They comprise of 15

“

For the first time, we had more males than females applying to train as magistrates. Ten of them will be stationed in Harare, which currently has the highest number of outstanding cases.”

men and eight women, bringing to 249 the total number of magistrates countrywide. Of the 249 magistrates, 146 are women while 103 are men.

Mrs Mushure said it was the first time that the commission had recruited more men than women to the bench.

She said addition of magistrates is driven by the need to ensure that cases were finalised expeditiously.

“The magistrates have since been deployed to various stations across the country,” she said.

“For the first time, we had more males than females applying to train as magistrates. Ten of them will be stationed in Harare, which currently has the highest number of outstanding cases. This will ensure that we execute our constitutional duty by expeditiously dealing with cases,” she said.

Mrs Mushure added that the new magistrates will contribute to the clearance of the backlog of cases being experienced in the dispensation of justice.

The judiciary has been on an intensive drive to improve the justice delivery system and this has seen a number of courts being opened across the country.

The newly opened courts include Chikombedzi, Chimanimani and Epworth

Magistrates Courts while plans are under way to establish more courts in Cowdray Park, Emganwini, Kanyemba, Brunapeg, Guyu, Nembudziya Dete and Mutawatawa.

Mrs Mushure added that other court stations will be established soon in areas like Dete and Nembudziya.

“Chief Justice Malaba, at the beginning of the year, congratulated us for reducing backlogs, but now the thrust that we are taking as an organisation is that we want to introduce staff wholeness.

“We have stations where magistrates are working long hours so the swearing in of these magistrates is meant to alleviate that and it enables them to research” she said.

The new magistrates are: **Samantha Chigwedere, Tinotenda Makoti, Mbonisi Kaweni, Seluleko Mathuthu, Kudzanai Kapurura, Melody Nheweyembwa, Challenge Mahembe, Ernest Muzembe, Tafadzwanashe Marowi, Chikengezha Tonderai, Rangarirai Matan'ani, Tatenda Masaraunga, Nashy Chinoperekweyi, Sithembiso Gowero, Michael Mufukidzi, Matongo Panashe, Vimbai Chirayi, Alois Midzi, Ashton Dube, Kudzanai Mahaso, Kudzaishe Pemhiwa, Tendai C Nemadziva and Kumbirai Nyika.**

# The multifaceted journey of senior judge, musician, farmer and sports personality

In the realm of legal proceedings, judges are often seen as stoic figures in robes, dispensing justice with a firm hand. However, every now and then, we come across extraordinary individuals who break the mold and defy our preconceived notions. Meet the Senior Judge of the Labour Court, Hon Justice Custom Kachambwa (CK), a remarkable personality who not only commands respect in the courtroom, but also showcases his talents as a musician, farmer and sports enthusiast. The Miranda Editor Daniel Nemukuyu (DN) caught up with Hon Justice Kachambwa (CK) for an interview that explores the harmonious blend of law, farming, music, and athleticism that has shaped the judicial officer's exceptional journey.

**DN:** Hon judge, can you share the journey that you travelled to becoming a judicial officer?

**CK:** I started as a public prosecutor in 1985. From there, I joined the Forestry Commission as a legal advisor. I later joined the bench as a provincial magistrate based at Masvingo Magistrates' Court. I worked there for a while before transferring to the Harare Civil Court in November 1988. I was then elevated to the position of regional magistrate. From there, I was appointed director for the Legal Aid Directorate where I worked for four years before being appointed judge of the Administrative Court in 2004. In 2008, I joined the Labour Court and worked until last year when I was appointed head of that court.

**DN:** Which schools did you attend?

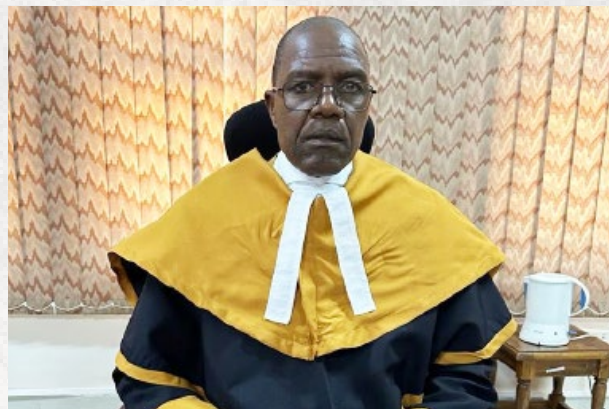
**CK:** From Grade 1 to 6, I was at Mutumba Primary School in Mazowe. I moved to Harare at Tendai Government Primary School in Mufakose for Grade 7. My parents sent me to Bernard Mzeki College for Form 1 to 6. From Bernard Mzeki, I went to the University of Zimbabwe where I attained a law degree.

