

# 25th Edition





The Southern African Chief Justices' Forum (SACJF) **P5** 

Justice Maria Zimba-Dube appointed Judge President **P8** 

Chinhoyi Court officially opened P15



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(Note)

ello and welcome to the third quarter (Q3) of The Miranda, an insightful publication aimed at keeping you updated on current developments within the Judicial Service Commission (JSC).

The JSC achieved its set targets and scored many successes during Q3. In this issue we cover: High Court Judges' interviews and swearing-in, the official opening of the state of the art Chinhoyi Court Complex by the President, Honourable ED Mnangagwa, The Southern African Chief Justices Forum (SACJF) co-hosted by Zimbabwe and Zambia in Victoria Falls.

We feature the recently appointed Judge President Honourable Justice Maria Zimba-Dube in a one on one interview and we bring you details of the ICT teams' visit to Armenia in the build up to the Integrated Electronic Case Management System (IEMCS) operationalization and a lot of other exciting news.

The JSC continues to make strides in advancing legal operations to make justice easily accessible to all citizens. We have fully embraced digital transformation and remain committed to delivering justice timeously.

The summer season is in full throttle and the temperatures are soaring. Remember to hydrate, exercise and eat healthy. COVID-19 statistics may have reduced but we are still in the midst of a pandemic and should remain alert and follow all laid down protocols.

Follow our social media: Facebook: Judicial Service Commission of Zimbabwe and twitter @JSCZIM. If you interested in contributing to the Miranda send an email to krusakaniko@jsc.org.zw

Mask up, sanitize and social distance.

HAPPY READING!!!

email: krusakaniko@jsc.org.zw +263 719 527 802



#### HARARE:

Ephraim Ncube (Harare Magistrates' Court), Stephen Gwatsvaira, (Harare High Court), Jermaine Hangazha (Chitungwiza Magistrates' Court), Francisca Malaba (Master's Office Harare), Tarisai Mafura (Harare High Court)

#### **BULAWAYO**:

Sheriffah Ndlovu (Bulawayo High Court)

#### MANICALAND:

Rufaro Marira (Mutare High Court)

#### **MASHONALAND EAST:**

Anxious Mbalanga (Marondera Magistrates' Court)

#### MASHONALAND CENTRAL:

Holder Mangumbi (Bindura Magistrates' Court)

#### MASHONALAND WEST:

Takesure Gora (Chinhoyi Magistrates' Court)

#### MATABELELAND SOUTH:

Servious Dube (Gwanda Magistrates' Court)

#### MATABELELAND NORTH:

Isaac Siakwiye (Lupane Magistrates' Court)

#### MIDLANDS:

Peter Nyakudya (Gweru Magistrates' Court)

**DESIGN BY: Obvious Magaso** 

# Just News.

#### MIRANDA MAGAZINE

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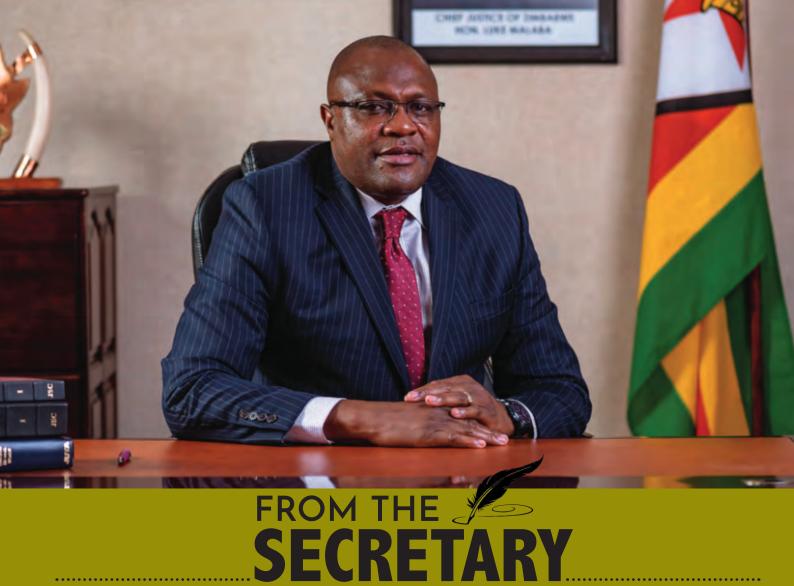












#### Mr Walter Chikwana

Secretary of the Judicial Service Commission

s we bid farewell to the third quarter of 2021, I am pleased to express my gratitude to all members of the Judicial Service Commission – "the JSC" – for your enduring commitment, assiduity and cooperation.

This quarter was greatly affected by the Covid-19 related control measures, imposed after the sharp surge in the number of new infections. The operations of the courts were almost brought to a standstill, except for the hearing of urgent matters. This measure was necessitated by the need to protect both the staff of the JSC and the general public who visit our courts. It was only towards the end of the quarter that the operations of the courts returned to normalcy. While on the same note, iam delighted to announce that, following our voluntary vaccination drive launched during the second quarter, almost every member of the JSC has now been inoculated.

