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THE MIRANDA

M A G A Z I N E

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JUST NEWS

30th Edition



Newly opened Lupane Magistrates' Court



JUDICIAL SERVICE COMMISSION
QUARTERLY NEWSLETTER





Editor's Note

Oh! It's Christmas time again... Time flies indeed.

Hello and welcome to the last edition of the Miranda Magazine, 2022. As usual, the Miranda team is always there to give you updates on what has been happening within the Commission. The year 2022 has been quite busy but a lot of progress was made.

We are happy that the first phase of the Integrated Electronic Case Management System (IECMS) was successfully launched and has improved access to justice for everyone. The first Commercial Court was officially opened by His Excellency Honourable E.D Mngangwa and it has improved the country's ranking in terms of ease of doing business. Not only that, Lupane Court was also opened by the Honourable Chief Justice of Zimbabwe.

In terms of staff welfare, the commission has been working tirelessly to ensure that the members of staff are well taken care of. By so doing, canteens have been introduced to provide JSC employees with subsidized meals. Currently, the Chinhoyi Court Complex canteen is fully functional and an experienced chef has been hired to ensure that the staff members get tasty meals.

Judicial Training Institute of Zimbabwe (JTIZ), is also making sure that there is staff skills upgrade through trainings and workshops. The institute developed and hosted the Electronic Learning Management System (ELMS), which is a platform where staff members get to enroll for a particular course and get certificates on completion.

JITZ also made sure that all administration officers are receiving training to sharpen their skills. The Bar Bench Colloquium was a resounding success as well as the Sentencing workshop.

We value your feedback as readers as it help us improve our Magazine. Kindly share with us on krusakaniko@yahoo.com and don't forget to follow and like our social media pages, @JSCZim on Twitter and **Judicial Service Commission** on Facebook.

Happy Holidays!!!

Stay safe...

The Miranda Team

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FROM THE **SECRETARY**



Mr. Walter Chikwana
Secretary of the Judicial Service Commission

We have come to the end of the year, what an eventful final quarter of 2022 for the Judicial Service Commission.

The year saw us celebrating our 12th anniversary, a month after we pioneered the historic digitisation of the courts under the first phase of the Integrated Electronic Case Management System (IECMS). The system was launched and operationalised in the Constitutional Court, Supreme Court and Commercial Court. The lessons we learnt were critical in preparing for phase two, which will see the digitisation of the Labour Court and the Administrative Court.

We celebrate the successful commissioning of the imposing Lupane Magistrates Court, Matabeleland North. The beautiful courthouse is a harbinger of many more courthouses we shall be building in various provinces as part of the massive infrastructure development programme. This expansion and decentralisation drive is an integral part of a constitutionally based transformation of the judiciary agenda adopted and implemented by the Commission.

In November, we held the Bar-Bench Colloquium in Kariba. The colloquium was attended by the Deputy Chief Justices of Kenya and Namibia, who attended the event along with legal practitioners and judges from this jurisdiction. It was indeed a success with stakeholders in the justice delivery

system exploring ways of forging strong and adaptive institutions in this ever-digitalising environment.

In December, we successfully held the Judicial Conference on Sentencing Guidelines in Kadoma.

For the first time in the history of the JSC, we were able to provide motor vehicles for magistrates. Though we have not reached all magistrates and we continue in our efforts to improve the welfare of our judicial officers and staffers.

IECMS remained at the core of our operations in the fourth quarter as shown by the heightened preparations for the second phase of the IECMS. Launch of the second phase is slated for the first quarter of 2023 and will cover the Administration Court and Labour Court. The intention is to cover the rest of the courts during the course of the year, resources permitting. May we all continue to embrace the digitisation drive to enhance access to justice for all people.

As we celebrate all these successes, let's not forget our dear members of staff who passed on this year. They were an integral part of JSC's phenomenal successes. Our deepest sympathies to the bereaved families.

May we stay safe this festive season and continue to be vigilant in protecting ourselves against Covid-19.

Drive safely and enjoy your holidays responsibly.

ZIM HOSTS 48 Constitutional Jurisdictions

...CJ Malaba in an impressive lobby



Honourable Chief Justice Luke Malaba

By Fortious Nhambura

Zimbabwe will host the Seventh (7th) Conference of Constitutional Jurisdictions of Africa – CJCA general assembly, in the resort town of Victoria Falls.

Participants at the CJCA General Assembly held from November 22-24, 2022, in Rabat, Morocco chose the Constitutional Court of Zimbabwe as host for the continental congress of jurisdictions in 2024.

In a statement recently, the Judicial Service Commission said the successful bid was a vote of confidence in Zimbabwe's constitutional transformation.

"That is indeed a vote of confidence in Zimbabwe's constitutional transformation

and recognition of the progressive of programmes the judiciary of Zimbabwe is undertaking. It is also set to a boost the country's tourism sector.

"After hosting the conference in 2024, Zimbabwe will assume the responsibility of chairing the organization for two years," the statement said.

Making his bid to host the event in Rabat, Morocco in November, Chief Justice Luke Malaba said Zimbabwe had a lot to showcase should it get the right to host the conference.

"We offer to host this august organization meeting in 2024. We as a Constitutional Court of Zimbabwe and on our own, suitable on our own merits. But I tell you one thing we have and we offer to you all,

one of the lifetime experiences to come, an experience you will remember forever in your lifetime.

"We offer you one of the Seven Wonders of the world, the thunderous Victoria falls. You will be there to see it for free, and I offer it to you in 2024. Apart from that we have all the experiences. You will fly in and out in holiday resort situated in a national park where you will see for the first time, those elephants," said Chief Justice Malaba.

The 48 – member grouping of the constitutional jurisdictions, was formed in May 2011 in Algeria with the aim of federating the courts in charge of the review of constitutionality.

It seeks to promote and disseminate universal values and principles of the rule of law, democracy and human rights as enshrined in the preamble of the Constitutional Act of the African Union and national constitutions.

Preparations for the hosting of the event have already started and commission is working to ensure a successful gathering of continental jurisdictions.



Chief Justice Malaba commissions Lupane Magistrates' Court



By Kudzai Rusakaniko, Tarisai Mafura and Shepherd Chibune

ROBUST infrastructure development pursued by the Judicial Service Commission (JSC) across the country is part of the aggressive decentralisation and expansion agenda, Honourable Chief Justice Luke Malaba has said.

Commissioning the Lupane Magistrates' Court on September 30, 2022 in Matabeleland North Province, Hon. Malaba said the JSC with full Government support had embarked on the expansion and decentralisation drive to enhance access to quality justice for all people.

He said the infrastructure development envisaged for Matabeleland North was part of an aggressive decentralisation agenda pursued by the JSC throughout the country.

"The expansion and decentralisation drive has been an integral part of the

policy of a constitutionally based transformation of the judiciary adopted and being implemented by the Judicial Service Commission with full Government support for the past five years to ensure access to quality justice to all the people in Zimbabwe regardless of where they live," said Hon. Malaba.

He also added that access to justice was every Zimbabwean's constitutional right an efficient and effective justice delivery system, hence the need to bring courts closer to the people.

"The Constitution guarantees every Zimbabwean the right to an efficient and effective system of delivery of justice. One cannot speak of efficient and effective administration of justice where courts are far from the people to access justice.

"Courts are places where justice must not only be done and seen to be done, they must be symbols of peace in the community which are easily accessible for the resolution of disputes"

Hon. Malaba also underscored the need to increase the number of courts in Matabeleland North Province, which has the least number of courthouses as compared to other provinces in the country, despite the fact that it is one of the largest provinces.

Justice Legal and Parliamentary Affairs Permanent Secretary Ms. Virginia Mabiza congratulated the JSC for completing the project.

"As we gather to officially open this newly-built courthouse for Lupane Magistrates' Court, it is prudent to congratulate the Judicial Service Commission for a job well done and for completing this project. I celebrate this win with you as this court is ultimately a win for justice," said Ms. Mabiza.

