



## Conference Report

### Third Annual Women & Justice Conference: Sexual Violence Against Girls in Southern Africa

18-19 October, 2012, Cornell Law School, Ithaca, New York



Women & Law in  
Southern Africa -  
Zambia



Cornell University  
Law School

Avon Global Center  
for Women and Justice

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## **Overview**

The Third Annual Women & Justice Conference, *Sexual Violence Against Girls in Southern Africa*, was hosted by Cornell Law School's Avon Global Center for Women and Justice together with Women and Law in Southern Africa – Zambia and made possible by a grant from the Avon Foundation for Women. The conference was developed in further collaboration with Cornell Advocates for Human Rights; the Cornell Law School International Human Rights Clinic; the Cornell Law School Women's Law Coalition; the Dorothea S. Clarke Program in Feminist Jurisprudence at Cornell Law School; the Institute for African Development at Cornell University; the United States Embassy in Lusaka, Zambia; the University of Zambia School of Law, and Virtue Foundation. The Conference was held in Ithaca, New York, U.S.A., on October 18 and 19, 2012.

The topic of the conference developed from a study on sexual violence against girls in schools in Zambia conducted by the Avon Global Center, the Cornell Law School International Human Rights Clinic, and Women and Law in Southern Africa – Zambia. Cornell Law School faculty and students traveled to Zambia twice to interview government officials, school teachers and administrators, and schoolgirls in connection with a Report launched at the conference. Schools are one of many settings in which sexual violence may occur. Girls in southern Africa and throughout the world are raped, sexually abused, assaulted, and harassed by family members, peers, teachers, and strangers. These abuses cause serious physical and emotional injuries to young girls, discourage them from continuing their education, and reinforce discriminatory patterns in the family and society. Moreover, girls who are subjected to sexual violence often face multiple barriers to obtaining justice. The Conference examined these issues through several public events and a closed session judicial colloquium involving 15 judges from southern Africa and the United States, as well as scholars and members of civil society organizations.

## **Tompkins County Court Visit**

Hosted by Honorable Judge John Rowley, a judge for the County, Family, and Surrogate's Courts in Tompkins County, New York, this event provided visiting judges an opportunity to experience how a local justice system grapples with cases involving the abuse of a child. A panel including a defense attorney, attorney for the child, assistant district attorney, representative of the Sheriff's department, probation officer, and staff member of the Advocacy Center, which works with victims of child sexual abuse, discussed how different community actors work together with the court to ensure that these cases result in the best possible outcome for the child.



**Panelists:**

- **Honorable John C. Rowley**, Tompkins County Court Judge (*moderator*)
- **Daniel Cornell**, Tompkins County Probation Supervisor
- **Kevin Cowen**, Criminal Investigator, Tompkins County Sherriff's Department
- **Bill Furniss**, Defense Attorney
- **Louise Miller**, Director, Advocacy Center
- **Mari Townsend**, Attorney for Children
- **Penny VanSchoick**, Legal Unit Administrator, Tompkins County Department of Social Services
- **Gwen Wilkinson**, Tompkins County District Attorney

**Report Launch and Consultation: Sexual Violence Against Girls in Zambia's Schools**

At the opening event of the Conference, the Avon Global Center launched a new report, *"They Are Destroying Our Futures": Sexual Violence Against Girls in Zambia's Schools*, which it co-authored with Women and Law in Southern Africa – Zambia and the Cornell Law School International Human Rights Clinic. The launch event and Conference were introduced by **Stewart Schwab**, Allan R. Tessler Dean and Professor of Law at Cornell Law School and **Sital Kalantry**, Clinical Professor of Law and Faculty Director of the Avon Global Center for Women and Justice at Cornell Law School. A panel of experts then convened to discuss the Report's findings and recommendations.

The first portion of the event was connected by videoconference to a simultaneous panel event hosted by the United States Embassy in Lusaka, Zambia. U.S. Ambassador Mark C. Storella introduced the Zambian panel, which included Zambian government officials and representatives of civil society organizations. The participating representative from Zambia's Ministry of Education spoke, stating that the Ministry accepted the Report's findings and intended to redouble its efforts to combat this devastating human rights problem.

The panel consultations provided an opportunity for policy makers, judges, and other experts to discuss the report and strategies for addressing the concerns it raised.