**DN:** What inspired you to be a judge?

**CK:** I just got tired of being a legal advisor at Forestry Commission and I felt that was not challenging enough. I thought the bench would be more challenging.

**DN:** I am moving into your private life now. Can you please tell us more about your family?

**CK:** I am married with four children. My wife is a retired bank employee. We have two sons and two daughters. The first son is a sports director at Peter House Girls School. My first daughter is a lawyer based in Germany. Our third child is a lawyer here in Harare and some people may know him, he is called Advocate Keith Kachambwa. The fourth born is a lady who is based in Cape Town. She did Bio-Informatics. Generally, we are a sporting family. Our first son, who is a sports director at Peter House Girls School is also the national coach for the Zimbabwe national men's hockey team.



*Justice Kachambwa the judge*

**DN:** You just mentioned something about sport, which sport do you play?

**CK:** I have played and administered Hockey for a long time in this country. I founded Mufakose Eradicators (hockey team) in 1984 and that was a household club in the country. I have also been the president of the Hockey Association of Zimbabwe for about nine years. I have also been a member of the Zimbabwe Sports and Recreational Commission and a member of the Zimbabwe Olympic Committee for many years. I was general manager for the Zimbabwe Commonwealth Games team that played in 1988. I was also general manager for the Zimbabwe All Africa Games Team from 1999 to 2011, meaning I was in charge of the Zimbabwe teams (All Africa Games) that played during that period in South Africa, Nigeria, Algeria and Mozambique.

**DN:** Are you still playing sport?

**CK:** Not professionally. I am now participating in sport socially. I have plans to set up a Hockey team here at the Labour Court but we have problems with facilities. As the Labour Court, we would want our three centres in Harare, Gweru and Bulawayo to meet annually for sporting competitions. We have started saving for that. I am setting aside fuel coupons monthly, from my allocation, with a view to assist in funding the sporting activities.

**DN:** What benefits does sport have to JSC staff?

**CK:** It has health benefits. It takes away stress and



Justice Kachambwa the musician

it brings together employees in a relaxed environment. It is good for team building and discipline. In fact, sport is also part of the total staff wellness that the JSC is currently working on.

**DN:** **Has your involvement in sport ever influenced the way you handle cases or interact with legal proceedings?**

**CK:** Not that I can touch but sport builds relationships, it builds teamwork and you get to understand each other better at work. With sport, you become a true human being rather than a machine. You relate better with colleagues and subordinates. Colleagues end up seeing the human side of you if you play sports together.

**DN:** **We hear that you are also into music, can you please tell us more?**

**CK:** I am part of the Brass Band for the Salvation Army church at Marlborough. I play almost all brass band instruments, I play the tubor, drums, saxophone and rattle (hosho). I also run a brass band at my farm in Shamva and it is called Pausanza Farm Brass Band. It comprises of the young ones at my farm and we are hired at weddings, birthday parties, roadshows, funerals, memorial services and other events. It is an open band at the farm and we are teaching the children how to play brass band instruments as a way of social engineering. Our farm brass band plays for Simba Bhora and we help the children at the farm to pay school fees from proceeds of the shows.

**DN:** **What else do you do apart from being a judge, musician and sports personality?**

**CK:** I am also into farming. At my farm in Shamva we grow chickens (broilers) and we make stockfeeds on our own. We also keep cattle and goats. Currently, we have 3 hectares of land under irrigation for horticulture and we also do summer cropping on 100 Hectares of land. I also manufacture rattles (hosho) at my farm for sale to the Salvation Army churches in Zambia, South Africa, Kenya, United Kingdom and Malawi. That is a pastime for me and it is part of the music.



Justice Kachambwa the sportsman

People also hire musical instruments from me.

**DN:** **In light of the many roles that you play in society, do you have enough time with your family?**

**CK:** My family is also involved in farming with me and we are always together. They also like sport and we share a lot in common. Now that I have 10 grandchildren, we find time to go and watch my grandchildren playing sports at school.

**DN:** **Can you describe how you manage your time and balance your responsibilities as a judge, musician, farmer and sports personality. Do you find any connection or overlaps?**

**CK:** There are no overlaps as such. Everybody needs time to refresh. While others go to the pubs, I will be practicing and playing instruments and sport. I also find it important to visit my farm without challenges. I have always reserved my spare time for music, sport and farming without negatively affecting my main profession as a judge.