The Lupane court complex has two courtrooms, two magistrates' chambers, several offices, prison holding cells and witnesses' waiting sheds.

The virtual court system which was launched in Harare in February 2022 and set up at all provincial stations in the country is also going to be installed at the state-of-the-art Lupane Magistrates' Court soon. Speaking on behalf of the Minister of State for Matabeleland North Province Hon. Richard Moyo, District Development Coordinator Ms Enert Sithole said the completion of the courthouse was indicative of the JSC's plans to enhance access to justice for all persons through decentralisation of courts and their digitisation through the Integrated Electronic Case Management System (IECMS).

Cars for magistrates

By Fortious Nhambura

The Judicial Service Commission (JSC) has acquired 30 fuel efficient vehicles for magistrates and secretariat as it moves to resource its workforce and improve the delivery of justice to citizens.

The cars include 26 Renault Kwid and four Kia Picanto.

Deputy Head of Transport and Logistics, Mr. Simon Chipumha said four of the cars were given to different departments of the secretariat with the rest being issued to magistrates.

“We have bought 30 small fuel-efficient cars for use by our magistrates and departments in the secretariat. These cars are meant to improve mobility and efficiency of staff in the execution of their duties.

The cars have been given to some departments in the JSC secretariat and the bulk went to magistrates across the country.

“Of the 30, only four were issued to departments in the JSC secretariat with the remaining going to our magistrates in the provinces,” he said.

Mr. Chipumha said the Transport Department was expecting more cars once the logistics with relevant authorities were complete.

Chief Magistrate Mrs. Faith Mushure said every provincial magistrate would be issued with a car for everyday use.

“These cars are not personal issue vehicles but are for official use, particularly for the benefit of the magistrate and the station at which the magistrate allocated



Some of the cars bought for the magistrates

the vehicle is based. They are meant to provide transport for senior magistrates who have been forced, at times, to use public transport to and from work.

“The magistrate is required to ferry fellow magistrates working at the station whenever necessary to ease transport challenges.

“It has never happened before. It’s a first in the history of the country’s judiciary that provincial magistrates get cars for use in their day-to-day operations. In the past cars we issued only for Provincial Resident Magistrate or Resident Magistrates,” she said.

Mrs. Mushure said the vehicles were meant to motivate magistrates in the good work they are doing.

“We felt it improper for our magistrates, after dealing with serious criminals, to take hours in queues for public transport. They should not use public

transport. They run the risk of being offered a lift by criminals and potential litigants, something that could compromise their professionalism.

“They are very happy with the cars. I have received calls from recipients expressing their gratitude towards this move,” Mrs. Mushure said.

She said resources permitting, the facility will be extended to other magistrates.

“We are saying every provincial magistrate should receive these cars because they are the ones who deal with serious cases. Maybe eventually, resources permitting, the facility will be extended to other magistrates outside this office,” she said.

Provincial Magistrate Mr. Dennis Mangosi, one of the recipients of the vehicles, said transport worries were now a thing of the past for him and his colleagues.

...continues on page 18

IECMS EXPEDITES COMMERCIAL COURT PROCESSES

By Shepherd Chibune

The wheels of justice continue to move unabated at the Commercial Court Division of the High Court where over 64 percent of the 103 cases that had been set for the period June to September 2022 already having been completed.

The outstanding, it is worth noting that 20 percent of the outstanding matters were already before Judges for case management.

The Commercial court was officially opened on May 6, 2022 by His Excellency, President Emmerson Mnangagwa.

It is manned by judges exclusively trained to attend to commercial disputes and resolve them expeditiously.

Commercial Court Registrar, Mrs Renika Dzikiti said, “We are the new baby on the block and it is an honour for my team and I to be part of the Commercial Court. The Commercial Court is a fast-paced court created to ensure the expeditious disposal of commercial disputes. As registry, we have been setting down matters and Judges have been resolving them without delay.”

Of the 38 ordinary chamber applications filed so far, 29 of them were completed while 14 out of 15 urgent chamber applications filed were completed during the period under review.

Mrs Dzikiti also commented on the amazing speed and timeframes within which matters are completed. “The values that underpin this court are on expeditious finalisation of cases. The timelines are being followed and parties are moving their cases accordingly. We are also carrying forward Commercial disputes from the General Division.



The Judges are very strict about timelines and they don't keep matters unnecessarily. As soon as matters come in the Judges are setting them down.”

She told this publication that lawyers are now familiar with the High Court (Commercial Division) Rules, 2020 and this has boosted the number of cases that are being filed and registered.

It was also revealed to the Miranda News that users of the system have adjusted and are facing minimum challenges while a few still need hand holding, especially those that did not receive training.

“When the court opened, litigants were still unfamiliar with the IECMS and the court rules as such we received a large number of non-compliant processes. The trainings that have been conducted with lawyers have begun to bear fruit.

“This is evidenced by the increase in the number of compliant processes, which is proof that the litigating public is now familiar with the system and are embracing e-justice” added Mrs Dzikiti.

A Legal practitioner, Mr Wellington Musengwa told the

Miranda that he is the one who filed the first urgent chamber application electronically when the court was opened. He commended its operationalization, particularly on expeditious delivery of justice.

“Expedition in resolving matters has improved a lot, it is superfast. Matters are set down quickly and within a short time we have our judgments. In one instance when we had a normal application on a Monday, the Judge heard us and the ruling was handed down on Friday.

“We had problems using the gadgets at first. So now, Registrars assist us a lot even over the telephone or at court. I attended the training and as long as you know the system and trained, you will appreciate that the system is really good”, said Mr Musengwa.

The Commercial Court is one of the Superior Courts that are in the first phase of the Integrated Electronic Case Management System (IECMS). The Commercial Court is a critical cog in the ease of doing business programme and helps improve the country's economic rankings by the World Bank. This is in line with the Second Republic's Vision 2030 mantra of attaining a middle-income economy under the National Development Strategy (NDS) 1.

IECMS PHASE TWO COMING SOON!!! IECMS

ADMINISTRATIVE COURT, LABOUR COURT GO DIGITAL

By Shepherd Chibune

The Judicial Service Commission (JSC) is set to implement the second phase of the Integrated Electronic Case Management System (IECMS) beginning February 1, 2023, as the commission moves to fully digitise all the country's superior courts.

The second phase of the digitalisation of the courts will cover the Labour Court and the Administrative Court. This follows the successful implementation of the digitalisation programme of the Supreme Court, Constitutional Court and the Commercial Court (Division of the High Court) in the first phase. The three superior courts are already operating paperless having been the first to use the web-based automated IECMS system in May 2022 in the initial phase of the IECMS implementation programme. Preparation for the roll out of the IECMS second phase are at an advanced stage. IECMS is a computer and web-based system that manages and tracks all aspects of cases filed in the courts.

In its final phase, the programme it will integrate all the courts making it easier for court user to file and track cases without physically visiting court stations.

A range of court activities prior to the introduction of the system could only be carried out physically. They are now being carried out electronically. These include e-filing, e-payments and virtual hearings.

There is also enhanced access to court services.

The IECMS had advantages such as the ability to file papers remotely, virtual hearings, and efficient time management, including minimising printing, photocopying, travelling and filing costs at the courts.

The pinnacle of JSC's transformative agenda is the digitization of the courts through the IECMS which is a step in the right direction towards the National Development Strategy 1 (NDS 1) goal of an integrated e-government electronic system.

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JUDICIAL SERVICE COMMISSION
THE COURTS OF WHICH WORLD CLASS JUSTICE RESIDES



Delegates pose for a photo at the recent Judicial Conference on Sentencing Guidelines in Kadoma

ROBBERS, CHILD ABUSERS FACE STIFFER PENALTIES

Miranda Writers

The Judiciary must give stiffer penalties to convicted armed robbers and abusers of children and women to restore the public's trust, faith and confidence in its work, President Emmerson Mnangagwa has said.

