



# Women and Law in Southern Africa Zimbabwe

MAY 2021

## COMMUNITY'S HELPING HAND

*WLSA's newsletter on Legal Aid*



Legal Aid session in session in Kambuzuma

### WHO WE ARE:

Women and Law in Southern Africa Research and Education Trust (WLSA) Zimbabwe is the local chapter of the sub-regional network that was formed in 1989. Member countries comprise of Botswana, Lesotho, Malawi, Mozambique, Swaziland, Zambia and Zimbabwe. WLSA seeks to contribute to the sustained well-being of women and girls in Southern Africa through action-oriented research in the socio-legal field and advocating for women's rights. Here action-oriented research is intended to influence actions being taken to improve the socio-legal situations of women and girls. WLSA's work

incorporates action into research by questioning and challenging the law, instigating campaigns for changes in law and policies, educating women about their rights providing legal advice and sensitising communities and their leadership on issues of gender.

## Mobile Legal Aid

WLSA increases access to justice for vulnerable women and girls through legal advice, drafting of court papers and legal representation. The introduction of the toll-free and WhatsApp number in 2020 was effective under the national lockdown. It allowed survivors of GBV to access justice virtually.

Having realised that most vulnerable women are indigent and reside in hard to reach areas which makes it difficult to access justice the formal court system. WLSA invoked a strategy of bringing the law to the women through mobile legal aid clinics. This involves legal officers visiting women in their communities and offering them one on one legal aid services.



Legal Aid session on land laws conducted during Land Rights Training in Domboshava



Women consulting legal officers in Chiredzi on behalf of a friend



Tofarirepi Tore (right) after receiving judgement in her favour in a property sharing case through mobile legal aid in Murehwa

Year	Total	Females	Males
2018	7 169	5 321	1 848
2019	7 069	5 350	1719
2020	5 083	3 345	1 738
2021 (as of April)	5 876	4 975	901

### Legal Aid and Support Statistics

The mobile legal aid sessions assist women and men with a diversity in legal matters. Some of which include the following thematic areas

- gender based violence
- service delivery
- land rights
- child marriages
- children's rights
- SRHR issues

In 2018, 73% of cases handled were on domestic violence, property and inheritance, custody of children and divorce.. Among the services provided included drafting of court papers applications,

domestic violence legal counselling, representation, bail applications among others.

During 2019 , most common cases that came through mobile legal aid clinics were of sexual abuse, birth and death registration maintenance, upward variance for maintenance, states and domestic violence.

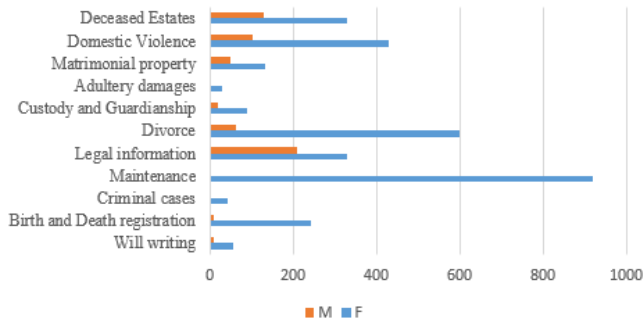
The year 2020 recorded an increase in domestic violence cases which was attributed to the national imposed lockdown. It was after the restrictions were relaxed that clients sought assistance on property sharing, deceased estates, divorce, maintenance and small claims matters.



Sessions in Chiredzi, Marondera and Makoni respectively

# 2021 status update

Distribution of legal aid cases



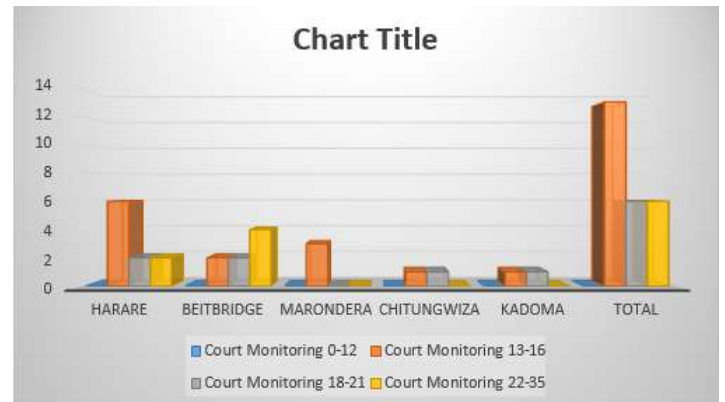
Distribution of legal aid cases as of April 2021

## Help Desk Sessions

The statistics showed that women were the majority of the clients who visited the courts mostly on domestic violence and maintenance. The most prevalent cases of domestic violence cases reported are on physical, economic and verbal abuse derived from issues of infidelity, poverty and jealousy to mention a few circumstances. The majority of applicants were able to obtain both the interim final protection orders ensuing protection from abuse as a warrant of arrest is attached on each order. With regards to maintenance claims the main causes relate to child neglect, economic abuse as well as divorce or separation of parents or care givers. Action taken by WLSA includes drafting summons, warrants of arrest, garnish orders, upward and downward variations.

## Court monitoring

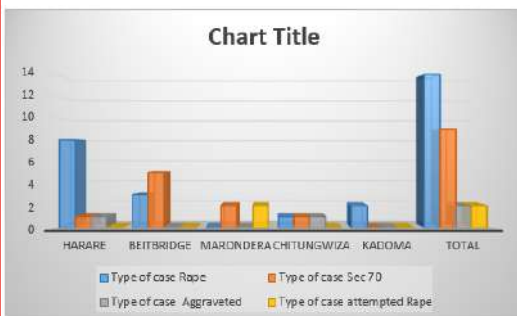
Chart Title



WLSA developed data collection tools to monitor and evaluate access to justice in the criminal courts. The tools developed were access to justice tool for monitoring trends of sexual violence cases, especially the time frame that they took to be concluded. WLSA conducts a sit in observation methodology for court monitoring. Court monitors are physically present in the courtroom on a regular basis. These individuals have received training in the criminal and civil justice processes, courtroom and monitoring goals. They monitor court appearances for cases identified by the monitoring tool (Sexual Offences cases). The regular presence of monitors reminds all justice system personnel, including magistrates, legal practitioners, clerks and administrative personnel, that they are accountable to the public and that the public is interested in what happens in the courtroom in cases of violence against women and girls

## Types of sexual offenses

Chart Title



The bar graph shows that Harare and Beitbridge have the highest number of sexual offences in the months of January and February 2021. The total number of sexual offences were 26. Of the recorded sexual offences Rape is mostly dominant in Harare. Harare has the highest number of rape cases that is: 8 out of the 10 reported cases, whilst in Beitbridge, cases to do with having sexual intercourse with a minor are prevalent of the 8 reported cases 5 of them fall under Section 70 of the Criminal Law Codification and Reform Act. Marondera recorded 2 cases of attempted rape and 2 cases of Sec 70. Chitungwiza has 3 cases and Kadoma recorded 2 cases of Rape.

It is with great concern that the sexual offences are mostly committed to children of the age group of 13 up to 16. Of the 26th cases reported in the months of January to February 2021 half (13) of those sexual offence cases were committed to the said group. Whilst between the ages of 18-35 we recorded 12 cases and only on case was recorded for the age group of 36 and above. During the court monitoring no cases on sexual offences committed to a minor child between the ages of 0 up to 9 years were recorded.

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