

IN THE HIGH COURT OF ZIMBABWE

CASE NO. HC

HELD AT BULAWAYO

In the matter between:

Women of Zimbabwe Arise Trust

Applicant

And

The Officer in charge C.I.D Law and Order

1st Respondent

And

The Officer Commanding C.I.D Law and Order Chief
Superintendent P.R Moyo

2nd Respondent

And

The Commissioner General of the Zimbabwe Republic
Police

3rd Respondent

FOUNDING AFFIDAVIT

- I, the undersigned Jennifer Williams do hereby make oath and state as follows:
1. I am a Trustee of the Applicant herein and our address of service is c/o our legal practitioners of record. I am authorised to depose hereto by virtue of Annexure A.
 2. The 1st Respondent is the officer in charge of the C.I.D Law and Order based at Central Police Station Fife Street/ Leopold Takawira Avenue, Bulawayo.

2. The 1st Respondent is the officer in charge of the C.I.D Law and Order based at Central Police Station Fife Street/ Leopold Takawira Avenue, Bulawayo.
3. The 2nd Respondent is the officer Commanding C.I.D Law and Order Chief Superintendent P.R Moyo based at Cabs Building, Jason Moyo Street Leopold Takawira Avenue, Bulawayo.
4. The 3rd Respondent is The Commissioner General of the Zimbabwe Republic Police whose address of service is c/o Police General Headquarters, Harare.
5. The Applicant is a lessee of a residential property known as Number 33A Clark Road, Suburbs, Bulawayo. (see Annexure B). The lease expired on the 31st of May 2011 and is now being renewed on a month by month basis. The Applicant uses the property as its offices.
6. On Friday the 10th of June 2011 we were having a meeting at the aforesaid property in which we were discussing the electricity predicament bedeviling the whole nation more particularly the incessant load - shedding coupled with the inexplicable and exorbitant electricity bills. This was with a view to petitioning Parliament to look into the matter and come up with meaningful redress.
7. Whilst still in the middle of deliberations officers from mainly the C.I.D Law and Order Section menacingly descended upon the house disrupted the meeting and had everyone scurrying for cover. They however did not explain the purpose of their raid but searched the place without even exhibiting a search warrant to anyone.
8. When we summoned our legal practitioners of record to the house the police blatantly chased them away and bluntly refused to entertain them. The disturbing thing now is that they have since taken occupation of the house and have maintained a 24 hour vigil at the place. They did not explain to anyone why they have literally taken over the house.
9. I understood from our legal practitioners later on that the 1st Respondent indicated they intended searching the house for subversive material. This is however astounding as they indeed did search the house when they raided it on the 10th of June 2011. What further searches they want to carry out baffles logic as it seems to be just a ploy to inconvenience us.
10. Having been in occupation of the house since Friday the 10th of June 2011 and having conducted the search in the absence of us and our legal practitioners whom they chased away we are apprehensive the police would by now have tempered with the house and probably planted incriminating evidence in a bid to trump up charges against us. Otherwise why did they chase away our lawyers if what they intended doing was a genuine search that was above board.

11. We are now concerned that we have been deprived of enjoyment of full occupation and possession of the house that we have hitherto been occupying lawfully and undisturbed. We seek the assistance of this Honourable Court to restore us back to full occupation of the house. We thus seek an order directing the Respondents to remove all police officers from the house and the yard outside with immediate effect and that the police should not remove anything whatsoever from the house.

WHEREFORE I pray for an order in terms of the attached Draft.

THUS SWORN TO AT BULAWAYO THIS

14th

DAY OF JUNE 2011

JENNIFER WILLIAMS

Before me:



COMMISSIONER OF OATHS

THAMSAHQA KHUBWANE LEGAL PRACTICE
LEGAL PRACTICE
COMMISSIONER DE GRADUS