In a speech read on his behalf by the Minister of Justice, Legal and Parliamentary Affairs Ziyambi Ziyambi at the Judicial Conference on Sentencing Guidelines held in Kadoma recently, President Mnangagwa decried lenient sentences imposed on dangerous criminals such as rapists and armed robbers.

"Sentences imposed by

our courts must reflect the dynamics of what is taking place in the communities. It is important that there is a correlation between the criminal justice system and the reasonable expectations of the society.

"Courts must mete out appropriate sentences in all instances...I make the remarks because of some disturbing reports reaching my office of some very lenient sentences imposed for serious and heinous offences, especially sexual crimes and armed robbery," said President Mnangagwa.

He said the promotion and protection of public safety

must be understood to be the primary purpose of the criminal justice system.

"Where violent crimes such as armed robbery and abuse of women and children are on the increase, the country's abhorrence must be reflected in the punishments meted on those found on the wrong side of the law," he said.

President Mnangagwa commended the Judicial Service Commission for convening the Conference, indicating that the formulation of Sentencing Guidelines is a significant event in the strategic pursuit of Vision 2030, as it relates to the drive and commitment to ensure access



Delegates follow proceedings at Sentencing Conference



“Inconsistency in sentencing is a direct attack on the concepts of justice and fairness,....”

to justice for all.

Delivering his paper entitled ‘Sentencing Guidelines: Reflections on the future of the Criminal Justice System in Zimbabwe, the Honourable Chief Justice Mr. Luke Malaba said that the outcome of the Conference, being the Sentencing guidelines, are important as they lead to uniformity in the sentencing of offenders and they help establish rational and consistent sentencing practices.

“An effective sentencing system is a *conditio sine qua non* for public safety and order, as it helps achieve a

criminal justice system that imposes punishments that are just to society, vindicative of the interests of the victims of crimes, and commensurate with the nature of the crime and the offender.

“Inconsistency in sentencing is a direct attack on the concepts of justice and fairness, therefore there cannot be justice and fairness where persons convicted of the same crime committed in similar circumstances are punished in markedly different ways.

“This distorts justice in sentencing. As a result, Sentencing Guidelines are also

intended to produce efficiency in sentencing, which is a result of the consistent and uniform imposition of sentences,” said Chief Justice Malaba.

The inaugural Judicial Conference on Sentencing Guidelines was running under the theme “Promoting consistency in Sentencing.”

Mashonaland West Minister of State for Provincial Affairs and Devolution Mary Mliswa-Chikoka, Malawian Judge Justice Healy Potani and judges of superior courts attended the conference.

BOOK ON THE JUDICIARY LAUNCHED

By Shepherd Chibune

Zimbabwe's judicial system has been urged to use legal researches done by local tertiary institutions in interpreting the Constitution for the achievement of an effective justice delivery than relying on foreign literature.

The country's judiciary mainly relies on literature and legal resources from South Africa.

Delivering his key note address at the launch of the book, titled "THE JUDICIARY AND THE ZIMBABWEAN CONSTITUTION", at the University of Zimbabwe's Access to Justice Centre in September, Professor Lovemore Madhuku said the book would help judges in arriving at appropriate decisions in court.

"The constitution requires every judge to always strive to get knowledge of the law.

"Publish or perish. One of the most important functions of an academic is to make knowledge readily available. Knowledge in the lecture room is limited to a group of people that are attending the lecture.

"The bulk of the knowledge that is useful to the society is that which is published. "To say that something is published means that it is available," said Prof Madhuku.

Prof Madhuku said the faculty of law was happy to work and interact with the Judiciary.

Prof Madhuku said: "The JSC have actually done very well by absorbing our students. We are cooperating partners."

The book provides insight into the performance of the judiciary when interpreting the new Constitution and the jurisprudence emanating from adjudication of cases.

The editor of the book, Dr. James Tsabora, who is a senior law lecturer at the University of Zimbabwe,



told the Miranda that "lack of literature on the Constitution was one of the biggest motivations for writing this book.

"We wanted to contribute to the jurisprudence and the body of knowledge in the areas of law that are in the book. We wanted the book to be readable and accessible to the judiciary. They read them, they apply them.

"The JSC has been transparent and supportive. I have talked to many judges and they are happy that we are writing. They have always wanted us to write", added Dr. Tsabora.

Ms. Paidamoyo Mukumbiri, who wrote on human rights, said she was investigating on how the Judiciary was interpreting socio-economic rights.

"My interest stems from the need to know how other jurisdictions like South Africa have interpreted these rights in a very progressive manner. Social and economic rights are progressive in nature in the sense that they are realised over time To me, it was necessary to interrogate how our judiciary interprets social and political rights in a manner that holds our government to account in terms of implementing them", she said.

Dr Lynnette Sithole, whose

focus in the book is on the Judicial interpretation of sexual and reproductive rights, said she sought to disseminate information on "access to sexual and reproductive health, particularly maternal services for rural women in Zimbabwe".

She added: "The literature that is available has not delved into the area of sexual and reproductive health in Zimbabwe and so far there are only a few cases dealt with by our courts."

Co-author, Mr Valentine Mutatu said his focus in the book was on the Judiciary and the Constitution of Zimbabwe, the disciplinary process of judicial officers in Zimbabwe.

"I felt that there is a gap, especially after the appointment of the tribunal on what should then happen during the actual hearing process.

"One of the findings is that there is need to have defined rules on how an enquiry should be done so that the other rights that are protected by the Constitution are also respected when judicial officers, who are facing impeachable conduct can enjoy during the proceedings", said Mr Mutatu.

There has been a call for tertiary institutions to do more research, take ownership and publish material that they use to teach students.

Judicial wigs stir debate

By Tarisai Mafura

Honourable Chief Justice Mr. Luke Malaba set up the Judicial Wigs Committee (JWC) in October 2022 to instigate the discussion and obtain the views and comments of the public and justice delivery system stakeholders regarding the removal or retention of judicial wigs.

The debate on whether judges should continue wearing judicial wigs has recurred across the globe and the calls reached a crescendo in the Zimbabwean Judiciary.

The Judicial Service Commission (JSC) issued a press statement in October 2022 calling for public participation in the debate regarding the removal or retention of judicial wigs.

"The Honourable Chief Justice Mr. Luke Malaba constituted the Judicial Wigs Committee (JWC) to stir discussions and solicit the views and comments of stakeholders in the justice delivery system and the public," reads the JSC press statement.

Members of the public interested in contributing to the debate on judicial wigs in the Zimbabwean judiciary have been told to obtain consultation forms or questionnaires from the JSC head office.

In separate interviews with The Miranda in October 2022, most legal practitioners have unanimously called for the retention of judicial wigs, arguing that it is the attire that distinguishes Honourable judges from other judicial officers in a courtroom.

Legal practitioner Mr. Cyprian Chabvepi said there is a need to uphold the wearing of wigs by judges as it is part of the court

tradition that separates a judge from other judicial officers.

"Considering that the wearing of a wig by judges is for purposes of upholding tradition and history of the courts as well as separating the judge as an umpire in the battle of parties, it should just let be.

"There is no need to change certain traditions which do not subtract anything from us simply because we are a modern society. The law and courts have history," said Mr. Chabvepi.

Ms. Tapiwa Mujaji, another legal practitioner, concurred with Mr. Chabvepi saying the history and culture of the legal profession are immortalised by wearing wigs.

She added that wigs are legal attire that describes the legal profession and distinguishes it from other professions.

"As with everything, the history and culture of the legal profession are marked by the symbolism of wearing wigs. The judicial wigs should remain, it is part of the legal attire which describes our noble profession and distinguishes us from any other professions," Ms. Mujaji said.

Mr. Progress Maringamoyo said

the judicial wigs have grown to be part of the Zimbabwean culture and should, therefore remain.

He added, "The fact that other jurisdictions have stopped the practice of wearing them should not result in Zimbabwe following suit."

Miss Nothando Babra Makamera, a legal practitioner based in Masvingo added her voice calling for the retention of judicial wigs as they differentiate judges from other judicial officers.