In the third quarter, the Commission carried out several important activities in pursuance of its functions. Firstly, the JSC successfully co-hosted the Southern African Chief Justices' Forum with the Judiciary of Zambia in Victoria Falls. Secondly, while fulfilling its constitutional mandate, the JSC held public interviews for and facilitated the subsequent appointment as well as swearing in of nine

High Court Judges. Amongst the appointed nine, the JSC was distinctly represented by its serving members with Judges of the Labour Court, Magistrates and members of the Secretariat being appointed as High Court Judges. Relatedly, the Honourable Justice Mrs Dube was appointed as the substantive Judge President of the High Court while Mrs F. Mushure was appointed, in the interim, to be the Acting Chief Magistrate.

This third quarter also witnessed the official opening of the Chinhoyi Court courthouse, which is a heartwarming achievement as it stands as a shining jewel borne through the efforts of the Commission towards enhancing access to justice.

Now, as we simultaneously pitch into the last quarter of 2021 and wind down the year, it is my sincere appeal to everyone that we remain steadfast to our shared vision of delivering world class justice to all. We must re-examine our annual plans, set targets for the unfolding year and continue to be upbeat about the mission we are all part of "ensuring access to justice for all". I end by saying, despite the effects of the besetting Covid-19, may we enter the final quarter and end the year with renewed optimism.

Miranda Sept 2021

# **SOUTHERN AFRICAN CHIEF JUSTICES' FORUM**

By Kudzai Rusakaniko

The Judicial Services Commission of Zimbabwe in collaboration with the Judiciary of Zambia, hosted the 2021 Southern African Chief Justices' Forum in Victoria Falls, from the 22nd to the 24th of September 2021.The Conference officially opened by Excellency, President of the Republic of Zimbabwe, Cde Dr. Emmerson D. Mnangagwa, and was held under the theme "The Judiciary and Technology in Africa". This conference provided a platform for all Chief Justices from East and Southern Africa to engage in enhancing the administration of justice in the various jurisdictions.

In his opening remarks,



Some of the SACJF



Chief Justice of Zimbabwe Hon. Luke Malaba

President Mnangagwa said the event was timely as it brought under the spot light important discussions about the judiciary and technology which is relevant during the COVID-19 pandemic. President Mnangagwa reiterated that court services had been disrupted by COVID-19 and the essential service cannot be in abeyance. He added that ICT is a key strategic focus of his administration underpinning the efficiency of the blueprint vision 2030.

The Acting Chief Justice of Zambia Hon. Justice Michael Musonda said COVID-19 stimulated the transformation of Zambia's existing Court Rules by initiating the conduct of civil court proceedings teleconferencing, videoconferencing and any other appropriate technology. Justice Musonda emphasized that the conference created an opportunity to learn and share the best practices in the use of technology in the Judiciary adding that judges must seriously consider the use of virtual hearings, video conferencing and e-justice including electronic management among digital interactive platforms which enhance administration of justice.

# CHINHOYI COURT COMPLEX OFFICIALLY OPENED



Newly Chinhoyi Court Complex

By T. Gora



The President of the Republic of Zimbabwe Cde E. D. Mnangagwa officially opening the Chinhoyi Court Complex



he state of the art Chinhoyi Court officially opened its doors to litigants and the public on the 6th of September. The much awaited court is part of the JSC's robust drive to ensure access to justice to all Zimbabweans.

The President of the Republic of Zimbabwe Cde E. D. Mnangagwa officiated the imposing double storey Court Complex which has features such as a restaurant, a clinic, two well-equipped court rooms for online Integrated Electronic Case Management Systems [IECMS], two separation rooms for vulnerable witnesses and a well-furnished boardroom.

The JSC Secretary Mr. Walter Chikwana, expressed gratitude to all those who worked tirelessly to complete the construction project adding that he is relieved that this key deliverable was achieved, albeit after a long time. He emphasized the need for high standards to be upheld in the maintenance of the building The Chief Justice Honorable Luke Malaba said his vision was for every province to have a High Court in line with the JSC mantra 'Justice should be brought to the people'.

The Chinhoyi Court Complex is the second largest in the country after the Harare Magistrates` court. Several departments are housed under one roof and these include, the High Court (Criminal and Civil Court), Magistrates' Court (Criminal and Civil Court), Master of the High Court and the Sheriff's Department.

Mashonaland West residents can now access all services related to litigation within their province.

### Judges Sworn-in

Kudzai Rusakaniko

he appointment of 6
Supreme Court Judges in
the last quarter created
vacancies in the High
Court. This saw the elevation of
three Judges from the Labour
Court to the High Court namely
Honourable Mhuri J, Honourable
Muchawa J and Honourable
Maxwell J.

To fill in the gap, public interviews for High Court Judges were held and out of the 36 candidates, 9 candidates were appointed as High Court Judges, at a colourful ceremony held on 29 September 2021. The 9 Judges were sworn in by the Chief Justice and these are Hon Manyangadze J, Hon Bachi Muzawazi J, Hon. Chilimbe J; Hon. Ndlovu J, Hon Deme J, Hon.

Katiyo J; Hon. Mutevedzi J; Hon. Makomo J; Hon. L.A.C Mungwari J. In line with the Commission's disability inclusion policy, and for the first time in the history of the Zimbabwean Judiciary, Hon. Deme J who has a visual impairment was sworn into the office of a High Court Judge.