**Panelists:**

- **Cynthia Grant Bowman**, Dorothea S. Clarke Professor of Law, Cornell Law School; Steering Committee, Avon Global Center for Women and Justice (*moderator*)



- **Elizabeth Brundige**, Executive Director of the Avon Global Center for Women and Justice and Visiting Assistant Clinical Professor, Cornell Law School
- **Hon. Gertrude Chawatama**, Judge, High Court of Zambia and Commissioner, Truth, Justice and Reconciliation Commission of Kenya
- **Hon. Virginia M. Kendall**, U.S. District Judge, U.S. District Court for the Northern District of Illinois

**Ms. Brundige** highlighted the Report’s findings, which were based on desk and field research conducted by the Avon Global Center, the Cornell Law School International Human Rights Clinic, and Women and Law in Southern Africa – Zambia. The Report revealed that adolescent girls in Zambia experience multiple forms of sexual violence at all levels of school and in multiple settings. Of the 105 schoolgirls that were interviewed as part of the study, 54% said that they had personally experienced sexual violence or harassment by a teacher, student, or man they encountered while travelling to or from school. 84% reported that they or their classmates had experienced such abuse.

More than half of the girls interviewed knew of teachers who had propositioned students for sex or a relationship. Some teachers held out the promise of money or good grades to lure students into sexual relationships. Several girls told stories about teachers who retaliated against them or their friends when the girls refused the teachers’ advances. Two-thirds of girls interviewed had experienced or knew of female classmates who had experienced sexual abuse or harassment by male students; nearly half had experienced such abuse themselves.

Ms. Brundige also discussed the negative impact that sexual violence has on girls’ health and education. Girls who experienced sexual violence had trouble concentrating in class, transferred to another school, fell pregnant, and, in the case of one interviewee’s cousin, died as a result of an unsafe abortion. Ms. Brundige explained that most cases of school-based sexual violence never come to light and that there is a lack of clear policies and procedures for reporting these abuses. Many school officials fail to recognize or respond effectively to harassment and violence, tending to caution perpetrators or transfer them to another school rather than terminating their employment.

Ms. Brundige noted that the Zambian government has undertaken several promising initiatives to address sexual violence in schools. For example, it has banned teachers from conducting private tutoring from home, passed an Anti-Gender Based Violence Act, and drafted a national child protection policy for schools. Ms. Brundige cautioned, however, that much more must be done to address this serious form of abuse.



The Report offered a number of recommendations to the Zambian government, aimed at supporting its important efforts to eliminate sexual violence in schools. These included:

- Prohibit all forms of sexual abuse in schools, including sexual harassment and dating relationships between teachers and students.
- Implement clear guidelines for schools on responding to sexual violence, including by instituting anonymous reporting mechanisms and terminating the employment of any teacher found to have sexually abused a student.
- Strengthen, adopt, and implement the National Child Protection Policy for Schools, which includes measures to protect children from abuse.
- Implement programs that educate students about sex, challenge harmful gender stereotypes, and empower them to report abuse.

Ms. Brundige closed by reiterating that sexual violence against girls is a devastating human rights problem. She noted that just one week before the conference, the United Nations launched the first International Day of the Girl Child, reminding the world community of the need to redouble its efforts to realize girls' human rights and protect them from all forms of violence, including sexual violence at school.

**Honorable Gertrude Chawatama** opened by expressing her appreciation for the Center's work and describing her reaction to first reading the Report – feeling captivated by the voices of the schoolgirls. She noted that most reports contain laws and the opinions of experts, but this Report was unique in that the authors took the time to interview children and listen to their views. She also appreciated that the interviewers made sure the children were afforded a safe space to share their experiences.

Hon. Chawatama stated that it is important to acknowledge from the outset the truth of the contents of the Report, that the findings are not an exaggeration, and that it offered valuable suggestions. She felt touched and moved by the testimonies of the children and what they had to go through: experiences that no child should be subjected to. At the same time, she was also glad to see that the government was taking significant steps to address the problem of sexual violence in schools and that the report offered recommendations to support their further efforts.

Hon. Chawatama noted that Southern Africans should do more to come together and talk about sexual violence against girls and possibly set up a commission to look into relevant studies and their recommendations. She stated that her sisters and brothers from various jurisdictions now here at



the Conference should find a way to set up implementation mechanisms so that studies like this one do not fall by the wayside.