"Wearing the judicial wig reminds the judge that he or she wore another hat of being a judge and it inspires judges to determine matters before courts in a just manner," Miss Makamera said.

Mr. Bight Machekana said the issue of the judicial wigs is a replica of colonialism in which our judges are copying the white men's way of doing things.

"Judicial wigs have some colonial characteristics in it wherein our judges are imitating the white men's way of doing things and apart from that those wigs are unnecessarily expensive."

Judges in countries such as South Africa, Kenya, Ghana and Britain discontinued wearing wigs.



E-LMS key for professional development



JSC Staffers following proceedings during the training workshop



By Kudzai Rusakaniko

The Judicial Training Institute of Zimbabwe (JTIZ) this quarter conducted a three-day workshop in Bulawayo where JSC staffers in the province learnt more about the new Electronic Learning Management System (E-LMS), which JSC recently introduced for skills enhancement and professional development. JTIZ conducted the training in collaboration with the United Nations Development Programme (UNDP). The system is a customised, advanced and intelligent online platform that is used for continuous education, skills enhancement, capacity and professional development of judicial and non-judicial staff. The system is set to strengthen the JSC's core competencies and build a robust competitive advantage through its human capital in line with the JSC Strategic Plan of 2021-2025.

The system is a learning platform for both judicial and non-judicial staff members who wish to enhance their learning skills within a certain field on the available courses depending on their interests. The advantage of the system is that, it is self-paced. Learners who enroll work at their own pace and not being pushed

by the lecturer or trainer

A few selected members of the JSC attended the training and a number of issues were raised in order to further improve the system before the launch.

"The E-Learning Management System (ELMS) training in Bulawayo was very informative. "The facilitators provided in-depth clarity on how to use the system in a simplified and understandable manner," said Ms. Nyarai Mushoriwa, JSC researcher.

Another staffer who attended the workshop, Ms Sandra Madzima hailed JSC for the programme saying it will go a long way improving the quality of output within the commission.

Ms Nesia Manguleni said the sessions were interactive and practical.

"During the training, I managed to log into the system, identify and troubleshoot any challenges encountered. I also learnt how to suggest modifications through open discussions," she said.

JSC refutes operational challenges reports



Mr. W. T. Chikwana - JSC Secretary

By Tarisai Mafura

Media reports that the judiciary is facing dire operational challenges such as unavailability of libraries and insufficient courtroom chairs and desks have been dismissed and labeled as a desperate attempt to tarnish the image of the judiciary.

Judicial Service Commission (JSC) Secretary, Mr. Walter Chikwana set the record straight and threw the negative portrayal of the judiciary in the dustbin, intimating that the judiciary is not in dire straits as evidenced by the developmental milestones it has achieved to date. Speaking at the commissioning of the Lupane Magistrates'

Court in September 2022, Mr. Chikwana could not hide his disappointment over misleading media reports.

"I wish to state that every court house that we have in Zimbabwe is fully, properly and well-furnished, that is the fact. I also wish to advise that our judicial officers are well looked after in terms of library facilities," said Mr. Chikwana.

He also expressed shock over some people's failure to appreciate that the click of a button has changed the way of doing business due to technological advancement.

"It is a pity that at times we fail to appreciate that we are moving with technology. We employed a librarian who is based at the Constitutional

Court of Zimbabwe. That librarian has e-mail addresses of all the judicial officers in Zimbabwe, starting with Chief Justice and Deputy Chief Justice.

"They are all on an e-mailing list where they receive court judgements every Friday that is coming out of the Constitutional Court, Supreme Court and the High Court," Mr. Chikwana said.

He added that Zimbabwe law reports are printed by the JSC and are distributed to all judges and to all courthouses.

Mr. Chikwana said the JSC regularly receives copies of the Zimbabwean Constitution from the Ministry of Justice, Legal and Parliamentary Affairs, contrary to media reports which stated that there are no copies of the Zimbabwean Constitution at the courts.

"The JSC is now printing the Zimbabwe law reports at its expense. After printing the law reports, we distribute them to every judge and to every court house. More importantly, we regularly receive copies of the Zimbabwean Constitution from the Ministry of Justice, Legal and Parliamentary Affairs for free."

He added, "I would like to assure the public and all those who litigate in our courts that our judicial officers are well-resourced in terms of library materials, including the constitutions and statutes which are stored in their computers."

A local online media outlet in September screamed with a headline, "Biti outlines shocking state of Zim judiciary: courtrooms have no chairs, no desks - people literary sit on drums."

The above remarks were said to have been uttered in Parliament on the Judicial Laws Amendment Bill debate.

SUBSIDISED CANTEENS FOR JSC STAFF

By Shepherd Chibune

The Judicial Service Commission (JSC) has introduced subsidised canteens for its employees as a way of cushioning them against unscrupulous businesses that sell food at exorbitant prices.

The long-awaited move saw opening of a state-of-the-art Chinhoyi Court Complex being the first to provide such a service among all the court stations across the country.

JSC's Head of Procurement, who also chairs the Canteens Committee, Mr Elias Muzenda had this to say in September 2022.

"At the moment, we are prioritising Chinhoyi which has a fully-equipped canteen and modern equipment. There are plans to recruit staff that will man the canteen. The meals that will be provided in the canteens are subsidised and our target price is a dollar per meal. In the long run, the canteen should be self-sustaining. Our target, particularly with the operationalisation of Chinhoyi, was 1 October 2022 but we are still waiting for the recruitment of the canteen Chef who will lead in the identification of the rightful materials to use in the canteen as well as ensuring that health and safety standards are observed, said Mr Muzenda."

The Chinhoyi Complex canteen started operating on 7 November, 2022. It is manned by a professional Canteen Chef, Mr. Shingirai Mutuma and his assistant, Mr. Ernest Gandawa. Currently, only JSC staff, National Prosecuting Authority (NPA), Zimbabwe Prisons and

Correctional Services (ZPCS), the Zimbabwe republic Police (ZRP) as well as a few members of the public are accessing the canteen. The food is subsidised at US\$1 per standard meal.

"Our next target station is the Harare Magistrates' Court. We have identified space for the canteen. But that one now requires equipment and manpower. We are looking for options to bring in service providers who have their equipment and sell their meals at a dollar to our staff," Mr. Muzenda told this reporter.

He added that the move to introduce the subsidised canteen shows that "generally, JSC is a staff welfare-conscious organisation, it is an employer of first choice. Meals are generally expensive elsewhere and we have seen the need to try and ensure our employees have affordable meals at the workplace".

The canteen committee will visit provincial centres across the country, assessing available facilities or looking for suitable

facilities within the premises to establish the same.

"We have some facilities like Cape to Cairo in Bulawayo where the Sheriff is housed. We are supposed to build canteen facilities there. That is how serious the project is. In places where we have multiple places within the same town, there are plans to make arrangements that staff are able to access food from the various places," Mr. Muzenda further revealed.

On how the initiative is being seen by the generality of the JSC staff, he said "we can only say we are behind in terms of staff expectations. The moment they heard that JSC had plans to introduce canteens, we became inundated with calls from those who were checking when we will have these canteens".

According to Mr. Muzenda and from the interactions they have made, the canteen project is something that is long overdue, which will benefit JSC staff in a long way.



Canteen Staff at the new Chinhoyi Court Complex pose for a photo recently

Boreholes set to boost court stations' water supply

By Tarisai Mafura

The Judicial Service Commission (JSC) has sunk a total of 26 boreholes at court stations across the country in a development that seeks to augment water supplies and stem the acute water shortages currently affecting service delivery.

The move to drill boreholes at courthouses is clear testimony of the JSC's listening ear to the critical needs of the country's justice administration system.

The JSC has also resolved to drill boreholes at all newly-constructed court houses.

In a recent interview with The Miranda, JSC Head of Administration, Mr George Madzikura said drilling boreholes at courthouses would aid the smooth operation of courts in the country.

"We have decided to drill boreholes at courthouses to circumvent interruptions in local authority-supplied water. We have drilled 26 boreholes to date and we have also installed water tanks," said Mr. Madzikura.