The newly sworn-in judges will play a vital role in clearing the backlog at the High Court and the effective delivery the justice system in the country. The new judges took the judicial oath as a way of showing allegiance to the offices they now occupy.



Newly sworn-in Judges of the High Court



## Justice Maria Zimba-Dube appointed Judge President.



Judge President of the High Court Justice Maria Zimba-Dube

1. Can you outline your steps of your career journey from the time you graduated as a law school student up to your current position?

A Tenrolled as a law student with the University of Zimbabwe and graduated with a Bachelor of Law Honours Degree (BL) in 1989 then a Bachelor of Laws Degree (LLB) in 1990. Thereafter, I secured employment with the Attorney General's Office as a Law Officer in the Criminal Division and rose through the ranks to become a Principal Law Officer. During that period, I carried my prosecutorial work in the Supreme Court, the High Court and the Magistrates' Court.

Later on, I was then appointed Chief Law Officer where I worked firstly, as the Senior Public Prosecutor in charge of the Western Division comprising the Matabeleland North and South Provinces from February 2000 to August 2004, then secondly, in the Legal Aid Directorate from September 2004 to November 2004.

I joined the bench as a Judge (then President) of the Administrative Court in November 2004. In September 2010, I was appointed Senior Judge (then Senior President) of the Administrative Court, and under that post, I was not only responsible for presiding over administrative matters but also for the administrative role.

In September 2011, I was appointed High Court Judge. I was later appointed to be the Head of the Civil Division of the High Court in July 2019, and from 27 February 2020, to the office of the President of the Intellectual Property Tribunal. I held these two posts until I was appointed Acting Judge President of the High Court on 3 July 2021, leading to my appointment as the substantive Judge President on 26 July 2021.

2. How do you feel to be appointed the Judge President of the **High Court?** 

A My appointment as the Judge President is more than just an office but a responsibility bestowed on me by the people of Zimbabwe from which judicial authority derives. I consider it an honour to serve my country, profession and calling and I will so serve to the best of my effort.

3. What are vour administrative and judicial targets at the High Court during your term?

My administrative and judicial targets are directed by the Constitution



of Zimbabwe, 2013, the law and the Judicial Service Commission's Strategic Plan.

I am especially guided by the vision of the Judicial Service Commission, that of a Zimbabwe in which world class justice prevails. World class justice may mean different things to different people but the overriding expectation is that cases are heard promptly and that decisions based on the law are made expeditiously and transparently. These are my beacons.

4. The Judicial Service Commission has made great strides in promoting more women to top echelons, what is your comment on that positive development?

Indeed, the Judicial Service Commission has made significant strides to ensure that the values espoused in section 17 of the Constitution of Zimbabwe, 2013 which enjoin the State to promote the full participation of women in all spheres of Zimbabwean society on the basis of equality with men, are honoured.

The Supreme Court, the High Court, the Labour Court and the Magistrates' Court are all currently headed by female judicial officers. The Deputy Chief Justice is female. These appointments are a reflection of the Judicial Service Commission's commitment to walk the talk on gender equality and to uphold the Constitution as the torchbearers of the justice delivery system in Zimbabwe.

5. Corruption has proved to be a serious pandemic, affecting almost every sphere of our country and if we may know how you are going to

#### deal with it as the Judge President of the High Court?

Corruption is a plague which every government institution is fighting hard to get rid of. The President has declared zero tolerance to corruption. The Judicial Service Commission has made numerous interventions to ensure that the halls of justice are not tainted. I pledge my unwavering support to this noble cause.

We have an elaborate and simple complaint procedure and through this mechanism, we ensure that all complaints against our members are thoroughly investigated and appropriate action taken. With regards corruption cases that are brought before the High Court, we have a fully functional Anti-Corruption Division which we will continuously capacitate to deal with matters efficiently.

6. Covid-19 has greatly disrupted the justice system including the High Court in particular, what do you think needs to be done to counter challenges introduced by the virulent virus which has brought the justice system to an almost stand still?

As we know, contact is a fertile ground for the spread of the virus and in order to minimise such contact, virtual hearings and electronic filing of process have become the norm across many judiciaries in the wake of COVID-19. This is the way to go.

I am pleased to note that before the outbreak of the virus, plans were in already motion to introduce virtual hearings and electronic filing of documents, and legislative measures were made as far back as 2017 with the amendment to the High Court Act to allow this

In addition, the introduction of an Integrated Electronic Case Management System (IECMS) was on the cards, and significant steps have been made as reported by the Chief Justice in his 2020 and 2021 addresses to mark the official opening of the legal year. On 10 June 2021, the Judicial Service Commission launched a publicity blitz to prepare the people of Zimbabwe for this. We welcome this development which although I am advised will be introduced in phases, is a step in the right direction to counter the spread of the virus while ensuring access to justice for the people of Zimbabwe.

Isaac S. Siakwiye

# JSC DEPUTY SECRETARY Tours Lupane Court site

The Deputy Secretary Support Services, Mr Sithembinkosi Msipa visited and toured the Lupane Court house which is currently under construction and is set to be complete by year end.