**DN:** **Have you recorded any success stories in sport, music and farming?**

**CK:** I was once appointed as president for the Hockey Association of Zimbabwe, a high post in that sporting discipline and I managed to travel to many countries including the United Kingdom, Spain, Kenya, Holland, Malawi and America through sport. Through the hockey club that I founded in Mufakose, I managed to groom a number of youngsters to earn a living through sport. Through Pausanza Farm Brass Band, we have managed to secure scholarships for children at the farm. Two of them are attending a local school on a scholarship while three others are studying at Lifelong College in Harare. They were identified by the sponsors while playing music at different functions before being offered scholarships.

**DN:** **What advice would you give to individuals who aspire to pursue multiple passions simultaneously?**

**CK:** Give it time. It is good for your health and it is good for your social skills. Go for it.



JSC researchers follow proceedings at a recent training session in Harare.

# Researchers undergo training

BY FORTIOUS NHAMBURA

**R**esearchers underwent a four-day training to sharpen their skills and prepare them for their new responsibilities as the Judicial Service Commission moves to professionalise and capacitate the commission's newest baby.

The workshop drew participants from all researchers deployed in the country's superior courts.

Officially opening the training, Chief Justice Luke Malaba said the JSC recognised the growing global consensus on the importance of researchers in justice delivery.

Researchers are tasked with conducting research into the legal questions assigned by judges, preparing bench memoranda for matters set down for hearing, preparing case summaries, courtroom management, and chamber management, among other duties.

These are critical areas in the dispensation of justice.

"For this reason, the training of researchers is done in line with their functions and the research department's mandate. It is developed against the background of an understanding of research as an aid to efficient and just delivery.

"Training recognises that the effectiveness of judicial researchers as aids in efficient and effective justice delivery is undermined if they lack the requisite skills. Judicial assistance and research services must always be rendered with an understanding of their scope," he added.

Chief Justice Malaba, however, reminded judges that,

despite the help they were getting from researchers, the judicial function remained their sole responsibility.

"Judges can only rely on research services to ensure efficient and effective justice delivery," he said.

The training was conducted with the support of the Judicial Institute for Africa (JIFA), a regional body mandated with the training of judicial officers on the continent.

The facilitators included Justice Ms. Abba Patel from Zambia, Justice Ms Annabel Mtalimanja and Justice Ms Fiona Mwale from Malawi, and Ms Ghati Nyehita from Kenya.

Justice Ms Patel said the training completed the work that was being done by the country's judicial institute in the professional development of judicial officers.

"We are honoured to be part of this legal researchers training programme and are delighted by your decision to have the training offered here in Harare so that the entire team of researchers may benefit and built from the same set of skills and knowledge that we tried to impart.

"It is from sharing experiences like this that the benefits of regional collaboration become obvious," she said.

Since 2016, JIFA has been instrumental in training judges, legal researchers, court administrators and members of tribunals and commissions.

JSC Secretary Mr Walter Chikwana said the decision to formalise the Research Department required further officers to be trained so that they could properly and effectively discharge their duties.

"It is important that they (researchers) were adequately professionalised so that they will be able to add value to the dispensation of justice in the country," he said.

The Research Department is mandated with providing research services to judicial officers and to the JSC necessary for planning, innovation, the discharge of judicial duties, and facilitating the just, expeditious, and effective administration of justice in Zimbabwe.

# Assistant registrar scoops university book prize

➔ BY NESBERT ZENGENI

**M**s Marian Gamuchirai Turo, an Assistant Registrar in the High Court, flew the JSC flag higher after bagging a Book Prize at a recent Midlands State University (MSU) graduation ceremony.

She graduated with a Master of Science Degree in International relations.

JSC recently introduced study leave to all employees who are pursuing their academic goals relevant to their job descriptions. It is believed an employee who continuously improves job skills through self-development is an asset. Employees have a unique insight into the requirements of their own roles — and when they direct their own development, with support from line managers, those needs are more likely to be addressed.

Ms Turo was short of words and she went on her Facebook page celebrating her success.

“Congratulations to myself on this special day of my life! My life is about to get amazing from this moment. All the best for my future life! The first milestone has been achieved. It’s time to spread the wings and fly high up in the sky and never stop at anything. It has a combination of enthusiasm, diligence, and ability which has been essential for the pursuit of this dream. I am pleased about this achievement and a book prize. It has been God since day one!”

Her workmates in the Criminal Division of the High Court showered her with heartwarming congratulatory messages. Ms Beatrice had this to say;

“It’s an outstanding achievement for you. The glory road has just started and it’s good to see you prepared to embark on the journey. Congratulations Marian!”

Ms Mary Mandivava posted on Facebook as follows; “Set your goals high. Gather your wings and soar high up in the sky. Congratulations to you because you just did the hardest part right!”