Mr Madzikura said the commission would prioritise drilling boreholes at courthouses under construction as a contingent plan against envisaged water shortages.

"Drilling boreholes at courthouses under construction is one of our priorities to ease water challenges. We drilled a borehole at the new Chinhoyi Court Complex, Lupane Magistrates' Court and also where we are constructing court houses

in Epworth, Mutawatawa and Gwanda," added Mr Madzikura. Zvishavane Resident Magistrate Mr Archie Wochiunga said water problems at the courts were now a thing of the past following the drilling of the borehole at the station.

He said, "The drilling of the borehole at Zvishavane Magistrates' Court has ameliorated the water challenges we were facing. Both court users and staff members at the Zvishavane Magistrates' Court are now getting uninterrupted supplies of water.

"We are also using the borehole water to improve the court ambiance. We are watering our flowers and lawn using the borehole water."

An e-filing officer at Gweru Civil Court, Mr. Kelvin Mazorodze said the availability of clean borehole water at Gweru Civil Court

is a remedy to water-borne diseases since the court station is frequented by many people.

Frank Solomon, an e-filing officer stationed at Chegutu Magistrates' Court said the borehole was their main water source.

"The boreholes are now our main sources of water because municipal water supply is erratic. Other organisations also fetch water from the borehole at our court station."

Other court stations that have had boreholes sunk include Lupane Magistrates' Court, Zvishavane Magistrates' Court, the Constitutional Court, Harare Magistrates' Court, Kezi Magistrates' Court among others.



500 million for IECMS programmes

By Fortious Nhambura

Government has allocated ZWL\$500 million to the ongoing process of the Integration of Electronic Case Management System as it seeks to improve justice delivery in the country.

Presenting the 2023 national budget in November, Finance Minister Dr Mthuli Ncube said money was meant to support the ongoing works under the second phase of the Integrated Electronic Case Management System (IECMS).

“Phase 1 of the Integrated Electronic Case Management System, targeting digitalisation of court processes has since been completed, thereby ensuring efficiency in the delivery of justice. Going forward, the system will be integrated with other e-Government digital platforms.

“In order to support ongoing works under Phase 2, which targets the Labour Court, Administration Court, Sherriff of the 127 High Court, as well as



Hon. DCJ E. Gwaunza

magistrates Court, a total amount of ZWL\$500 million is being set aside for this purpose,” he said.

So far the system is now operational at the Constitutional Court, Supreme Court and Commercial Court. Plans are underway to cascade the project to lower courts. Speaking at the Bar-Bench Colloquium in Kariba recently, Deputy Chief Justice Honourable Elizabeth Gwaunza said IECMS had received widespread acceptance although many stakeholders were sceptical about the digitalisation of the

courts.

“It is now over six months down the line, and I can confidently say that the IECMS has stood its initial test. We must all come to terms with the reality that there is increasing reliance on ICTs today. I assure all of us that we need not be afraid that anything Y2K scare will occur with IECMS.

“The developers have guaranteed us the viability of the system and our experience in the past few months has shown that the system is both viable and reliable,” she said.

DCJ Hon. Gwaunza said the Judicial Service Commission successfully set up e-filing centres at every court station in the country manned by skilled personnel, who assist the public to navigate their way in the system and also provide training.

She said everyone is free to obtain help and technical support from e-filing centres including legal practitioners.

Cars for magistrates

....from page 7

“I would like to thank the JSC for coming to our rescue. This was master stroke by the JSC. We never expected this. Going to work is now easy. The thought of queuing for public transport is now behind us. Now I can plan in advance when I can leave home for work”.

“This car is not only handy but fuel efficient. It is my hope that the facility is extended to other officers,” he said.

Chitungwiza magistrate Ms Barbra Mateko said the cars did

not only come as a surprise but also at the most opportune time for her.

“When you work for an organization, you expect to grow and to be appreciated but I never thought it would come like this. I am personally excited. It is good to know that you are appreciated in an organization. Being given a car was the best thing to happen to me this year. It was an unexpected early Christmas present.

“There was no hint whatsoever

from the employer about these cars. So when I received a call that I should come and collect the car, I could not believe it. I thought it was a dream. I only woke up from the dream when I was handed keys to the car. I fully appreciate what the JSC has done for me and my other colleagues who received the cars,” she said. Ms Mateko, stays in Harare and works at Chitungwiza Magistrates Court.

Harness ICT, top Kenyan judge tells judiciaries



Kenya DCJ Hon. P. Mwilu (left) and Zimbabwe DCJ Hon. E. Gwaunza follow proceedings at the Bar Bench Colloquium

By Fortious Nhambura

A strong and adoptive judiciary must, of necessity, harness information communication technology in service delivery, the Deputy Chief Justice of Kenya and Vice President of the Supreme Court Lady Justice Philomena Mwilu has said.

Delivering her key note address at this year's Bar-Bench Colloquium held in Kariba in November 2022, Lady Justice Mwilu said while embracing ICT may not be the panacea of the justice challenges faced in 21st century, digital solutions were a front and centre in the efforts to enhance and improve service delivery.

"ICT has an enormous potential to improve the administration of justice as a cross-cutting imperative across all aspects of the Judiciary's operations, judicial and administrative.

"Properly harnessed and deployed, ICT can and does facilitate speedier trials and enhance efficiency and effectiveness of administrative processes through data management, data processing and secure archiving information and facilitating internal and external communication.

"Importantly, the automation of courts and tribunals also has the potential to enhance public confidence in the judicial process by improving accessibility of clients and court users to information and data

on their cases as well as on court process and procedures", she said.

Lady Justice Mwilu said digitisation was integral to the strength and adaptiveness of the institution.

Kenya has been using information and communication technology in the dispensation of justice since 2004. ICT has been used in e-filing, case tracking system, court recordings and transcription, video conferencing, virtual court application, enterprise resource planning system.

The advent of the COVID pandemic significantly accelerated the uptake of technology in the dispensation of justice delivery and as of June 2022, 159 of 177 court stations in Kenya were connected to the internet.

Lady Justice Mwilu said: "The strength of the purpose and adaptability of the judiciary in utilising technology enabled matters to continue to be heard safely during the challenging pandemic period.

"However, no amount of institutional strength and versatility would have been effectual without the support and cooperation of stakeholders.

"User experiences and feedback is vitally important, digital solutions are not good in themselves, they must have a tangible and beneficial impact for digital solutions to be forward looking and flexible.

"This is a key sustainability requirement as the fast developing nature of digital technologies has the potential to render seemingly plausible digital solutions obsolete."

In the first half of the year, the Judicial Service Commission launched the integrated electronic case management -The IECMS a computer and web based system that manages and tracks all cases filed in the courts.

Deputy Chief Justice Honourable Mrs Justice Elizabeth Gwaunza said preliminary steps have been taken to bring IECMS to the rest of the country's courts.

"Undoubtedly, this development marked the largest leap made thus far in the JSC's continuous efforts towards the digitisation of the Courts. With this in mind, what better time could there be for the Judiciary and the legal profession to converse and share ideas about a digital responsive judicial system, than now," she said.

Honourable Justice Gwaunza said it was encouraging that the general attitude of judicial officers, legal practitioners and the public had embraced the system by honing their skills and procuring the necessary equipment for use under IECMS.

The colloquium was also attended by Namibia Deputy Chief Justice, Honourable Justice Petrus Tileinge Damaseb and law society of Zimbabwe vice president Rumbidzai Matambo.

ConCourt judge lauds inroads on human rights jurisprudence

By Shepherd Chibune



Zimbabwean courts have made commendable inroads towards the development of human rights jurisprudence since the promulgation of the 2013 Constitution in the country, a Constitutional Court judge has said.

Addressing the Regional Africa Conference on Human Rights at the University of Zimbabwe recently, Justice Paddington Garwe said the judiciary plays an important role in the country's socio-economic development.

He said the judiciary should fearlessly and independently state, enforce, maintain and guard the law.