Mr Msipa expressed gratitude to the contractors for impressive workmanship and urged the PMU and Administration Departments to ensure fully functional finishings that include air conditioners, the landscaping by the Topographic designer and the designing and installation of the septic tank. The Deputy Secretary was accompanied by the Head of Procurement, Mr Muzenda, Projects Officer, Mr Nzvere, members of the Secretariat, the Resident Magistrate for Lupane, the Provincial Director for Matebeleland North Public Works and the National Housing and Public Works Technical team.

The new Courthouse building, once complete, will have more office space which will enhance a better justice delivery system in Lupane District.



Lupane Court house under construction



# IECMS Technical team flies to Armenia for training

The technical team acquired a great deal of technical knowledge and skills which will assist in administering and furthering the development of IECMS.



From left to right, Chitova Jongwe, Shamiso Muserere, Tatenda Mapuranga, Sergey Barseghyan Attain Bhakiro

comprising software developers namely Shamiso Muserere the Deputy Head of IT and Records Management, Tatenda Mapuranga, Attain Bhakiro and Chitova Jongwe flew to Armenia for IECMS technical training, facilitated by the ZW-IECMS project manager Mr Sergey Barseghyan.

The Synergy team from Armenia, shared their technical expertise and the specialists attended training sessions which covered the following topics such as:

System Architecture Database Administration, Systems Engineering, Monitoring and Configuration.

In addition to the detailed training, the Synergy Team hosted the Zimbabwean technical team on several excursions. The team was taken on numerous tours including the visit to the temple of Garni, Lake Sevan, church of Armenia and had a view of Mount Ararat.

On the last day of the two week training program, a high level delegation from Synergy led by the Chief Executive Officer, Chief Operations Officer, IECMS Project Manager, and the Vice President of E-Justice attended the training session.

The technical team acquired technical great deal of knowledge and skills which will assist in administering and furthering the development of IECMS. The program was a substantial knowledge transfer exercise which fully equipped the JSC team to deliver an efficient and effective court automation system. The team will now oversee the in house training of members of the judiciary, operationalisation and technical performance of the system.

tragedy struck me at the age of four, causing me to lose my sight,

#### **JSC EMBRACES PERSONS LIVING WITH DISABILITIES:**

A speck of light on the horizon.

By Darlington Nkomazana

orn an aspirant uranologist, my dreams were bathed with long gazes, deep into the universe, its stars and their constellations. But behold, I did not know that the ship which was to ferry me to my career was anchored elsewhere.

As if my fate had a mind of its own, tragedy struck me at the age of four, causing me to lose my sight, and from that day, the dream of the aspired uranologist was shuttered into irretrievable debris. However, because of ignorance and because of my tender reasoning, the dream persisted. Had it not been for one gentleman, who warned me against false hopes, I might have continued with my dead aspirations.

I later got information about the legal profession through a whirlwind of circumstances, the details of which I have chosen not to pen here. Despite challenges posed by disability, I successfully got through my primary school, passed my secondary education and got myself enrolled as a law student with the University of Zimbabwe. It was then that I realised that the legal profession, in Zimbabwe, was a choice



Darlington Nkomazana - Professional research Assistant

fraught with disappointments for persons with disabilities. I learnt this through one of my colleagues, who is my senior, who told me openly that the fraternity was notorious for its discrimination. Simultaneously, he congratulated me for joining the law school and promised to give me a hand whenever necessary. Armed with knowledge, I designed platitude, and told myself, "I may not be the best but I am not the worst lawyer either."

On 4 December 2020, I graduated with a Bachelors of Laws Honours Degree. Like many of my fellow graduates, I started dropping my Curriculum Vitaes here and there and that is when I came face to face with the ulcerous discrimination. But in this whole

story of disappointments, I will be damned if I fail to mention the Legal Resource Foundation who accepted me as a volunteer and later as an intern. Omitting their incredible support during my days under their organisation is tantamount to being ungrateful. Last but not least, I would like to appreciate the progressive attitude of the Judicial Service Commission who have decided my fate based on merit and not on my disability. They have put their disability inclusion policy into practical use. It is my sole objective to reward their confidence with the best that I can, not only for my benefit but to also ensure that I do not burn the bridges, in case others wish to tread along the same path that I have elected.



Mr Darlington and his colleagues

#### **Zoom Meetings: Etiquette of the New Normal**

The advent of COVID-19 has resulted in radical, behavioral and psychological changes in all facets of life. Organizations have had to adopt a paradigm shift in the manner in which they conduct their business. Most organizations have resorted to the use of the Zoom software.

The use of Zoom or any other virtual platform comes with serious finesse to ensure maximum productivity. In order to adapt to the new normal and to maintain high standards of professionalism, the following are the key take aways when attending a zoom meeting.

