



African Philanthropy Network  
THE VOICE AND ACTION FOR AFRICAN PHILANTHROPY



# Voice of the Women Lawyers in Zimbabwe on their Responses to the Impact of COVID 19 Pandemic to the Marginalized Groups



## **1. About Legal Resources Foundation**

Africa Philanthropy Network (APN) and the Legal Resources Foundation conducted a focus group discussion (FGD) with female lawyers from Masvingo province. The Legal Resources Foundation (LRF) is a private voluntary organization (PVO) registered in 1984 in Zimbabwe. It is the largest law-based non-profit organization in Zimbabwe. Its mission is to improve access to justice and to promote human rights in Zimbabwe. The Legal Resources Foundation works to improve access to justice for ordinary marginalized Zimbabweans. The Legal Resources Foundation (LRF) works to improve access to justice and promote human rights in Zimbabwe. The organization believes facilitating access to the legal system can advance human rights in Zimbabwe. LRF works in children's rights, disability, women's rights, education, and human rights.

The LRF works with disadvantaged groups, particularly women, marginalized communities, ethnic and linguistic minority groups, and children, empowering them through providing information and legal advice. The Foundation also works with state institutions and independent commissions to strengthen the justice system, building the capacities of officials responsible for administering justice. Most of the organization's activities are rural-centric as the country's larger population lives in rural areas and has limited access to legal services.

The APN collaborated with LRF, one of its members in conducting the FGD held on the 15<sup>th</sup> July 2022 by the Legal Resources Foundation in Masvingo Province. The collaboration has the potential of establishing a long-term engagement in advocating for issues affecting CSOs enabling environment in Zimbabwe. This event provided an opportunity to hear from women lawyers on how they responded to COVID 19 pandemic and its related policies.

## **2. Background Situation**

The FGD was conducted to assess the implications of the Covid-19 pandemic on the work of female lawyers in Zimbabwe, in particular looking at female lawyers from Masvingo Province. The FGD was organized by Zimbabwe Legal Resources Foundation (LRF) with the support of APN.

The COVID-19 pandemic first confirmed cases in Zimbabwe in March 2020. Then the Government of Zimbabwe declared the COVID-19 pandemic a national disaster in terms of the Constitution of Zimbabwe. This resulted in the introduction of statutory instrument Number 183 of 2020, which introduced a curtailment of certain freedoms to combat the spread of COVID-19. As a result of lockdown and restricted movements to combat the spread of the disease, the whole administration of justice and normal court functions were also affected.

However, even before the COVID-19 regulations and the associated restrictions, access to justice among the marginalized members of society, especially women due to limited awareness and knowledge. The introduction of restrictions following the COVID 19 pandemic, meant that non-essential services such as the work of lawyers were curtailed except in cases such as bail and urgent court applications. There was limited activity at the courts, and the police force concentrated more on supervising the observance of COVID-19 regulations at the expense of other work. This resulted into increased costs such as legal assistance fees, court fees, and transport costs.

### 3. The Objectives of the FGD

The purpose of the FGD was to reveal how women lawyers in Zimbabwe engaged in formulating and adopting policies and regulations set by the state to address challenges brought by COVID-19, and what strategies did they use that can be adopted in ensuring adequate support to the marginalized and vulnerable groups in dealing with similar pandemics in future. The objectives of the FGD included the following:

- a. To share experiences and gain knowledge on how the COVID-19 pandemic and policies put in place by the Zimbabwean Government impacted women and women lawyers.
- b. To document strategies, tools, and practices adopted by Zimbabwe women lawyers in responding to the pandemic.
- c. To identify concrete actions towards building resilience for dealing with similar future pandemics.

The agenda of the FGD is presented in Annex 1.

### 4. The Participants

The FGD was attended by 13 female lawyers (see participants list in Annex 2), who are members of the LRF. The participants were drawn from various sectors, including the government, civil society, and legal. Specifically, it brought together lawyers from the National Prosecuting Authority, Legal Aid Directorate, and Attorney General's Office, Civil society- Zimbabwe Women's Lawyers Association, and private legal practices working with advocate firms. The FGD was facilitated by Ms.Lyn Manyika, a senior female lawyer with her Legal practice, a former Provincial Magistrate, and a lecturer from Great Zimbabwe University Law School.



### 5. Participants expectations

When asked what do they expect from participating to the FGD, participant's raised expectations were clustered into the following groups:

- The participants expected to share real-life experiences with female lawyers and how they navigated the coming of the COVID-19 pandemic.
- The participants wanted to share how they handled and survived after COVID-19 was officially declared a national disaster by the government of Zimbabwe.

- They also wanted to appreciate how they are positioning for another major pandemic to come into play. The participants also wanted strategies for dealing with the pandemic.
- They wanted to know the work of APNs with LRF and their role in the women's movement.

