

What do I do when I have been summoned to a criminal Court?

Make sure you receive a copy of the summoning document and comply with its instructions. That means the date, time and the court. If you are not familiar with the court make sure you avail yourself at least 30 minutes earlier. Make sure you establish whether you are being summoned to court as a witness, complainant or the accused. If you are the accused person you can then get a lawyer or stand to represent yourself on the trial date.

What happens if I abscond?

You can be issued with a warrant of arrest, then the Police will be sent to arrest you and bring you to court until you give the court a good and reasonable reason why you could not attend the session

Do I Need to get a lawyer?

If you are the accused you have the option of hiring a lawyer or an advocate. If you are the complainant or witness there is no need since you are represented by the agent of the National Prosecuting Authority (NPA), prosecutor or legal Officer. Unless one wants to go via the route of private prosecution.

Is there any need to pay the prosecutor?

Since it is his job there is no need to pay any judicial officer (Magistrate, Prosecutor, Court Orderly, Court Interpreter) any money or give them any gifts. If any gifts or money are solicited this is corrupt behaviour and it can be reported to the nearest police station, ZACC or TIZ offices.

What to do upon your arrival?

Complainant/witnesses -Make sure you avail yourself to the prosecutor who may want to interview you and clarify some issues before the proceedings

Accused- Should also do the same if he/she is out of custody .The Zimbabwe Prison Services deal with it if he is in custody and avail him to court unless there is a mix up with names on records or the accused remained behind at prison because of some reason

Are the prosecutors or magistrates corrupt if the case doesn't take off as planned?

Some of the many reasons the case will not take off are:

- because one of the court officials is away and has provided a good reason to the court for his/her absence
- The accused might request for time to prepare his case or look for legal representation
- A witness may have not been located in good time

Is there always corruption if you meet the accused person out of jail?

The accused may have made an application for bail. And even after conviction the accused can make an application for bail pending appeal if he believes that he was wrongly convicted and he has prospects of success on appeal

How to conduct yourself in court?

When attending court one must always dress smartly. Shorts, t-shirts and other casual dressing are not permissible. Where practical, one must be in a tie and jacket for men. For women, decency is the key. Short skirts, skimpy tops and tight jeans are not permissible.

The gallery must also not act in an unruly manner or be noisy during proceedings.

What do I do if I do not agree with the courts finding?

There is a provision that allows for disgruntled accused persons to appeal to a higher court. If it is the complainant that is disgruntled he can appeal via the NPA

Does Transparency International Zimbabwe work with the Courts?

The courts are a key partner in the anti-corruption fight and thus TI Z does collaborate and partner with the courts in prosecuting and lobbying for speedy trials as well as providing capacity building and research to court officials.

TIZ is a research based organisation, its broad mandate is to fight corruption and related vices through networks of integrity in line with the Global Strategy. TIZ believes corruption can only be sufficiently tackled by all citizens including people at grass root level. TIZ does this through lobbying for anti-corruption policies and legislation, providing free legal aid services to victims and witnesses of corruption-related cases and advocacy.

For more information and Legal Advice



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