- **1.** Be physically and mentally prepared.
- 2. Ensure that you have the Zoom link or Meeting ID and Password well before the commencement of the meeting.
  Check on starting time. Ensure that the time is Central Africa Time (CAT) or Harare time. This is particularly important for international webinars.
- **3.** Dress appropriately for the meeting.
- 4. Choose your background judiciously.
- 5. As you log into the meeting, pay particular attention to the following:-

- a. Ensure that your screen name matches your real name. Pseudonyms may be confusing to presenters and other participants;
- b. Ensure that you are always muted and unmute where necessary.
- c. Should you want to participate or make any contribution, raise your hand by using the raise hand function. This is done by clicking the three dots on the bottom right corner of your screen. You can also send questions and comments in the comments box.
- d. When chairing a meeting, it is always advisable to have a co-host. It is also a good practice to assign someone to manage the chatbox and regularly refer to comments in the chat box.
- e. Screen sharing is one feature that Zoom presenters should acquaint themselves with. Ensure that the host has allowed you to share the screen.



# SIXTEEN MAGISTRATES SWORN INTO OFFICE



Newly sworn-in Magistrates

new Magistrates were sworn in by the former Chief Magistrate, Mr M. Mutevedzi at Harare Magistrates' Court on the 15th of September 2021. In his remarks, Mr Mutevedzi said the swearing in of the Magistrates complements the decentralization drive and enhances the commission's access to justice thrust.

He reiterated that COVID- 19 posed new challenges to the justice sector which suspended court operations leading to an increase in pending cases, hence the need for more manpower.

Mr Mutevedzi said another group of 22 trainee Magistrates had commenced their internship, and would soon be sworn in. The newly sworn in magistrates are: Philip Makondo, Terence Mashaire, Kudzai Ramhewa, Courage Ian Mudenda, Joyline Bridget Mudhege, Beverly Casmila Madzikatire, Polite Dube-Banda, Rumbidzai Mhandu, Rumbidzai Tshuma, Sikhethile Moyo, Simon Munyaradzi Kandiero, Takunda Charity Chipeta, Tsitsi Chitatu, Winnet Joni, Oratile Nare and Chido Trish Garwe.

Mr Mutevedzi expressed his satisfaction over the quality of the work produced by the Magistrates and that the system had come to a level where the quality of work had significantly improved. "This phenomenon has been confirmed by the reports that we get from our interaction with the Judges", he explained.

Peer reviews from fellow judges are indicating that the quality of output from our courts has improved.

# JUDICIAL TRAINING INSTITUTE OF ZIMBABWE LAUNCHED

he Judicial Service Commission launched the Judicial Training Institute, (JTIZ) on the 3rd of September 2021, during the official opening of the Chinhoyi Court Complex. The establishment of the JTIZ is in line with the Commission's Strategic Plan (2021 - 2025) which outlines the institutionalisation of continual judicial training as a strategic priority. The ultimate goal is to support the Judicial Service Commission's strategic objectives through improved organisational performance at all levels. The training institute which will serve as a repository for all official training materials, will capacitate all staff members within the JSC with relevant skills that will ensure efficient and effective execution of their mandate, thereby strengthening human capital management.

To ensure the effective execution of its mandate, the JTIZ will be responsible for developing the appropriate curricula based on the skills development plan and also mainstream transformative leadership. The Institute will also instil judicial independence through a judiciary that is well trained.

In its vision to institutionalise the use of technology in all the facets of justice delivery, the JTIZ will be partnering with stakeholders that include Judicial College of Zimbabwe, National Prosecuting Authority, Law Society of Zimbabwe, Law Universities in Zimbabwe, Zimbabwe Republic Police, and Zimbabwe Prisons and Correctional Services, to offer high quality blended learning program through Ad-hoc Workshops, study tours, virtual learning, seminars, conferences, benchmarking exercises with other jurisdictions, and E-Learning Management System.

# Know Your Commissioners

Trish Jasi is a Human Resources Practitioner with over 12 years of experience in Retail, Consultancy and present Funeral and Life Assurance. Currently, she is the General Manager- Human Resources at Doves Holdings and doubles up as a Human Resources Consultant.

She holds a first degree in Human Resources Management and is presently studying towards a Master's Programme in Strategic Management and Corporate Governance with Midlands State University.

She is an active member of the Institute of People Management of Zimbabwe (IPMZ) and has occupied the following roles; former Chairperson of the Women in HR, the Vice President - Human Resources from 2019 to 2021 and is the IPMZ Councilor - Finance Committee, a position she will hold till 2023.

Commissioner Jasi has received numerous awards, which includes interalia Megafest business awards -, awarded as the Outstanding Human Capital Development leader for the year



2017, the Megafest 2019 top 15 women in Business, Speaker and thought leader at various work-related conferences and at the Zimbabwe CEO Network. She was also awarded as the Outstanding Human Resources Executive in March 2021.