## 6. The Discussion

Analysis of the discussion on questions raised can be summarized as follows:

<p>What was the situation before the Covid-19 pandemic?</p>	<ul style="list-style-type: none"> <li>• The participants indicated that it was already a challenge being a female lawyer, especially competing with male lawyers.</li> <li>- Most clients are males and are reluctant to approach female lawyers for assistance.</li> <li>- Male lawyers have an advantage over female lawyers because female lawyers are caregivers at home.</li> <li>- Male lawyers have time to socialize, which creates more business for them from social scenes.</li> <li>- Female lawyers have to balance family and work life. The legal field is male-dominated, and people are reluctant to approach female lawyers.</li> <li>• Zimbabwe is facing an economic and political crisis; hence it was already a challenge surviving and practicing as a female lawyer.</li> <li>• The participants from NPA indicated that they were already facing case backlogs before the Covid-19 pandemic; thus, the situation only worsened, especially for female victims of sexual and gender-based violence.</li> </ul>
<p>What was the situation after the emergence of Covid-19, looking at the measures introduced by the Government of Zimbabwe?</p>	<ul style="list-style-type: none"> <li>• Court cases were constrained as only bail applications were entertained in court. Usually, in criminal cases, male lawyers have an advantage over female lawyers as most clients are males and reluctant to approach female lawyers. The Judicial Service Commission introduced a practice directive that suspends all normal court processes.</li> <li>• When the laws related to COVID-19, particularly statutory instrument 183 of 2020, were promulgated, the government made no consultations. Thus, legal aid ended up not being considered an essential service. It was only after a High Court challenge by the Young Lawyers Association of Zimbabwe that lawyers were regarded as essential workers. However, the security forces and police were still presenting challenges at roadblocks for female lawyers not accepting practice certificates as proof of basic services.</li> <li>• Because of COVID 19, especially after the emergence of the Delta variant, relatives got sick and female lawyers were looked upon as primary caregivers putting themselves at risk and preventing them from looking for a livelihood and competing effectively with male lawyers.</li> <li>• Covid-19 increased male dominance in the legal field as the court entertained only urgent criminal cases.</li> <li>• Female lawyers in the Non-Profit sector also faced challenges as NGOs suspended activities, and donors were unwilling to part with money with people working from home. It is a game of numbers and targets, which could not meet due to the nature of working from home.</li> <li>• Working from home was a challenge for female lawyers who were also mothers. It was difficult for female lawyers who are mothers to work from home with their children present.</li> <li>• Distance culture of working also compromised the quality of work, as</li> </ul>

	<p>physical consultation was not there.</p> <ul style="list-style-type: none"> <li>• The female lawyers from private practice also complained that COVID 19 compromised their mental well-being, and their bosses did not want to discuss issues related to mental health.</li> <li>• For Lawyers from the National Prosecuting Authority, COVID 19 created a massive backlog after cases were suspended, thus creating more pressure on them after resuming normal activities.</li> </ul>
How female lawyers coped through the peak of the Covid-19 pandemic?	<p>The female lawyers had to develop coping mechanisms, especially during the peak of the COVID 19 pandemic. Some female lawyers in private practice resorted to touting for business which is not allowed by the Law Society of Zimbabwe, the regulatory authority. Lawyers in Non-Profit organizations had to engage the Provincial magistrate's office to let some cases be heard to meet their set targets. The female lawyers in private practice had to increase networking with Zimbabwe prisons and Police to refer clients to the female lawyers whenever cases arose. One female lawyer from private practice indicated that she had to resort to the business of buying and selling other goods for their survival.</p>
What strategies can be deployed to ensure that female lawyers provide legal support that is responsive to the needs of the marginalized and vulnerable in future?	<ul style="list-style-type: none"> <li>• The Female lawyers pledged to participate more in public speaking events and radio programs to become well known within the communities and gain more mileage in business.</li> <li>• One committed to writing articles in newspapers and other forums to market herself and engage the public. All participants agreed to save during times of abundance and improve their budgeting. They also pledged to enhance networking strategies to improve their sources of business.</li> <li>• One senior female lawyer Grace Bwanya pledged to support initiatives establishing mental wellness facilities for female lawyers. Already she has engaged her boss Mr. Chihambakwe who will lead all female lawyers in Masvingo for training on proper business practices.</li> <li>• There was also a call from the government lawyers regarding the need to train public officers on appropriate procedures during pandemics.</li> <li>• All the participants agreed that there was a need to create platforms for female lawyers only to discuss issues affecting them directly.</li> </ul>

## 7. Recommendations

The meeting was a success as the participants recommended practical solutions to challenges faced by female lawyers. For example,

- a. LRF to revive the WhatsApp group for Masvingo female lawyers and discuss issues that are helpful to them.
- b. The meeting provided a platform for female lawyers to discuss the problems which affect them in their work and their impact on society. Such arrangements were encouraged as they provide a space for women legal professional to reflect on how they can overcome work related challenges.
- c. There was also a need to discuss issues related to mental health well-being because of the difficulties presented by COVID-19.