Ms Ashley Magwere did not want to be left behind as she also sent a message saying; “Congratulations dear. This moment holds all the promises for you of a better and brighter future. May all your dreams come true! You have gathered all the tools you need and now it’s time to start building it. Congratulations once again!”

An attachee at the High Court Miss Memory Bura said; “Congratulations, my dearest on being a graduate. As for your future is concerned, we’re sure you are going to make it a successful one with your intelligence.” The heartwarming congratulatory messages from her workmates is a testament that Marian is a good workmate, a team player with no grudges with anyone.

Ms Turo was so grateful to her superiors

who made her studies a worthwhile like her supervisor Mr. Gibson Chikanya who showed an ongoing flexibility with her schedule and recommended study leaves for her.

“I cannot thank Mr. Chikanya and Mr. Tigere enough for being such wonderful leaders to me over the past two years of my studies, and I want them to know how much that has meant to me. Their guidance and support have been instrumental in helping me achieve so much personal and professional growth during that time.”

A thank you message is a great way to show appreciation to the people who are great to work with and has made a positive impact on your career.



Ms Turo



VP Chiwenga addresses delegates during the recent Chief Justice's Dinner in Harare

## VP Chiwenga calls for collaboration in Justice, Law and Order sector

BY TARISAI MAFURA

**The Judicial Service Commission (JSC) correctly recognizes that sustainable progress in transforming judiciary operations can only enjoy success through a collaborative approach, Vice President Constantino Chiwenga has said.**

In his keynote address at the Chief Justice dinner held as part of activities to mark the official opening of 2024 Legal Year, the guest of honour, Vice President Chiwenga said JSC's recognition of unity among stakeholders in the Justice, Law and Order sector is important because all stakeholders play a pivotal role in delivering justice.

"It is encouraging that guests participating in this gathering (Chief Justice's dinner) serve as enough evidence of the JSC's recognition of the importance of unity in the Justice, Law and Order sector. Every stakeholder invited plays a critical function in the justice delivery through the fulfilment of the constitutional and legal obligations placed on you. You all aid the administration of justice in Zimbabwe.

"This stands for the noble reason for the establishment of a conducive platform for the Judiciary to meet with its stakeholders and interface on issues central to the administration of justice," said Vice President Chiwenga.

He said the interplay between the



VP Chiwenga

judiciary and its stakeholders highlights the importance of unity in the justice delivery sector.

"To demonstrate this, it is inconceivable that any criminal to be ever brought to book through the courts of justice without the spirit and efforts of the Zimbabwe Republic Police, neither can the judiciary effectively preside over such matters without the commitment and input of the National Prosecuting Authority," Vice President Chiwenga said.

Turning to the digitisation of courts, Vice President Chiwenga said the Government is delighted by the progress made to date.

"Government is pleased with the progress made in the digitisation of



Government is pleased with the progress made in the digitisation of the courts as the Integrated Electronic Case Management System (IECMS) has proved to be a revolutionary web-based innovation that digitised and transformed judiciary operations in the Constitutional Court, Supreme Court, High Court, Labour Court and Administrative Court, . . ."

the courts as the Integrated Electronic Case Management System (IECMS) has proved to be a revolutionary web-based innovation that digitised and transformed judiciary operations in the Constitutional Court, Supreme Court, High Court, Labour Court and Administrative Court," he said.

Speaking at the same occasion, Chief Justice Honourable Mr Luke Malaba said the separation of powers does not necessarily mean that Government institutions must act in silos.

"We must be independent of each other in compliance with the principle of separation of powers, but that does not allow us to act in silos, to pretend that we are different when we are supposed to act together to fulfil a common purpose of our existence as people's servants," said Chief Justice Malaba.

The Chief Justice dinner was attended by senior government officials, some senior members of the security service, legal practitioners and captains of industry.





Hon. Justice Dube Banda officiating at the recent opening of Hwange Circuit Court

## Soaring murder cases, Judge fires warning shots

BY TARISAI MAFURA AND ISAAC SIAKWIYE

**H**igh Court judge Justice Christopher Dube-Banda has bemoaned soaring cases of people who kill their spouses in domestic violence, saying the courts will impose stiffer penalties for deterrence.

Officially opening the Hwange Court Circuit on the 4th of March 2024, Honourable Justice Dube-Banda did not mince his words, issuing a stern warning to criminals who are committing heinous crimes.

Honourable Justice Dube-Banda's remarks came after an alarming rate of criminal reports across the country which sprung the Justice, Law and Order sector into swift response to stem this tide.

"Deaths arising from domestic violence are escalating and the brutality of these deaths is frightening. Dangerous and lethal weapons are used to end the life of a spouse. The courts will continue to mete out the appropriate and deterrent sentences against this type of crime, however, such is not a panacea to this problem," said Justice Dube-Banda.