#### **Commissioner F. Chingozho**



Francis Chingozho is a Chartered Management Accountant and a Chartered Secretary. He is a holder of a Masters Degree in Strategic Business Management from Manchester Metropolitan University in the UK, an MBA (Accounting and Finance) from Maastricht School of Management in the Netherlands. He holds a diploma in banking and has attended a Global Executive Development Programme with the University of Pretoria. He is currently registered for PhD studies with a local

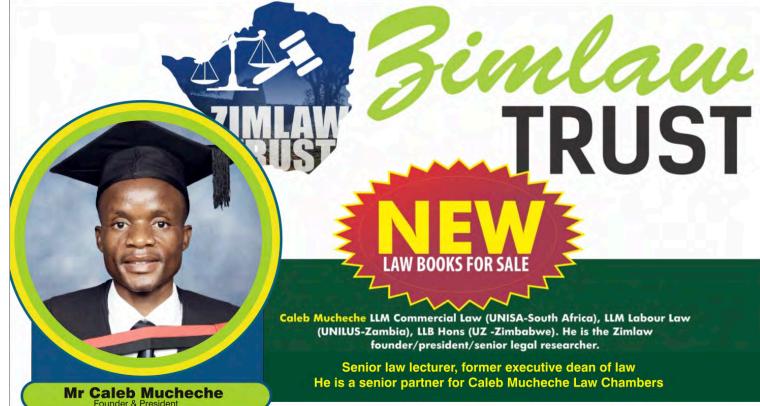
university.

Mr Chingozho is the former President of the Chartered Institute of Management Accountants (CIMA) in Zimbabwe, a regional board member for CIMA Southern Africa and Public Accountants and Auditors Board (PAAB) board member.

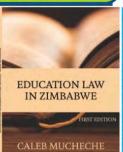
His work experience spans to several industries and sectors. He has worked in managerial positions in the following companies: ZB bank (previous ZIMBANK), Arda as the Head Office Accountant. During his employ at ZESA he was a Senior Accountant at ZESA and an Acting Area Accountant. He then joined Nedbank Zimbabwe (then MBCA) as a Management Accountant and was later elevated as a Senior Manager in Advisory Services. He joined Pacific Cigarettes (Pvt) Ltd (then Savanna Tobacco Company) at its inception as General Manager (Finance and Administration). He then joined Chemplex Limited and the Group Finance Director, a position he held for 7-years.

Currently, he is a consultant in Business Management and Strategy and he carries out consulting assignments internationally for the World Bank Group and Parliament of Zimbabwe's Public Accounts Committee. He has served on a number of boards of private and public companies.

Miranda | Sept 2021



COMMERCIAL
LAW ARBITRATION
SYMMATING AND SOUTHABBILA
CALEB MUCHECHE



COMPANY LAW
CONTEMPORARY
DEVELOPMENTS
IN ZIMBABWE
AND SOUTH AFRICA

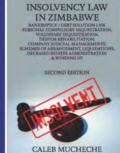
CALEB MUCHECHE

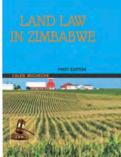




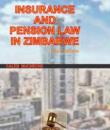


INSOLVENCY LAW IN ZIMBABWE



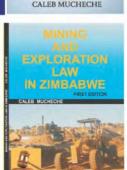


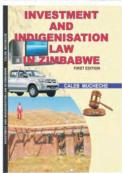


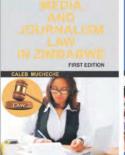


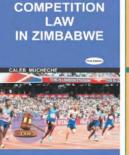


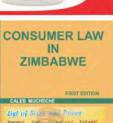


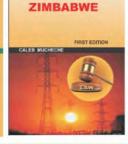




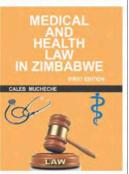


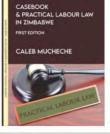


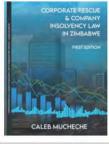




**ENERGY LAW** 









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# High Court staff hails retired colleagues —

By Tarisai Mafura

he High Court bid farewell to two Staffers who served the JSC diligently throughout their years of service. Ms. Georgina Garai and Ms. Shylet Tafirenyika retired this quarter.

Ms. Garai started working in the Public Service, Labour and Social Welfare Ministry in 1988 before joining the Judicial Service Commission (JSC) in October 2006 and was deployed at the Labour Court Harare. In 2017, she was transferred to the Harare High Court and assumed the post of Executive Assistant, a post she held up to the time of her retirement on the 31st of August 2021.

Ms. Tafirenyika was employed the Justice, Legal Parliamentary Affairs Ministry in 1983. She worked at various such stations as Mbare Magistrates' Court, Rotten Row Magistrates' Court and retired at the High Court after serving a remarkable 38 years in the civil service. Renowned for cleanliness, Ms. Tafirenyika besought fellow workers to make sure that they keep the work place in good sate and diligently execute their mandate.

They urged fellow JSC employees to be humble, hardworking and result oriented.

Colleagues described them as smart, hardworking and sociable and cheerful women.



Ms. Tafirenyika flanked by former colleagues



Ms. Garai (centre) with former colleagues





















































## COVID-19 CLAIMS STAFFER

Charles Mawarire who was a Judge Assistant stationed at the Labour Court in Harare, succumbed to COVID-19 on the 24th of July 2021. He joined the Judicial Service Commission in 2013 as a Judge's assistant, the position he held up to the time of his death. He was pursuing a degree in Human Resources and he was in his final year. He survived by his wife, Kimberly Hlumbayo and son, Sanele Charles Mawarire. He was a vibrant and hard working person. May his dear soul rest in eternal peace.