"Zimbabwe as a country, now has human rights jurisprudence that should be lauded even though it is still in its nascent stage of development under our 2013 Constitution. It is through case law that one can determine whether International Human Rights instruments form part

of the tools at the disposal of the courts in interpreting legislation ... Such decisions reflect the work of the Judiciary in a functioning democracy and thus contributing to the growth of the body of human rights law.

"This is because the judiciary, by virtue of the constitutional and democratic nature of the modern state, is best-placed and trained to authoritatively interpret the law in order to ensure that human rights obligations are protected, respected, enforced and further that they are not ignored, diminished, or deprived by anyone, including the State" JCC Garwe said.

Section 165(1) (c) of the Constitution affirms the role of courts as "paramount in safeguarding human rights and freedoms and the rule of law". Another important task of the courts is to safeguard human rights.

Highlighting a number of decided cases by the courts, which include dual citizenship, Justice Garwe submitted that "following an analysis of the constitutional provisions on citizenship, the Court held that a citizen by birth is not precluded from having dual citizenship. That decision now represents the current position of the law in this country".

On the right to demonstrate and petition, he told the delegates that "in the case of Democratic Assembly for Restoration and Empowerment & ORS v Newbert Saunyama N.O & ORS

CCZ-9-18, the Constitutional Court deliberated on section 27 of the Public Order and Security Act (POSA). The provision was declared unconstitutional by the Constitutional Court as it allowed for repeated month-long bans on all public demonstrations in any area".

He also shed light on the appointment of the Chief Justice, Deputy Chief Justice, and Judge President of the High Court and said: "The Constitutional Court declared as unconstitutional the legality of the Constitution of Zimbabwe Amendment (No.1) Act. The Act sought to amend Section 180 of the Constitution by giving the Executive sole powers to appoint the Chief Justice, his deputy and the Judge President of the High Court. It also sought to add a provision relating to the appointment of the senior judge of the Labour Court and the Administrative Court".

Hon. Garwe JCC cited other cases on Criminal Defamation, Judicial Corporal Punishment, National Pledge, Age of sexual consent, Equality and Non-discrimination: Intestate succession and children born out of wedlock, detention of child offenders as a measure of last resort and sexual exploitation of children as positive examples of the jurisprudence of our courts.

The two-day conference was organised by the Faculty of Law of the University of Zimbabwe and the Raoul Wallenberg Institute and the Regional African Human Rights Academic Network.

JSC makes senior appointments

"The newly-appointed senior management personnel will assist to identify areas within the organisation that require improvement in the justice delivery system."

By Tarisai Mafura

The Judicial Service Commission (JSC) has appointed veteran journalist Mr Daniel Nemukuyu as head of corporate services with a view to strengthen the department that is fairly new.

Mr Nemukuyu is being deputised by Mr Donald Ndirowei, who was reassigned from the position of Registrar of the High Court. The appointments were effective September 2022.

JSC also appointed Mr David Dodzo as Deputy Head of Sheriff Services while Ms Chiedza Kaneta is now Acting Registrar of the Labour Court. Mr Edmore Matemadombo was appointed Acting Registrar of the High Court.

Before his current appointment, Mr Matemadombo was one of the Deputy Registrars based at the High Court in Harare. He was elevated to replace Mr Ndirowei. JSC Head of Human Resources Mr Samson Mutendamambo welcomed the new appointees to the mainstream JSC senior management team.

Mr Mutendamambo added that the recent appointment of new senior management personnel will help in improving service delivery.

"The newly-appointed senior management personnel will assist to identify areas within the organisation that require improvement in the justice delivery system.

"The new appointees are

also coming on board with their innovative ideas and experience that we will fuse with what we already have in the system to consistently offer quality service to the people," said Mr Mutendamambo.

The new Acting High Court Registrar, Mr Matemadombo hailed the appointing authority for giving him an opportunity to lead the High Court registry. He promised to work hard to the satisfaction of the employer.

"It is an honour to be appointed as the Acting Registrar of the High Court. I feel humbled and I thank the appointing authority for giving me this opportunity. We do not underestimate the task that lies ahead of us together with my team. We believe we are up to the task," said Mr Matemadombo.

Asked about his key targets as the Acting Registrar of the High Court, Mr Matemadombo said he is going to give maximum support to judges, be a servant of clients, litigants and working towards reducing backlog of cases.



*Mr Daniel Nemukuyu
Head of Corporate Services*



*Mr Donald Ndirowei
Deputy Head of Corporate Services*



*Mr David Dodzo
Deputy Head of Sheriff Services*



*Ms Chiedza Kaneta
Acting Registrar of the Labour Court*



*Mr Edmore Matemadombo
Acting Registrar of the High Court*

Epworth Magistrates' Court excites residents

By Staff Writer

The newly-built Epworth Magistrates' Court resonates with the government's decentralisation thrust, a development that excites Epworth residents who were travelling more than 20 kilometres seeking justice.

The Judicial Service Commission (JSC) is striving to ensure infrastructural development across the country as espoused in its 2021-2025 JSC strategic plan.

Recently, Member of Parliament for Epworth Mrs. Zalerah Makari hailed Government for constructing a court in her constituency.

In an interview with The Miranda, Mrs. Makari was all smiles, celebrating the development.

She described the development as the key deliverable that is in line with the Second Republic's National Development Strategy 1 (NDS1).

"It is noteworthy that Epworth constituency is now getting a facelift with the magistrates' court and other developments that are going to happen. We are grateful for the setting up of the court in our constituency and this infrastructural development is in line with NDS1," said Mrs. Makari. The Miranda spoke to a number of Epworth residents who showered praises on the Second Republic.

Epworth residents said the new court will make justice more accessible and ease transport costs which were an albatross around their necks while seeking justice.

Ms Longina Muzingi said she is



Epworth Magistrates' Court under construction

happy about the setting up of a magistrates' court in Epworth that will result in speedy court case disposition and help in shaping people to be law-abiding citizens.

"I am happy there is a court in our residential area. There are many criminals in Epworth and reported criminal or civil cases at Domboramwari Police Station took a long time before they were brought before the courts. We are therefore looking forward to the efficient trial of criminals," said Ms. Muzingi.

Another resident Mr. Emmanuel Marashi said pondering about the transport fares to attend court sessions at Harare Magistrates' Court is over because the magistrates' court is now in their residential area.

He added, "We are hoping that the court will deter people from committing crimes. Crimes such as robbery, murder and assault are prevalent in our area and we are optimistic that justice will be expeditiously meted out to

criminals to reduce the crime rate." Ms Tisaine Chisoni echoed other residents' sentiments, saying having the court in their area will help reduce crimes and she underscored the need for the recruitment of qualified Epworth residents at the court to reduce the unemployment rate.

She also said it was disheartening that they were unable to attend the trial of their children at the Harare Magistrates' Court due to inhibitive transport costs.

Mr Ben Chatseta could not hide his gratitude for the establishment of a court in Epworth, describing it as a commendable development that lessens the burden of travelling long distances seeking justice.

In September 2022, JSC Secretary Mr Walter Chikwana told journalists in Harare that the Commission has done a lot in terms of court decentralisation to limit the distance that a litigant travels to access the nearest court.

Construction of Gwanda Magistrates' Court within schedule, says JSC



the front section of the building using the trusses that have been delivered so far. Our target is to finish this project early 2023," Mr Kutuywayo said.

Matabeleland South Provincial Magistrate, Ms Charity Maphosa commended the move to construct such a big structure, saying it will help bring justice to the people in her province.

"The Matabeleland South community is pleased to see the construction works having resumed after such a long time and progressively so. Once completed, this structure will stand out, not only in size but also what it stands for - justice to the people!

"The massive courthouse will provide suitable, convenient, adequate courtroom and office space as well as services. Justice delayed is justice denied. The construction of the courthouse will ensure the expeditious delivery of justice by facilitating the immediate supervision of timeous discharge of duty," said Ms Maphosa.

Project manager with Hualong Construction Company, Carey Young was optimistic that the project would be completed within the scheduled time frame.