He called for peaceful resolution of disputes.

Justice Dube-Banda also bemoaned the escalation of sexual violence crimes



Part of the delegates during the opening of Hwange Circuit Court

and warned the perpetrators to stop forthwith this criminal activity.

"A woman has a right to give or withhold consent to sexual intercourse and that right must not be violated. We, in the courts, have seen cases of sexual violence escalating to frightening levels. This must stop because it has no place in our country," Justice Dube-Banda added.

He added that the Judiciary will not tire in executing its role to bring armed robbers and the ones who harbour them

under control.

"The judiciary is playing and will continue to play its role to bring (armed robbery) this type of heinous crime under control."

Commenting on stock theft that remains a challenge in rural and farming areas, Justice Dube-Banda said, "To those who commit this type of crime and those who provide a market for them, the courts are waiting for you with heavy and deterrent penalties."

INTEGRATED ELECTRONIC CASE MANAGEMENT SYSTEM

# IECMS



Chief Justice Malaba

## IECMS the panacea to inefficiencies, graft

BY TARISAI MAFURA

**T**he digitalisation of superior courts has brought efficiency and transparency, attributes that are in sync with international best practices.

The Constitutional Court, Supreme Court, Commercial Division of the High Court, General Division of the High Court, Labour Court and the Sheriff's office have gone digital.

Officially opening the 2024 Legal Year in Harare recently, Chief Justice Luke Malaba said the Judiciary will not relent in its digitalisation drive. He described the Integrated Electronic Case Management System (IECMS) as the panacea to inefficiencies, corruption, missing records and many other evils that used to dog the courts.

"The benefits of the IECMS far outweigh the perceived and real challenges. The new system has dealt decisively with inefficiency, corruption, constant missing records and pleadings, back-stamping of documents filed late by parties, clandestine setting down of matters, and many other evils pointed out by stakeholders," said the Chief Justice.

He encouraged stakeholders to embrace IECMS because technological developments are inevitable across the globe.

"Stakeholders should look at the bigger picture unfolding in the future due to unavoidable technological

developments taking place globally," he said.

Chief Justice Malaba hailed the Government and other stakeholders for supporting the digitisation of the justice delivery system.

"I, however, wish to conclude this segment by expressing my profound appreciation to all the stakeholders who have cooperated with the JSC (Judicial Service Commission) and have shown enthusiasm for the digitisation program of the courts. The JSC acknowledges the support received from Treasury in honouring the contractual obligations to the service provider, the Executive through the Office of the President and Cabinet, who embraced the digitisation of the justice delivery system as part of the broader Government digitisation program..." he said.

The judiciary boss also indicated that the IECMS system now has the capacity to conduct about 30 different virtual hearings at a time.

"The capacity of the system to accommodate virtual hearings has increased from 10 to 30 cases at any given time. Efforts to increase the capacity to accommodate about 50 cases at the same time are underway," Chief Justice Malaba added.

The third phase of IECMS was launched on 1 September 2023 and it covered the General Division of the High Court and Office of the Sheriff of the High Court.

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# Mozambique judiciary in benchmarking visit

BY FORTIOUS NHAMBURA

**A** high powered delegation from Mozambique judiciary, led by Chief Justice Adelino Manuel Muchanga was in the country this quarter to benchmark the Integrated Electronic Case Management System (IECMS) as it moves to adopt the same system into their judiciary.

The delegation comprised of the Chief Justice Muchanga, Secretary General Mr Jeremias Alfredo Manjate, Head of Information and Communication Technology Mr Sergio Jorge Chaguala and two others.

Speaking during the farewell dinner in the capital, Chief justice Muchanga expressed delight on the level of organisation shown by the judicial service commission.

"We thank you Chief Justice for all the facilities you put at our disposal, the hotel, transport, security, the availability of the judges and above all the lesson we will take home on the implementation of the case management system in Zimbabwe.

"We are not only happy with system but also with the reason for the implementation of case management system. This is really a huge investment system and requires dedicated teams. I want to congratulate the judiciary of Zimbabwe for the success.

He said Zimbabwe had done well in implementing the court digitalisation programme in the region.

Justice Muchanga said: "We are at the starting point and I think we will take this experience to Mozambique and see how we can involve the Government and other stakeholders so that we implement the systems for many advantages that the systems can bring to the efficiency of the judicial system in Mozambique."



Chief Justice Malaba (right) welcomes Mozambican Chief Justice Muchanga to his Chambers in Harare

In response Chief Justice Luke Malaba said Zimbabwe felt honoured to receive the Mozambican Judiciary.

