



ZIMBABWE EZEKIEL GUTI UNIVERSITY

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FACULTY OF LAW, BUSINESS INTELLIGENCE & ECONOMICS

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DEPARTMENT OF LAW & LEGAL SERVICES

EXAMINATION PAPER

MODULE CODE : LLB513

MODULE TITLE : CLINICAL AND PRACTICAL SKILLS TRAINING

DURATION : 3 HRS

LEVEL : 5.2

DATE :

24 SEP 2024

**INSTRUCTIONS TO CANDIDATES:**

1. Answer ALL questions.
2. You may take into the examination room the following:-
  - 2.1. Constitution of Zimbabwe Amendment (No. 20) Act of 2013
  - 2.2. High Court Rules, 2021 (SI 202 OF 2021)
  - 2.3. Constitutional Court Rules, 2016 (SI 61 of 2016)
  - 2.4. Matrimonial Causes Act [Chapter 5:13]

**NB The above must not be annotated in any way.**

### Question 1

Describe the five main components of a Consultation paper and briefly explain the essence of each of them.

**[10 Marks]**

### Question 2

Munyaradzi Shuhwa is a former Police Officer who was discharged from service on account of mental health. He was married to Tryfine Mhere and were blessed with three children (all girls) namely Alma, aged 14 years, Quinisella, aged 10 years and Rutendo, aged 2 years. Tryfine was carrying her fourth pregnancy had a heated argument with her husband as her husband accused her of infidelity arguing that he is important and disputes paternity not only of the three girls but also of the unborn child. As a result of the argument, Munyaradzi bashes his wife who succumbed after losing the unborn baby. During the funeral wake, the three young girls are left in the custody of Samantha, young sister to Tryfine for consolation and comfort. Barely two weeks after Tryfine is laid to rest, Munyaradzi approaches you seeking custody of the three minor girls. Identify the document(s) necessary to give effect to Munyaradzi's desire and draft the same.

**[20 Marks]**

### Question 3

Beatrice Ndlovu is a 20 year old maid whose neighbor is Muchanyara Katsande a mother of a 10 year old Naboth Katsande. For reasons not clear to Beatrice, Muchanyara files a report of Aggravated Indecent Assault against her, accusing her of enticing Naboth to have sexual intercourse with her. Muchanyara reports that Naboth has developed rash on and around his genitalia and is always scratching.

Muchanyara takes Naboth to the local Clinic and then to the Police where a report is filed against Beatrice. Beatrice is arraigned in court and during the proceedings, Naboth gives evidence at gross variance with that of Muchanyara and he is inconsistent in his own testimony, bringing into the fore another possible culprit by the name Betty. You are the representative of Beatrice, what option is available to you should the State close its case? With the aid of case authorities and legal provisions draft the relevant Application to give effect to your option.

**[20 Marks]**

#### **Question 4**

Chimutsa has been a member of the dreaded (famous for its Human Rights Abuses and abductions) Law and Order Section of the Zimbabwe Republic Police for the past twenty years. In preparation for his retirement, he has sought personal development by enrolling for a Bachelor of Laws Degree with Zimbabwe Ezekiel Guti University. You are presiding over registration proceedings of Chimutsa in the High Court of Zimbabwe. Outline the requirements for one to be registered as Legal Practitioner and determine whether or not Chimutsa can be registered as such. In your answer cite relevant legislative provisions and case authorities. **[20 Marks]**

**END OF QUESTION PAPER**