It is expected that the completion of the Court Complex shall permanently solve the shortage of office space currently affecting Gwanda Magistrates' Court.

By Shepherd Chibune

Roofing of the Gwanda Magistrates' Court Complex has commenced following the delivery of roof trusses for the work as the Judicial Service Commission (JSC) moves to complete the construction of the court complex.

Completion of works at the site has been earmarked for the first quarter of 2024.

Tremendous progress has also been registered on brickwork and back passage tunnel.

JSC Head of Administration Mr. George Madzikura told Miranda News that the commission was happy with the speed at which the new contractor has progressed and was optimistic the project would be finished on time.

"We have three areas. These are roofing, brick work and back passage tunnel. "On the roofing side, the contractor started installing trusses on the northern side of the wing which houses our canteen and some offices.

"On brickwork, we are on the

basement holding cells where the contractor is currently working on the internal walls. On the back passage tunnel steel works, the reinforcement works have been finished and now the outstanding work is pouring of the concrete to complete the passage walls. The contractor is waiting for the procurement of timber to support the walls when they are pouring the concrete", said Mr Madzikura.

He added that if funding is not stopped along the way, the project would be completed in time as the contractor is "moving very fast".

Project Architect from the Ministry of Local Government, Public Works and National Housing, Mr Kudakwashe Kutuywayo assured this publication that work would be completed on schedule.

"I can safely say we completed blasting for all the outstanding areas, basement, car parks and access road. Reinforcements and concrete works to the basement are in progress. We are roofing

EXPLORING THE PLIGHT of mental patients at Chikurubi

By Shepherd Chibune

“I lost my wife. I lost my child and my dad is sick”.

A seemingly fine-looking gentleman, healthy and certainly one who has mastered the art of communication using the Queen’s language is a strange sight among hundreds of mental patients housed at the country’s maximum-security prison.

Two more patients narrate how they ended up at the not so habitable facility. They all sing one chorus, that of missing “family life” back in their villages. But what is it that has led them and others housed at Chikurubi Maximum Security Prison to be there in the first place? Is it poverty, crimes, spiritual attacks, false diagnosis of their mental state or wrongful detention? At the end of the day, no matter what the cause or reason is, everyone there is a mental patient under rehabilitation in one way or the other!

Being labelled a mental patient comes with all manner of costs, stigma or attitude and treatment but does it mean that the person is useless, hopeless, beyond repair or should be isolated or treated like a criminal or a normal human being? If so, why? Are there criminal mental patients or not among those housed at the Chikurubi Maximum Security Prison? These are the questions or pre-conceived ideas one might have before

making a tour of the facility, but alas, one’s worldview is completely changed after visiting the prison facility.

Mental health refers to cognitive, behavioural, and emotional well-being. It is all about how people think, feel, and behave. People sometimes use the term “mental health” to mean the absence of a mental disorder. Mental health can affect daily living, relationships and physical health.

According to the World Health Organisation (WHO), mental health is the state of well-being in which the individual realises his or her own abilities, can cope with the normal stresses of life, can work productively and fruitfully, and is able to make a contribution to his or her community,

A middle-aged Mr. Cainos Mavhara is one such patient accused of rape, a case he openly accepts. “I ended up here after I had raped a 16-year-old girl. I trailed her in the bush when she was going to fetch water. I had no formal job, I was a fake prophet, a conman. I think my evil deeds backfired somehow. I am now mentally unstable. It could be ‘back to sender’ that was done on me”, he said.

The youthful Mr Tinotenda Kuture is in his late 20s and he blames Crystal Meth (Mutoriro), alcoholism and wrong friends.

“Look my brother, too much of anything is bad, I have a lot to regret. I abused Crystal Meth. I was a drunkard and became wild. I used to work in South Africa as an Aircraft Engineer at a certain Airport. I lost that job. I lost my wife, I lost my kid, and now my dad is sick”, Kuture narrated with a remorseful voice full of energy and hope as well.

These two mental patients, who are undergoing rehabilitation, acknowledge a relapse in their mental capacities, one suspects a ‘back to sender’ effect on him while the other blames substance and drug abuse for ravaging his life emotionally, mentally and socially. Their families had hope for their future but unfortunately, their choices have baptised them in such a fashion.

Is substance and drug abuse so dangerous that one can end up being a mental health patient? Are we ready as society to accept mental health patients? Do we really have to fold our hands and



watch as more and more people succumb to the effects of drugs and substance abuse? We all have a duty to kill this scourge before it wipes out an entire generation!!

Officer-in-Charge, Zimbabwe Prisons and Correctional Services (ZPCS) Chikurubi Maximum Security Prison, Superintendent (Supt) Joseph Nembaware bemoaned the rampant substance and drug abuse among the youths, which has caused serious mental health problems for them as they have become deviants in the society, ending up in a correctional facility.

"About 50 percent of all the patients here are drugs and substance abuse-related. This is substance induced psychosis leading, to crimes, some of which are petty", Supt Nembaware told this publication.

"Our Correctional facility has a holding capacity of 150 patients but currently we have 482 of them. Of these, 23 are civil mental patients, 52 detained mental patients while 407 are criminal mental patients. The facility is actually overcrowded as more and more patients keep coming. This puts strain on us in terms of clothing, stationery, medication and laundry among other challenges", Supt Nembaware revealed.

It was established that the facility gets funding from government and some civic organisations, especially churches, to run its operations. A criminal mental patient (CMP), Mr. Evans Chikore, who abused dagga in particular, regrets ever indulging in such an activity.

"I came here to be rehabilitated. I used to smoke weed daily

like taking cigarettes. There was no day that would pass without downing my favourite Castle Lager beer because I had money from the illegal mining activities I was doing in Kadoma," he said.

The excessive intake of these two led him to commit heinous murder crimes when he murdered his father and his aunt, torched his father's entire homestead, burnt a car and is accused of rape as well. He committed the alleged crimes all in one day and in a space of less than four hours.

But what led him to commit such horrendous criminal acts? Chikore blames strange voices he would hear and some seven people he could see himself, which prompted him to seek justice as instructed by the voices.

"I had times I would hear voices and see visions. One day, when I returned home from work, I found my wife and kid unable to move. So, she instructed me to take her white church bag used kuMasowe. When I was putting it behind the door in our kitchen, I saw a short man looking at me, holding a very sharp spear. I suspected he wanted to stab me. It was not my first time to see this.

"I rushed for an axe beneath my bed and took it ready for a do-or-die battle with the strange man but when I looked back, the man had disappeared. I then started hearing voices instructing me to follow and be shown where the things, including the short man had gone. I ran towards my dad's home about twelve kilometers where I found other members in the kitchen except my father who was in the mountain. I greeted them all and in no time

dashed to the nearby mountain where I found and murdered my father," Chikore explained the chilling incident.

He could not, however, remember how all the ensuing drama unfolded except being told how he executed the heinous crimes. He says much of the things he did he was told by his relatives whom he said he looked like a possessed man when he committed the alleged crimes.

With the treatment he is receiving at the correctional facility, he says he no longer hears voices and regrets everything he did. One thing like other mental patients that troubles him is if he has been forgiven or will be accepted by family members when he is discharged.

The same fate also belies Givemore Bonde from Mutoko, who murdered his wife. He is worried that his relatives want him to rot in jail and he wants to ask for forgiveness from all those he wronged.

All the mental patients interviewed and others at Chikurubi Maximum Security Prison psychiatric unit are very grateful for the medication they are receiving and are recovering well.

A worrying trend among the Prison's Social workers is lack of resources to make follow-ups after the release of the mental patients so that they do not default on their medication which eventually leads to mental relapses.

"We don't have resources like cellphone allowances or transport to make follow up on these patients at least after three weeks from their date of release." Said Mr Mutasa.





IECMS PHASE TWO COMING SOON!!! IECMS

INTEGRATED ELECTRONIC CASE MANAGEMENT SYSTEM

The Judicial Service Commission is introducing the Integrated Electronic Case Management System (IECMS) in the **Labour Court** and the **Administrative Court**



IECMS is a unifying platform that will connect all institutions belonging to the Justice Delivery Sector.