Hon. Chawatama explained that the Report highlights the need for evaluation of educational and judicial performances in responding to sexual violence against school girls. She noted that even when sexual violence incidents are reported to the headmaster, the administration, the police, or the court, additional human rights violations too often take place at this reporting stage. Hon. Chawatama stated that the Report demonstrates how vital each role (of police, teacher, judge) is and how each person affects the child who has suffered the abuse.

Hon. Chawatama concluded by explaining that she will continue this discussion in her courtroom and among members of the judiciary in her country.

**Honorable Virginia Kendall** began by agreeing with her “sister across the ocean”, Hon. Chawatama, that this was a very valuable Report. She continued by discussing some of the relevant policies, procedures, and training being implemented in the United States. She noted, however, that especially in cases involving children, lack of appropriate interview space for the victims and lack of ability to remove the child to a safe place to learn the facts result in statements that are contradictory and thus cast doubt on the credibility of the child witness. As a result, judges are put in a difficult position because they have conflicting statements of the attack. Hon. Kendall pointed out that in Zambia, medical evidence is often unavailable, and statements may be all that can be presented. She noted that the victim’s story may also be affected by public corruption and that we cannot protect women and children with corrupt public authority. She pointed out that public corruption is common across all states – it is a crime of coercion, manipulation, and control.

**Professor Cynthia Bowman** moderated the discussion among participants and the audience, first pointing out that the girls interviewed in Zambia were courageous individuals who broke a taboo by answering questions about topics that often are simply not talked about and that we owe them a debt of gratitude for doing so.

Professor Bowman began by asking Hon. Chawatama what she has found to be the greatest challenge, as a judge, in ensuring justice is done in cases of sexual violence and what she suggests could be done to address that challenge.

Hon. Chawatama offered several examples, such as the inadequate responses of the justice system, the family, the police, the education system, and society. She noted that there are real challenges within the justice system. Victims of sexual violence do not have confidence in the courts and do



not believe that justice will be done. Courts are not specifically designed for children, and magistrates typically lack specific training on how to work with child victims and witnesses. Children often must testify opposite the accused person, without screens or any other protective courtroom innovations. Other challenges include the difference in the language used by children and adults, and poor investigations leading to acquittal.

Hon. Chawatama offered suggestions for how to overcome these challenges, which included:

- Establishing child friendly courts.
- Ensuring that adjudicators, interpreters, social welfare officers, and prosecutors have the skills necessary to handle cases involving sexual violence against children.
- Enabling courts to exercise discretion and implement procedural changes to protect witnesses.
- Providing sufficient victim support.
- Ensuring that children have an understanding of court processes.
- Developing ground rules for lawyers.
- Prioritizing the best interest of the child-victim.
- Considering the issue of remedies and the question of what is the best redress for victims.
- Improving the speed of the justice and recovery process.

Professor Bowman continued the discussion by asking Hon. Kendall for her suggestions for improving in the way issues of sexual violence against children have been handled in court.

Hon. Kendall pointed out that computer technology and rape kit testing are very important improvements that need to be made, but the most significant issue is changing the archaic understanding of sexual violence – that sexual violence is not a crime and that victims are to blame for the abuse they experienced. She stressed that until this understanding is tackled, there can be no improvements in other areas such as reporting the crime and aiding the victim.

Hon. Kendall also discussed the varied perspectives of the players in the judicial process. Having served as a federal prosecutor for 10 years and a judge for 7, Hon. Kendall highlighted some of the differences between the two roles. For a prosecutor, the client is the people of the county, but it cannot be forgotten that there is a live victim who must be protected. Prosecutors must make decisions about whether their actions are helping or harming the victim, and in cases of sexual violence against children, the answer to this question is not black and white. She noted that it is a major challenge to balance the best interests of the public, the victim, and the justice system. A



prosecutor must convince the court beyond a reasonable doubt that the accused is guilty of a crime. As a judge, however, one must put all passion aside and ensure that accused persons have a chance to defend themselves.

Hon. Kendall stressed that one of the most important areas for improvement is in the development of victim advocacy centers that help to address sexual violence immediately after it has occurred. Children should be interviewed by a specialist, who may or may not be a doctor, as social workers may be better equipped to handle the trauma of the victim. Children should be interviewed in a safe setting in which they feel comfortable. One example is the use of hidden video to develop a case, so that victims are not subject to reliving the trauma unnecessarily in subsequent interviews.