"Mozambique felt that Zimbabwe has taken very important strides in adopting technology as one of the measures of ensuring efficiency, effectiveness, and transparency in the judiciary system for the specific purpose of delivering justice to the people expeditiously.

"We relate as Chief Justices, and when he (Justice Muchanga) comes heading a delegation, we take it very seriously in Zimbabwe because not only is that a confirmation, an affirmation of the long-standing cordial relationship between the two judiciaries, but an extension of a sign of confidence in what is happening here," he said.

"We in Zimbabwe are looking forward

to learning from Mozambique. The mere presence of other delegations from the region in SADC coming to benchmark Zimbabwe means that we in Zimbabwe learn about our own system, about what other people's ideas are in terms of improving the system," Justice Malaba said.

The delegation had an opportunity to tour and experience the use of IECMS at the Commercial Court, High Court, Harare Magistrate Court and the internet hub located inside the High Court buildings.

The visit follows shortly after that of the Malawi judiciary delegation that was in the country last year on a similar mission.

The visit by foreign delegations is a clear indication that Zimbabwe judiciary continues to impress the region and beyond.



Hon Chief Justice Muchanga (centre) poses for a picture with JSC staff at Epworth Magistrates' Court recently



Hon Chief Justices Malaba and Muchanga tour the Constitutional Court premises.

# Hunt for 11 new Judges begins

BY MIRANDA WRITER

**The Judicial Service Commission (JSC) is seeking to recruit 10 new judges of the High Court and one for the Administrative Court in a move that is meant to ease pressure on the bench.**

JSC, over the past few years, lost at least seven judges to death, resignations, reassignments and removal from office in terms of the law.

Such judges were never replaced, hence the need to appoint more judges.

Recruiting new judges helps replenish the pool of judicial talent and maintain an adequate number of judges to handle the workload. It ensures that the judiciary remains robust and capable of delivering justice effectively.

On 14 March 2024, the JSC called for nomination of aspiring judges as part of the process to fill in 10 vacancies on the High Court bench. Another call was made for the nomination of candidates to fill in the vacancy of judge of the Administrative Court following the retirement of Hon. Justice Hebert Mandeya.

The two separate advertisements that were published in the local press spelt out the qualifications for the judges of the two courts.

Currently, the High Court has 36 judges while the Administrative Court has one judge who is retiring.

For one to qualify as a judge, he or she must be at least 40 years old. In addition to that, an aspiring judge must be a qualified legal practitioner who is fit and proper to hold such an esteemed office.

Aspiring candidates' attention, according to a JSC advertisement, is drawn to section 179 (2) of the Constitution which provides that a prospective candidate must be a fit and proper person to hold office as a judge.

In this respect, JSC says, aspiring candidates are required to submit a medical report attesting to their mental and physical fitness to hold the office of an Administrative Court or High Court Judge.

Failure to disclose such vital information, will lead to one's disqualification from the interviews.

Those intending to nominate candidates can obtain nomination forms from the office of the Secretary, Judicial Service Commission at JSC House, No 161 Josiah Chinamano Avenue, corner Josiah Chinamano Avenue and Seventh Street in Harare.

Those outside Harare may collect the forms from the office of the Provincial Magistrate in charge of the province at Harare, Bulawayo, Masvingo, Bindura, Chinhoyi, Mutare, Gwanda, Marondera, Hwange and Gweru.

They can also download the forms from the JSC at [www.jsc.org.zw](http://www.jsc.org.zw)

All completed nomination forms, with the nominee's curriculum vitae, proof of professional qualifications, medical report and certificate of registration as a legal practitioner attached, must be submitted to the office of the Secretary, Judicial Service Commission, JSC House, No. 161 Josiah Chinamano Avenue, corner Josiah Chinamano Avenue and Seventh Street, Harare; or the office of any Provincial Magistrate in charge of a Province not later than 2 April 2024.

## SPORT



**Undefeated and Unstoppable:** The JSC soccer dream team keeps the wins rolling



Above and below: JSC netball team

## Netball team for JSC

BY FORTIOUS NHAMBURA

**The Judicial Service Commission (JSC) now has a women's netball team. The team, JSC queens, was launched this March and coincides with the month-long global celebrations of women.**

March is the global women's month. JSC joins the country and the world in recognizing the valuable contribution of our women to the development of humanity.

JSC queens is part of the Harare Netball Social Zone Games, a twelve-team league based in the capital.

The team played its inaugural match against RBZ queens at RBZ Sports Club in Mabelreign on Saturday 16 March, 2024. Although the team lost to RBZ queens, the team did not disappoint as it put a good show against a team that has been playing in these leagues for a number of years.

Some of RBZ players play in the national league.

