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	Week- 25-30 April 2021

## ZIMBABWE CORRUPTION MEDIA MONITORING REPORT: MORE RESOURCES NEEDED TO FIGHT CORRUPTION IN ZIMBABWE

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### (1)-INTRODUCTION

Zimbabwe is among several countries in the world that have signed and ratified anti-corruption conventions such as the [United Nations Convention against Corruption \(UNCAC\)](#), the [SADC Protocol against Corruption \(SADC-PaC\)](#) and the [AU Convention on Preventing and Combating Corruption \(AUCPCC\)](#). The signing of a treaty is an expression of willingness and commitment of the signatory state such as Zimbabwe to continue the treaty-making process and it also creates an obligation to refrain, in good faith, from acts that would defeat the objective and purpose of the treaty.<sup>1</sup> However, by ratifying a treaty, a state indicates its consent to be bound by it. In most cases, states enact the necessary legislation to give domestic effect to the ratified treaty.<sup>2</sup> It is acknowledged that Zimbabwe has put in place legal, policy and institutional arrangements but the challenges are entrenched in the existing gaps of enforcing the same. There is lack of effective investigations and prosecution of corruption and this has become an epidemic nature in the country.

During the period 25 to 30 April 2021, the Zimbabwean media reported several cases of corruption, which means that a day hardly passes without an incident of corruption in the country. That said, ACT-SA committed itself to monitoring the media and identifying the trends of corruption in the country for advocacy purposes.

During the period under review, it was disturbing to note the following:

- The corruption busters such as the Head of the Special Anti-Corruption Unit (SACU), housed in the Office of the President and Cabinet were fingered in corruption;
- Corruption and service delivery at Zinara and in local authorities is sickening. Poor service delivery in local authorities is partly attributed to poor performance of the Ministry of Local Government and Public Works who neglected appointing the Local Government Board since 2017. This resulted in unqualified officials taking posts in an acting capacity for many years;

<sup>1</sup> Arts.10 and 18, Vienna Convention on the Law of Treaties 1969

<sup>2</sup> Arts.2 (1) (b), 14 (1) and 16, Vienna Convention on the Law of Treaties 1969

- Though the Harare Magistrate Stanford Mambanje has set the 26<sup>th</sup> of May 2021 as the trial date for former disgraced Health minister Dr. Obadiah Moyo, who faces a criminal abuse of office charge after he allegedly siphoned US\$ 60 million in a botched Covid 19 Personal Protective Equipment deal, delays in the prosecution of high profile individuals remains an issue of concern.
- The epidemic nature of corruption in the country is well known and the experiences made by the Minister of Home Affairs Kazembe Kazembe on the 29<sup>th</sup> of April 2021 when he caught Avito Newton (40) red-handed soliciting bribes for and on behalf of passport officers in the employed at the Harare Passport offices is more telling.
- Allegations of match-fixing levelled against cricket official Heath Streak and confession that he was given a bottle of whisky and an iPhone for his wife gives credence to the allegations of corruption in the sports industry.
- The prosecution of the former University of Zimbabwe (UZ) Vice Chancellor Levi Nyagura, who is accused of illegally awarding former First Lady Grace Mugabe a PhD degree may open a can of worms especially allegations that the new administration targeted its political opponents for prosecution.

During the same week, the Zimbabwe Anti-Corruption Commission promised to expedite the preparation of dockets for presentation to the National Prosecuting Authority (NPA) and it is hoped that ZACC will perform and meet the target of 180 criminal dockets for prosecution before year end. However, 180 dockets could be a drop in the ocean as compared to a plethora of cases of corruption being witnessed in the country.

