



**Case Alert**  
**26 January 2023**

## **CORNERED ZRP PLEADS WITH TORTURE VICTIM TO STAY WAGE GARNISHMENT OVER DELINQUENCIES**

THE **ZIMBABWE Republic Police** (ZRP) has pleaded with a torture victim by asking his lawyers to stop processes meant to garnish money from the monthly salary of a law enforcement agent as a form of punishment for his misdemeanours after he severely assaulted a Chitungwiza resident, for allegedly violating curfew regulations.

**Tinashe Chinopfukutwa** of **Zimbabwe Lawyers for Human Rights** (ZLHR) in 2022 wrote a letter to ZRP Commissioner-General **Godwin Matanga** notifying him of his intention to apply in court for a garnishee order against the ZRP officer only identified as **Chafunga** and who is stationed at St Marys Police Station in Chitungwiza.

Chinopfukutwa wants the court to order the Salary Services Bureau, which processes government employees' salaries, to garnish and deduct money from the monthly salary of Chafunga and to be channelled to offset a debt which he owes to **Ednock Dube**, a Chitungwiza resident.

Chafunga together with Matanga and Home Affairs and Cultural Heritage Minister Hon. **Kazembe Kazembe** were on 16 September 2022 ordered by Chitungwiza Magistrate **Sheunesu Matova** to pay ZWL400 000 in damages to Dube after holding them liable for the violation of the Chitungwiza resident's fundamental rights.

The 46 year-old Dube sued Chafunga, Matanga and **Kazembe** in April 2021 for compensation for pain and suffering and embarrassment and humiliation after he was subjected to unlawful assault, torture and inhumane and degrading treatment at the hands of some ZRP officers who included Chafunga.

Dube had been arrested by ZRP officers on 25 February 2021 while on his way home from work for allegedly violating the curfew regulations imposed by government in 2020 in a bid to stop the unnecessary movement of people and to curb the spread of coronavirus. He was taken to St Mary's Police Station, where he was detained in the police cells while Chafunga handcuffed him to a pole and assaulted him with a truncheon on his head and hands.

As a result of the assault, Dube ended up nursing a fractured finger and sustained injuries to his eye and thereby limiting his eyesight.

He was then assisted by Chinopfukutwa of ZLHR and successfully sued Hon. Kazembe, Matanga and Chafunga for damages at Chitungwiza Civil Magistrates Court.



Now, in a letter addressed to Chinopfukutwa, a ZRP legal officer only identified at **E Hunyanyiwa**, recently begged Dube to halt filing of an application in court to obtain a garnish order authorising the SSB to deduct money from Chafunga's salary to satisfy payment of an outstanding debt emanating from the misdemeanours of the law enforcement agent.

Hunyanyiwa assured Chinopfukutwa that ZRP has initiated processes, which should lead to the full and final settlement to the ZWL400 000 debt and is currently awaiting to obtain "Treasury concurrence" from the Ministry of Finance and Economic Development, which should bring the matter to finality.

**ENDS**

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