The team's coordinator, Mrs Ivy Musarurwa said she was not worried by the loss in the first game but was impressed with the display, particularly, from a team that was assembled just a few days before the commencement of the games.

"We have started on a good note. We are serious with this team. We have a large pool of players and we hope soon they will be joining the team," she said.

At present the team is made up of players from JSC stations in Harare but we will be fishing from our stations in the surrounding towns like Marondera, Goromonzi, Chitungwiza and Norton.

"What's needed is a proper training system and we will ensure we get time for that. Some of our players could not make it for the game. It must be borne in mind that this is a social club. The main reason is to promote wellness and healthy living at the workplace

"Some of these guys have got talent that they have been sitting on. Give them time and they can go places," she added.

The JSC is encouraging its employees to embrace sports



as a measure of fighting non communicable disease and work induced stress.

JSC Queens star players include Mavis Chibune and Violet Julius. They indeed made a statement that JSC is in the league with competition and not to add numbers.

For Chibune, it was good that JSC now has a netball team.

"It felt good playing again after some time. I am sure there are many players within JSC who will soon now come forward and showcase their talents.

"It is pleasing that the move to form a netball comes at a time the world is celebrating women's month."

Another player Thelma Mlambo said: "I am personally fond of regular physical exercise, so playing netball came as an opportunity for me fulfil that passion."

Nombulelo Hleza said "It brought back the school day memories. It also provides us with time to refresh, relax and interact with colleagues outside the work environment."

The team is now seeking sponsorship to enable it fulfill its coming fixtures.

Recently the JSC wellness committee introduced sporting activities as part of all JSC conference to promote health living among its staff members. A proposal for the introduction of a sport day for all its stations was also made and awaits approval.

If approved, the proposal will lead to the formation of sporting teams in all the various JSC provinces that will then compete against each other.

# NOTICE BOARD

## MISCONDUCT WATCH: JANUARY 2024 TO MARCH 2024



### CASE 1

The member was an Accounting Assistant stationed at a certain court station. The circumstances are that, on the 14th of December 2023, during a routine check by the Senior Additional in Charge it was discovered that there were some anomalies in the station books of accounts. He then enlisted the aid of the accountant who then confirmed that an amount of USD \$246. 00 was not banked as expected. It is alleged that the member failed to account for the missing USD\$246.00 or hand over the said cash to the accountant when requested to. This led to the accountant reporting the member to the police on the 15th of December 2023 leading to the member's arrest for Theft of Trust Property as defined in Section 113(2)(a) of the Criminal Codification and Reform Act [Chapter 9:23].

The member went through the disciplinary process and was found guilty and was discharged with effect from 20 February 2024.

### CASE 2

The members were an Assistant Registrar and a VIP Driver stationed at a certain court station who were charged with acts of misconduct. It was alleged that on 14 December 2023, the members were involved in the filing, prosecution, and set down of a certain divorce matter. It was also revealed that the members assisted the defendant who was alleged to have fraudulently filed the case, to create and upload consolidated records for motion court using the Assistant Registrar's JSC account. The information came to the attention of the Registrar of the High Court through a lawyers' social media group where the case was being discussed and certain photos of the VIP Driver were shared on the group.

The members went through the disciplinary process and were found guilty. The members were discharged with effect from 20 February 2024 and the other with effect from 23 February 2024.

### CASE 3

The member was a VIP Driver at a certain station. The circumstances are that, on the 9th of January 2024, he was supposed to collect the Honourable Deputy Chief Justice from Robert Mugabe Airport at the scheduled time of her flight. Contrary to the given instructions and his duties, the member failed to provide chauffeur services to her Ladyship and also failed to explain such failure. Furthermore, the member did not advise his immediate supervisor or the Principal Transport Officer of his failure to attend to his duties.

The member was cautioned and transferred to a different station with effect from 1 March 2024.