The late Charles Mawarire



Hearing will be held over secure video link from the court







#### THE MIRANDA PUZZLE NO.20 BY MELULEKI NCUBE

This is an ordinary codebreaker crossword puzzle, with a 2-in-1 twist. Each number represents the same letter, and only that letter, throughout. To assist you in solving, you are given clues of the required words. Where each of those words goes is another challenge for you. And one more clue: along the yellow boxes answers to the statement in the middle!

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## MIRANDA **ENTERTAINMENT**





# Spot 5 differences Between these 2 pictures

# Misconduct Watch

#### CASE 1

The member was involved in an intimate relationship with a senior Judicial Officer. She accessed the judicial officer's cellular phone and used it to distribute offensive and obscene material comprising of nude and graphic images on social media. The offensive and obscene material was widely shared on social media thereby bringing the Commission into disrepute or disrespect.

The member was found guilty of unbecoming or indecorous behaviour likely to bring the name of the Commission into disrespect or disrepute. She was reprimanded and given a First Formal Warning. In addition, she will not be eligible to be considered for promotion for a period of three (3) years.

#### CASE 2

The member who is a VIP Driver. drove negligently resulting in him getting involved in an accident in circumstances where a reasonable driver would not have done so. He attempted to overtake another motor vehicle at a speed that was inappropriate in the circumstances. He hit a pot hole and the tyre of the car burst and he subsequently lost

control of the car and collided with the car that he intended to overtake. The JSC motor vehicle that he was driving sustained substantial damages as a result of the accident.

The member was found guilty of misconduct and reprimanded. He was also given a first formal warning. In addition, he was ordered to reimburse the Commission 25% of the damages that were caused by the accident.

#### CASE 3

The member who was Watchman went on unauthorised leave from 1 July 2021 and did not return to work for over 30 days, despite efforts to recall him back. The member was discharged from service in terms of Section 55(a) of the Judicial Service

#### CASE 4

Regulations, 2015.

TThe member who was an office orderly at a certain court, was habitually absent without work from approved leave of absence. The member was charged with an act of misconduct of being absent from duty without good cause. A disciplinary



hearing was conducted and the member was found guilty and discharged from service in terms of Section 53, of the Judicial Service Regulations, 2015.

#### CASE 5

The member who was a Court Interpreter was instructed to attend a mandatory meeting but failed to do. She was called several times to attend the meeting but showed no interest in attending. The member was discharged from service in terms of Section 14 (6) of the Judicial Service Regulations, 2015

# **NOTICE BOARD**

#### **APPOINTMENTS | PROMOTIONS**

Paddington Garwe Supreme Court Constitutional Court Makamure - J Acting Senior Judge of the Labour Court Superior Courts Munamato Mutevedzi Judge of the High Court Superior Courts Rodgers Foroma Manyangadze Judge of the High Court Superior Courts Chipo Lucie - Annie Mungwari Judge of the High Court Superior Courts Elijah Makomo Judge of the High Court Superior Courts Never Katiyo Judge of the High Court Superior Courts Joseph Chilimbe Judge of the High Court Superior Courts Bongani Ndhlovu Judge of the High Court Superior Courts Samuel Deme Judge of the High Court Superior Courts Catherine Kate Bachi Mzawazi Judge of the High Court Superior Courts Fatima Chakupamambo Maxwell Judge of the High Court Superior Courts Muchawa-J Judge of the High Court Superior Courts Gladys Mhuri Judge of the High Court Superior Courts Faith Mushure Acting Chief Magistrate JSC Secretariat Milton Shadaya Acting Secretary -Support Services JSC Secretariat Rebeccah Mhizha Acting Head of Finance JSC Secretariat Elizabeth Mawondo Acting Head of Policy and Legal Services JSC Secretariat Jackson Madziwire Acting Deputy Head of Finance JSC Secretariat Rachel Ratidzo Mavoni Accounting Assistant Chief Magistrate Rabson Peter Mutambwi Accounting Assistant Chief Magistrate Crucial Maticha Accounting Assistant Chief Magistrate Moreblessing Gapare Accounting Assistant Chief Magistrate Tatenda Grand Ndihana Accounting Assistant Chief Magistrate Takudzwa Medelyn Dzwukutu Accounting Assistant Master of High Court Tinashe Zivanai Accounting Assistant Chief Magistrate Rumbidzai Machando Administration Officer Administration Tatenda Bethsheba Makoto Assistant Registrar Superior Courts Sibongile Mudimba Assistant Registrar Superior Courts Winnie Mukangai Assistant Registrar Superior Courts Belinda Mariza Assistant Registrar Superior Courts Welcome Kudzanai Pesanai Court Interpreter Chief Magistrate Minyomo Mwembe Court Interpreter Chief Magistrate Precious Mutakati Court Interpreter Chief Magistrate