The panel discussion closed with questions from the audience.

### **Discussion with Law Students: Addressing Gender Justice, Views from the Bench**

**Judge Barbara Rothstein** of the U.S. District Court for the District of Washington moderated a conversation among the visiting jurists and Cornell Law students on advancing gender justice through the courts. This discussion aimed to facilitate an informal conversation among judges and students about the role and experiences of judges in addressing sexual abuse and other forms of gender violence.

The judge-participants began the conversation by considering the roles that judges play within society, including as adjudicator, teacher, and manager of active dockets. Many case examples were presented, bringing real-life context to legal and judicial processes. One participant described the role of judges in advancing justice and expressed frustration over the limitless obstacles that inhibit the realization of justice in many cases.

The conversation touched on several issues specific to cases involving child victims of sexual abuse, including judges' duty to protect vulnerable witnesses. Participants noted that in some cases involving child victims of abuse, the child's parents present a barrier to redress, because they participated in the abuse or seek monetary compensation rather than justice for their child.

Jurists also noted that the requirement of corroboration in sexual abuse cases creates a particularly difficult standard of evidence, and courts are progressively moving away from laws requiring corroboration. One judge explained that in Zimbabwe, courts have looked to other jurisdictions for guidance on this issue and no longer requires corroboration in sexual abuse cases. Another said that some jurisdictions still require corroboration and noted that this requirement fails to



appreciate the circumstances surrounding sexual abuse cases and the psychology of abused victims. She argued that judges need to be trained to recognize that the truthfulness of an individual who describes sexual assault in different ways should not be automatically doubted, and that in some instances explaining assault differently may actually be a sign of credibility.

Participants briefly discussed the failure of school systems in protecting girls from abuse. Across jurisdictions, headmasters place more of an interest in preserving the reputation of the school than in protecting the interest of a child. As a result, cases of abuse are not reported, and teachers may be simply moved to another school. One recommendation for addressing this problem was to institute mandatory reporting statutes, with those who fail to report subject to a felony charge. A student-participant emphasized that mandatory reporting requirements send a message: "If you have any duty of care for a child, you must report or you can go to prison."

### **Keynote Address: Denial of a Right to a Life Free of Violence for Girl Children**

**Professor Rashida Manjoo**, UN Special Rapporteur on Violence against Women, its Causes and Consequences, presented her keynote speech, *The Denial of the Right to a Life Free of Violence for Girl Children*, which brought about a discussion of the legal, cultural, and socioeconomic causes of sexual violence against girls and the obstacles that its victims face to obtaining redress.

In her fourth year as a UN Special Rapporteur, Professor Manjoo has a mandate that recognizes violence against women and girls as a form of discrimination on a global scale. Her mandate examines how States have or have not protected the rights of women and girls in accordance with international standards.

Article 19 of the Convention on the Rights of the Child comprehensively enumerates the rights of the child and the duties of the state. No violence against children is justifiable, and all violence against children is preventable. The Committee on the Rights of the Child, responsible for monitoring state implementation of the Convention, also recognizes the gendered aspects of violence against children and the often disproportionate impact on girls and their futures.

Professor Manjoo emphasized that the State is the primary source of protection and remedies for girls and women. She identified several spheres in which violence against girls and women takes place: the family, schools, alternative institutions, places where children work, and communities. She also noted that sexual violence remains pervasive and unfortunately hidden. Girls are at a higher risk of being abused in the family circle. Such abuse is surrounded by shame secrecy and denial. Girls experience sexual violence at almost double the rate experienced by boys.



Explaining how the community can operate as a site of violence, Professor Manjoo noted that young girls may be exposed to abuse during the commission of domestic tasks or walking to school. Girls are more likely to be out of school than boys. Sexual violence in the schools themselves is high, leading to high rates of absenteeism and dropouts. Sexual and physical forms of violence exist in schools and are mainly perpetrated against girls by male staff and students. There are also socio-economic realities that lead to girls being exploited by taxi drivers as they are driven to school. In addition, where the State is failing in its obligations to build adequate schools that are close to girls' communities, boarding schools become sites for isolation and sexual violence. She noted that the new report by Cornell's Avon Global Center and Women and Law in Southern Africa documents the types of violence against girls that take place in the education system.