### NEW APPOINTMENTS

Sydney Muzarawetu *Provincial Security Officer*  
Edwin Marecha *Magistrate*  
Henry Sande *Magistrate*  
Lesigo Ngwenya *Magistrate*  
Tapiwa Makuhwa *ICT Officer*  
Panashe Tshepo Makamure *ICT Officer*  
Majaha Mkwanzani *VIP Driver*  
Tafadzwa Dephiny Mupanga *Court Interpreter*  
Purpose Dube *Court Interpreter*  
Dorcas Mvere *Office Orderly*  
Panashe Chuma *Court Recorder*  
Angela Lugube *Executive Assistant*  
Edith Change *Accounting Assistant*  
Enia Munorunzika *Office Orderly*  
Fauleen Tatenda Banda *E-filing Officer*  
Lovemore Tendai Mutasa *Assessor*  
Gerald Rubingo *VIP Driver*  
Karen Mudenda *Procurement Officer*  
Kimberly Makaita Shonhiwa *Court Interpreter*  
Charmaine Kambale *Court Interpreter*  
Chionesochashe Muchena *Records and Information Assistant*  
Precious Ndora *Court Interpreter*  
Norah Moyo *Accounting Assistant*  
Valentine Mahlatini *Records and Information Assistant*  
Blessed Mtambudzi *VIP Driver*  
Tinayeshe Tshuma-Mutingwende *Administration Officer*  
Enock Kabungaidze *Administration Officer*  
Beauty Ndlovu *Administration Officer*  
Gamuchirai Kaseke *Office Orderly*  
Monalisa Hove *Office Orderly*  
Allan Gumbodete *Executive Assistant*  
Chihwayi Titus Tinodaishe *Additional Sheriff*  
Daisylyn Makuva *Additional Sheriff*  
Sign Mukuwiri *Executive Assistant*  
Mercy Tsitsi Matenga *Accounting Assistant*  
Samantha Ndewere-Baira *Deputy Registrar*  
Blessing Munashe Tinorwa *Deputy Registrar*

### RESIGNATIONS

Prince Njanji *Administration Officer*  
Ntombizodwa Kabura *Office Orderly (Assistant Clerk of Court)*  
Tedias Mubvakure *Assistant Internal Auditor*  
Nigel Nyasha Tewe *Senior Additional Sheriff*  
Sakhile Moyo *Executive Assistant*  
Melinda Mupfungidza *Research Assistant*  
Lloyd Mateta *Additional Sheriff*  
Chiedza Charmaine Manase *Magistrate*  
Gracious Anderson *VIP Driver*  
Bruce Simbarashe Bingu *Visually Impaired Assistant*  
Perseverence Janyure *Accounting Assistant*  
Brandina Nyerukai *Assistant Clerk of Court*  
Naina Ngwende *Executive Assistant*  
Emmanjuel Mawire *Assistant Clerk of Court*

### EARLY RETIREMENT

Thulani Ncengani *Assistant Registrar*

### TRANSFER TO OTHER MINISTRIES

Tariro Victoria Mabugu *Assistant Clerk of Court*  
Makhosazana Khupe *Accounting Assistant*  
Grenny Tsitsi Zulu *Executive Assistant*  
Patience Solomon *Private Secretary II*  
Mutambwi Rabson Peter *Accounting Assistant*

### DISCHARGE

Kudakwashe Giplin Dzvairo *Accounting Assistant*  
Cryonce Phiri *VIP Driver*  
Yeukai Chamboko *Assistant Registrar*

### PROMOTIONS

Panashe Gombiro *Chief Researcher*  
Dean Mawere *Deputy Chief Researcher*  
Panashe Mary Mutamba *Deputy Registrar*  
Rodney Tazvitya Muteru *Deputy Registrar*  
Amanda Nkosilathi Ndhlovu *Deputy Registrar*  
Courage Ian Mudenda *Deputy Registrar*  
Joseph Zanashe Mundondo *Deputy Registrar*  
Munashe Miranda Chibanda *Deputy Registrar*

# IECMS

INTEGRATED  
ELECTRONIC  
CASE  
MANAGEMENT  
SYSTEM

LET'S  
EMBRACE: -

- 1 E-PAYMENT OF FEES
- 2 E-FILING OF CASE DOCUMENTS
- 3 ONLINE CASE TRACKING
- 4 VIRTUAL COURT HEARING
- 5 ACCESS TO JUDGMENTS

IECMS is a web based Case Management System that automates and tracks all aspects of a case life cycle, from initial filing through disposition and appeal.



IECMS



## INTEGRATED ELECTRONIC CASE MANAGEMENT SYSTEM

# ROAD MAP

### PHASE 1

- CONSTITUTIONAL COURT
  - SUPREME COURT
  - COMMERCIAL DIVISION OF THE HIGH COURT
- LAUNCHED ON 1 MAY 2022**

### PHASE 2

- LABOUR COURT
  - ADMINISTRATIVE COURT
- LAUNCHED ON 1 FEBRUARY 2023**

### PHASE 3

- GENERAL DIVISION OF THE HIGH COURT:
    - Civil Division,
    - Criminal Division,
    - Anti-Corruption Division,
    - Electoral Division,
    - Fiscal Appeals Division and
    - the Legal Practitioners' Disciplinary Tribunal
  - OFFICE OF THE SHERIFF OF THE HIGH COURT
- LAUNCHED ON 1 SEPTEMBER 2023**

### PHASE 4

MAGISTRATES' COURT



PHASE  
4

PHASE  
3

PHASE  
2

PHASE  
1