This will be transformational as all our courts will be paperless and fully automated.

It 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.

This system will integrate the Constitutional Court, Supreme Court, Commercial Court, High Court, Labour Court, Administrative Court, Magistrates Court and Sheriff of the High Court under the same system.

The implementation of the IECMS will bring about efficiency, expedite case disposition, and deliver access to justice. Moreover, the IECMS seeks to:-

- reduce case backlog;
- prevent the loss and physical damage of documents in a case file;
- enhance information accessibility; and
- modernize the sector's operations.

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Mr. Raymond Winalasi *ICT Officer* Harare High Court
Mr. Leroy Jason Panashe Moonga *ICT Officer* Harare High Court
Mr. Tawanda Mlambo *ICT Officer* Mutare High Court
Ms. Bester Sibanda *ICT Officer* Masvingo High Court
Mr. Dumisani Muposi *ICT Officer* Masvingo Magistrates' Court
Privilege H. R. Hazangwi *ICT Officer* Chitungwiza Magistrates' Court
Samuel Douglas Chigura *ICT Officer* Mutare Magistrates' Court
Donald Chigonera *ICT Officer* Mutare High Court
Mufaranechisi Tadzorerwa *E-filing Officer* Bulawayo Sheriff's Office
Ledwin Zunde *E-filing Officer* Bulawayo High Court
Nyaradzo Gwaswika *E-filing Officer* Bulawayo Labour Court
Simingaye Siwawa *Court Interpreter* Mwenezi Magistrates' Court
Dudley Gwenhure *Court Interpreter* Norton Magistrates' Court
Collins Kufa *Driver* JSC Secretariat
Tanatsa Ndagurwa *Accounting Assistant* Harare Sheriff's Office
Petsulo Nhlalwenhle Mpfu *Driver* Commercial Court

PROMOTIONS

Abraham Hlolokela *Deputy Registrar* Mutare High Court

RESIGNATIONS

Pricilla Mpfu *Clerk of Court* Bulawayo Magistrates' Court
Blessed Munetsi *VIP Driver* Supreme Court
Grace Mugocheke *Clerk of Court* Harare Magistrates' Court
Luckmore S P. Nyambe *Court Interpreter* Harare Magistrates' Court
Zivo Keith Chamba *Virtual Center Officer* Hwange Magistrates' Court
Priscah Memory Nyari *Principal ICT Officer* Bulawayo Magistrates' Court
Tendai Jemwa *Clerk of Court* Marondera Magistrates' Court
Tranos Goronga *E-Filing Centre Officer* Norton Magistrates' Court
Zanele Ndlovu *Court Interpreter* Bulawayo Magistrates' Court
Moreen Siamaindi *Clerk of Court* Hwange Magistrates' Court
Sharon Mhizha *Judges Assistant* High Court Harare
Grace Zawaira *Accountant* Sheriff's Office Bulawayo
Precious Mpfu *Court Interpreter* Bulawayo Magistrates' Court
Achidaishwe Simari *Assistant Registrar* Supreme Court
Moddy Chitiki *Executive Assistant* Chinhoyi Magistrates' Court
Marylin Shanduka *Transcriber* High Court Harare

DISCHARGE

Simon Nyabinde *VIP Driver* Supreme Court
Fortune Makumbe *Court Interpreter* Mwenezi Magistrates' Court

DEATHS

Peter Zivanai *Watchperson* Gweru Magistrates' Court
Philip Ndarevani *Accounting Assistant* Lupane Magistrates' Court

CONGRATULATIONS ON YOUR GRADUATION!!!



Mrs Musarurwa

Bachelor of Science Honours in Library and Information Science from Zimbabwe Open University



Lynn Chikuvire

Principal Procurement Officer

Master of Business Administration (MBA) from the University of Zimbabwe



Virimai K. Museka

Accounting Assistant

Bachelor of Commerce in Accounting Honours Degree from Midlands State University

2023 RESOLUTIONS

Name: _____

*"Always have a plan
and believe in it. Nothing
happens by accident"*

Chuk Knox

List of this year resolutions

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____



Jan

Done: YES NO

May

Done: YES NO

Sep

Done: YES NO

Feb

Done: YES NO

Jun

Done: YES NO

Oct

Done: YES NO

Mar

Done: YES NO

Jul

Done: YES NO

Nov

Done: YES NO

Apr

Done: YES NO

Aug

Done: YES NO

Dec

Done: YES NO



REGISTERING ON IECMS

What is required of you to file cases?

- A computer/Laptop/Smart phone
- Internet connectivity
- Valid e-mail address
- Lodge your legal documents from your office or home using your gadget

How to register?

1. Visit: www.zimiecms.org.zw
2. Click register and enter all required information
3. Click create account
4. Open ZimIECMS email in your provided email account
5. Activate your account

NB: If you have challenges, kindly get in touch with our supporting team on our hotline which is **0868 800 7422** or send us an email indicating the challenges you are facing on zimiecms@jsc.org.zw. Our Help Desk operates 24/7. You can also approach our e-filing Court Officers at your nearest Courthouse.

CONTACT US AT

zimiecms@jsc.org.zw
WWW.ZIMIECMS.ORG.ZW
0868 800 7422

IECMS PHASE TWO COMING SOON!!! IECMS



Welcome

INTEGRATED ELECTRONIC CASE
MANAGEMENT SYSTEM

[Forgot your password?](#)

LOGIN

REGISTRATION

ADMINISTRATIVE COURT AND LABOUR COURT

GO DIGITAL !!!

— ON 1 FEBRUARY 2023 —

Register NOW



For more info
Scan here!

JSC 2023 CALENDAR

CONSTITUTIONAL COURT CALENDAR 2023

First Term

9 January, 2023 to 31 March, 2023

Easter Vacation

1 April, 2023 to 7 May, 2023

Second Term

8 May, 2023 to 28 July, 2023

Mid-Year Vacation

29 July, 2023 to 10 September, 2023

Third Term

11 September, 2023 to 1 December, 2023

Christmas Vacation

2 December, 2023 to 7 January, 2024

SUPREME COURT CIRCUIT 2023

First Circuit

Bulawayo

20 March, 2023 to 24 March, 2023

Second Circuit

Bulawayo

17 July, 2023 to 21 July, 2023

Third Circuit

Bulawayo

20 November, 2023 to 24 November, 2023

HIGH COURT CIRCUIT 2023

First Circuit

Gweru

23 January, 2023 to 3 February, 2023

Hwange

6 March, 2023 to 17 March, 2023

Second Circuit

Gweru

15 May, 2023 to 26 May, 2023

Hwange

26 June, 2023 to 7 July, 2023

Third Circuit

Gweru

18 September, 2023 to 29 September, 2023

Hwange

9 October, 2023 to 20 October, 2023

LABOUR COURT CIRCUIT 2023

First Circuit

Mutare

16 Jan, 2023 to 27 Jan, 2023

Hwange

13 Feb, 2023 to 24 Feb, 2023

Masvingo

6 March, 2023 to 17 March, 2023

Second Circuit

Mutare

22 May, 2023 to 2 June, 2023

Hwange

26 June, 2023 to 7 July, 2023

Masvingo

17 July, 2023 to 28 July, 2023

Third Circuit

Mutare

11 Sep 2023 to 22 Sep, 2023

Hwange

9 Oct, 2023 to 20 Oct, 2023

Masvingo

6 Nov, 2023 to 17 Nov, 2023

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ADMINISTRATIVE COURT CALENDAR 2023

First Term

9 Jan, 2023 to 31 March, 2023

Easter Vacation

1 April, 2023 to 7 May, 2023

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8 May, 2023 to 28 July, 2023

Mid-Year Vacation

29 July, 2023 to 10 Sep, 2023

Third Term

11 Sep, 2023 to 1 Dec, 2023

Christmas Vacation

26th Nov, 2022 to 8th Jan 2023