Professor Manjoo discussed how sexual violence operates to control the sexuality of girls. 100 to 150 million girls are estimated to have undergone some form of genital mutilation or cutting. Girls are still married very young, often due to socio-economic realities where marriages are used as protective measures. Cases of forced marriage often involve more extreme forms of persuasion such as "bride kidnapping," rape, coercion, and other forms of torture. A bride kidnapping happens when a group of men captures a girl and takes her to the home of the intended groom where the female members of the household use physical and psychological abuse to coerce her to marry.

Professor Manjoo also addressed the practice of defending gender violence on the basis of culture. She noted that despite traditions and the importance of cultural integrity, there can be no justification on the basis of culture where a woman's bodily integrity and right to choose is violated. She also discussed "son preference," which may manifest itself through discrimination or neglect towards girls. Such preferences can cause gender ratio imbalance.

The State often passively condones or actively perpetrates violence against children and women. In custodial situations, women and girls face multiple forms of sexual humiliation and physical abuse. Incarcerated women Professor Manjoo has interviewed have gone through court proceedings without adequate legal representation. Further, she noted that geographical isolation and restrictions on visitation are forms of abuse in and of themselves.

As Professor Manjoo explained, armed conflicts exacerbate the risk of violence for children and girls in particular. The changing nature of armed conflict has meant that children are becoming prime targets for recruitment as spies or child soldiers. They are also targeted for attacks in schools. In addition, female refugees, who have fled from armed conflict or persecution, as well as other immigrant women, are particularly vulnerable to gender-based violence.



In general, girls do not have the same standing as their male peers. Gender inequalities occur in schools and in assigned roles in the family and community, where men and boys dominate the decision-making. Women lack power to fully exercise their sexual and reproductive rights. Professor Manjoo noted that girl children may be blamed for abuse they experience, facing stigmatization if they step forward. Others may suffer from STDs, exposure to HIV, and unwanted pregnancies as a result of being abused.

She also discussed traditional practices and norms that perpetuate gender violence and discrimination. International human rights law recognizes a woman's right to choose who and when she marries, but in some countries, unequal laws of consent exist for boys and girls, thus reinforcing the idea that it is acceptable for girls to marry at a younger age than boys. The stigma of sexual abuse or rape may encourage early or forced marriages. Forced marriages can also be used as punishment. In addition, the high cost of raising children leads to girls being pushed out of their home and into marriages. Early childbearing leads to health problems and a higher risk of death. Girls are twice as likely to die in childbirth as women in their 20s.

Professor Manjoo spoke of states' obligations to act with due diligence to protect girls from gender-based violence and provide effective remedies to girls who have been subjected to it. She advocates a holistic and fully coordinated approach to addressing such violence. Globally, most children are not fully protected from all forms of violence. In countries where there has been legal reform, legislation needs to permeate institutions responsible for aiding and working with children. Enforcing legislation remains an enormous problem worldwide. For example, in some countries, many families are unaware that early marriages are illegal. In the judicial sector, under-reporting of cases remains extensive. The application of customary laws and practices may also lead to violations of women and girls' rights. Victims' families often opt for traditional methods of restitution instead of seeking redress through the judicial system.

### **Judicial Colloquium**

On the second day of the Conference, the Center hosted an in-depth, closed-session judicial colloquium that considered the role of judges in combating sexual violence against girls in southern Africa. Nine judges and magistrates from southern Africa, joined by six federal and state court judges from the United States, examined this issue in depth, drawing on their experiences and insights as adjudicators.

Discussion topics included, among others:



- Laws and their interpretation.
- Courtroom procedures and rules of evidence.
- Judicial initiatives outside of the courtroom that advance justice for child survivors of domestic violence.

Through the colloquium, jurists had the opportunity to share cases, strategies, and solutions from their respective jurisdictions and to obtain new ideas for addressing child sex abuse. Participants provided a number of examples of ways that judges can help to educate members of the public and improve access to justice for child victims of sexual abuse. Recommendations included:

- Visiting family and children community centers.
- Meeting with nurses, doctors, and other specialists who may have to testify in court.
- Inviting school classes to view court proceedings.
- Talking to victims' advocates to explain the rules regarding children and how to avoid prejudicing the victims.
- Visiting forensic labs to prevent delays.
- Providing law enforcement officials with view-from-the-bench training explaining a judge's expectations regarding testimony and other forms of evidence.
- Relying on the media to publicize trainings and provide information about child abuse.