Nyasha Tendaimambo Court Recorder Chief Magistrate Sitholokuhle Dube Court Recorder Chief Magistrate Tariro Muzhange Executive Assistant Chief Magistrate Mildred Samkele Sibindi Executive Assistant Chief Magistrate Thandiwe Mahachi Human Resources Assistant Superior Courts Maggie Tafadzwa Mukwashi ICT Officer Chief Magistrate Tendai Basutu Judges` Assistant Superior Courts Tinomudaishe Richard Duve Judges` Assistant Superior Courts Tafadzwanashe Ethel Marowi Judges` Assistant Superior Courts Naison Dhambuza Judges` Assistant Superior Courts Nonceba Siziba Judges` Assistant Superior Courts Princes Anesu Tanyanyiwa Judges` Assistant Superior Courts Faina Rutendo Makumbe Judges` Assistant Superior Courts Itai Ayah Kagwere Judges` Assistant Superior Courts Melisa Breakfast Judges` Assistant Superior Courts Arnold Tapiwa Mubanga Judges'Clerk (Assistant Sheriff) Sheriff Gratitude Chiwara - Ndoro Librarian Superior Courts Chido Kelly Mhondoro Librarian Superior Courts Pardon Mutero Office Orderly Chief Magistrate Priviledge Mangwengwe Office Orderly Chief Magistrate Ronald U. W. Mushure Office Orderly Chief Magistrate Blessing Saurombe Professional Research Assistant Legal Dept Sandra C. Madzima Professional Research Assistant Legal Dept Darlington Nkomazana Professional Research Assistant Legal Dept Nyarai Patience Mushoriwa Professional Research Assistant JSC Secretariat Kelly Zongoza Professional Research Assistant Superior Courts Samantha P. Chigwedere Professional Research Assistant Superior Courts Sharon Mamvura Professional Research Assistant Superior Courts Kudakwashe S. Kundizeza Professional Research Assistant Superior Courts Natasha Wadzanai Mbundure Professional Research Assistant Superior Courts Cynthia Mutakaya Records and Information Assistant Master of High Court Memory Simango Records and Information Assistant Master of High Court Conrad Mandizvidza Records and Information Assistant Sheriff Canaan Shingirai Kahari VIP Driver Superior Courts

#### RESIGNATIONS

Tamirirashe Shilo Chakaza Accounting Assistant Karoi
Bruce Edson Shumba Accounting Assistant Harare
Phillis Kunjunga Assistant Master Harare
Brian Nkiwane Communication Officer Harare
Amon Sibanda Court Interpreter Chiredzi
Fanadzo Mtetwa Executive Assistant High Court
Merciline Sekai Mutisi Executive Assistant Masvingo
Evidence Moyo Executive Assistant Beitbridge
Blessing Ncube Executive Assistant Labour Court-Bulawayo
Nomsa Muzvidziwa Magistrate Chief Magistrates 'Office
Faith Kudzai Zinyemba Magistrate Gweru
Lesigio Ngwenya Magistrate Mutoko
Nyaradzo Tukwa Provincial Magistrate Nkayi
Masimba Joy Chikodzore Provincial Magistrate Chiredzi
Romeo Bonface Nyagomo Watchperson Murehwa

#### **DISCHARGE**

Godwin Maponga Clerk of Court Harare
Irene Moyo Court Interpreter Labour Court
Mlungisi Sibanda Court Interpreter Chegutu
Nicholas Ngarara Watch-person Mt. Darwin

#### RETIREMENTS

Esnah Kaseke Executive Assistant Master's Office Harare
Lydia C. Mtambirwa Records and Information Assistant Labour Court
Bekezela Debra Gumede Clerk of Court Bulawayo
Norah Makanjera Clerk of Court Goromonzi
Pascal Muhumbe Court Recorder Chinhoyi
Georgina Spiwe Garai Executive Assistant High Court

#### **DEATHS**

Ellina R. Mutsika Clerk of Court Marondera Charles Mawarire Judges' Clerk Labour Court



#### **CONGRATULATIONS!**

Mr Simba Nyaromo, graduated with Bachelor of science honors degree in Visual Communication and Multimedia Designs, from Chinhoyi University of Technology on 01 October 2021.

Vip driver, for Superior Courts, Labour court of Zimbabwe.



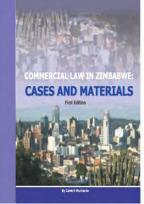
# Jimlaw TRUST

#### LAW BOOKS FOR SALE

Caleb Mucheche LLM Commercial Law (UNISA-South Africa), LLM Labour Law (UNILUS-Zambia), LLB Hons (UZ -Zimbabwe). He is the Zimlaw founder/president/senior legal researcher.

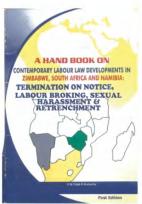
Senior law lecturer, former executive dean of law He is a senior partner for Caleb Mucheche Law Chambers



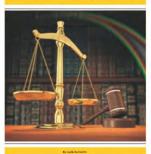


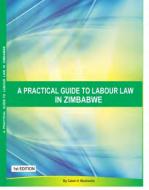




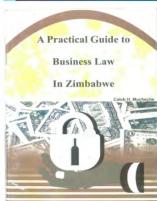






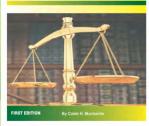




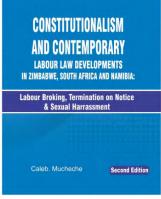




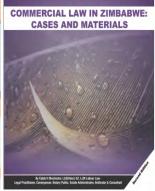
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CONSTITUTIONAL
GOURT RULES
OF ZIMBABWE











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