Participants undertook to bring back to their home jurisdictions the insights and strategies that had been exchanged over the course of the colloquium. They also agreed to remain in touch and continue to provide information and support to each other in their shared efforts to combat sexual violence against girls.

## **Conclusion**

By bringing together judges and other stakeholders from southern Africa and the United States, the conference facilitated an important transnational dialogue about strategies for addressing the sexual abuse of girls. As participants shared ideas and best practices, their conversations illustrated the importance of working together across borders and sectors to combat this devastating form of gender-based violence that affects girls throughout the world.

The Center's new Report, *"They Are Destroying Our Futures": Sexual Violence Against Girls in Zambia's Schools*, which was released at the Conference, received significant media coverage in the



United States and Zambia. It was well-received by the judges and government officials who participated in the launch events, held simultaneously at Cornell Law School in the United States and at the U.S. Embassy in Lusaka, Zambia.

The Center thanks all conference participants for an extremely valuable exchange of information, energy, and ideas.

For more information about this Conference, including the Conference Report, a complete program, speaker biographies, press coverage, and a bibliography of resources for further reading recommended by conference participants, please visit:

<http://www.lawschool.cornell.edu/womenandjustice/Conferences-and-Events/2012-Conference.cfm>



## **Appendix: Conference Speakers and Judicial Colloquium Participants**

- **Cynthia Grant Bowman**, Dorothea S. Clarke Professor of Law, Cornell Law School
- **Elizabeth Brundige**, Executive Director, Avon Global Center for Women and Justice and Visiting Assistant Professor of Law, Cornell Law School
- **Hon. Gertrude Chawatama**, Judge, High Court of Zambia; Commissioner, Truth, Justice and Reconciliation of Zambia
- **Hon. Esme J. Chombo**, Justice, High Court of Malawi
- **Matrine Chuulu**, Regional Coordinator, Women and Law in Southern Africa
- **Hon. Mumcy Dlamini**, High Court of Swaziland
- **Hon. Mel Flanagan**, Judge, Milwaukee County Circuit Court, Wisconsin
- **Hon. Ellen Gesmer**, Justice, Supreme Court, New York County, New York
- **Barbara J. Holden-Smith**, Vice Dean and Professor of Law, Cornell Law School
- **Sital Kalantry**, Clinical Professor of Law and Faculty Director of the Avon Global Center for Women and Justice, Cornell Law School
- **Hon. Virginia Kendall**, U.S. District Judge, U.S. District Court for the Northern District of Illinois
- **Rashida Manjoo**, UN Special Rapporteur on Violence against Women, its Causes and Consequences and Professor, Department of Public Law, University of Cape Town
- **Winta Menghis**, Program Officer for Africa, International Association of Women Judges
- **Chiseche Salome Mibenge**, Professor, Department of Political Science, Lehman College, CUNY
- **Hon. Gugu Mokgoro**, Senior Resident Magistrate, Maseru Magistrate Court, Lesotho
- **Hon. Esther Muremba**, Senior Resident Magistrate, Zimbabwe
- **Muna Ndulo**, Professor of Law, Cornell Law School; Director of the Institute for African Development
- **Hon. Sharon Kaunda Nawa**, Deputy Registrar, Commercial Court, Zambia
- **Robin Phillips**, Executive Director, The Advocates for Human Rights
- **Mary Quinn**, Senior Manager of Operations, Avon Foundation for Women
- **Hon. Ronald Reinstein**, Judge, Superior Court of Arizona (Retired); Judicial Consultant, Arizona Supreme Court
- **Hon. Barbara J. Rothstein**, Senior U.S. District Judge, U.S. District Court for the Western District of Washington
- **Hon. John Rowley**, Judge, Integrated Domestic Violence Court, Tompkins County, New York
- **Stewart Schwab**, Allan R. Tessler Dean and Professor of Law, Cornell Law School
- **Hon. Taboka Slave**, Chief Magistrate, Broadhurst Magistrate Court, Botswana
- **Hon. Sabrina Sonnenberg**, Regional Magistrate, South Africa
- **Hon. Tendai Phanuel Uchena**, Justice, High Court of Zimbabwe