The following is a summary of some corruption cases captured by the media from the 25<sup>th</sup> to the 30<sup>th</sup> of April 2021:

## **(2)- SUMMARY OF PROFILED CORRUPTION CASES**

- (2.1)- On the 25<sup>th</sup> of April 2021, the main corruption case profiled by the media is that of the Special Anti-Corruption Unit (SACU), housed in the Office of the President and Cabinet and a few others summarized below.
- More appalling is a report by Mangwaya (2021)<sup>3</sup> reporting for the Standard on the 25<sup>th</sup> of April 2021 that Tabani Mpfu who is the Head of the Special Anti-Corruption Unit (SACU), housed in the Office of the President and Cabinet is accused of corruption. According to Mangwaya (2021) SACU officials were allegedly extorting bribes from prominent businesspersons targeted for arrest on suspicion of committing various crimes. Mangwaya (2021) highlighted the case of “.....Pedzai Sakupwanya, also known as Scott, who was allegedly made to pay an unknown sum of money to have his case swept under the carpet. SACU allegedly arrested a Chinese national only identified as Mr. Foi who was working with Sakupwanya at Redwing Mine in Penhalonga. The mine was at the centre of

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<sup>3</sup> Mangwaya, M (2021) Mnangagwa’s graft buster in trouble. [online] Available at <https://www.thestandard.co.zw/2021/04/25/mnangagwas-graft-buster-in-trouble/> [Accessed on 28 February 2021]

a dispute between Sakupwanya's Betterbrands and Probadek Investment, whose directors include Patricia Mtombgwera and Grant Chitate." If what Mangwana (2021) reported is true, who shall then guard the guard when the head of anti-corruption practitioners and others are turning out to have joined the bandwagon of the corruption? This is one of the issues that need urgent and serious attention from the President and relevant authorities. Visit Mangwana's Article [here](#)

(2.2)- On the 28<sup>th</sup> of April 2021, the media reported on corruption at Zinara, and local authorities in Zimbabwe. The following are some of the cases highlighted:

- Corruption at Zimbabwe National Road Administration (ZINARA) was also reported by Nemukuyu (2021)<sup>4</sup>, reporting for the Herald on the 28<sup>th</sup> of April 2021 that ZINARA officials allegedly prejudiced the employer US\$71,5 million and R31,5 million between 2012 and 2016. According to Nemukuyu (2021) the Parliament of Zimbabwe's Public Accounts Committee has petitioned the Zimbabwe Republic Police (ZRP), the Zimbabwe Anti-Corruption Commission (ZACC) and the National Prosecuting Authority (NPA) to investigate the matter. Nemukuyu (2021) also reported that ZINARA resources were also being abused. For instance, gym equipment for seven senior managers were bought at a cost of US\$4000 each, Christmas hampers worth US\$9 600 each for board members, disguised in the books of accounts as office supplies, and US\$24 500 spent on hair dos for women employees. This speaks volumes about the lack of checks and balances in such organisations such as ZINARA or alternatively, all the staff members are corrupt and should be removed. Visit Nemukuyu's Article [here](#)
- Katete (2021)<sup>5</sup> reporting for the Herald on the 28<sup>th</sup> of April 2021 says that Hon. July Moyo who is the Minister of Local Government and Public Works finally appointed members of the Local Government Board led by Mr. Steven Chakaipa, to oversee the selection of councils' senior management countrywide. The Ministry had no functional Board since 2017, which means that the selection of councils' senior management countrywide has been on hold. Many individuals employed are in an acting capacity since the Board was not in existence. This undermined quality service delivery and it is thus not surprising to hear of deplorable service delivery in all local authorities in the country. Visit Katete's Article (New board for local government) [here](#)
- It never rains but it pours for Victoria Falls Municipality since Ndhlovu (2021)<sup>6</sup> reported on 28 April 2021 that the local authority may have lost millions of dollars in potential revenue since 2000 after failing to bill several properties that are not listed in its assets register. This was exposed in a government audit report submitted by the Auditor-General of Zimbabwe. The Auditor cited poor governance issues and non-compliance with

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<sup>4</sup> Nemukuyu, D (2021) Prosecution recommended for Zinara looters. [online] Available at <https://www.herald.co.zw/prosecution-recommended-for-zinara-looters/> [Accessed on 28 April 2021]

<sup>5</sup> Katete, F (2021) New board for local government. [online] Available at <https://www.herald.co.zw/new-board-for-local-government/> [Accessed on 28 April 2021]

<sup>6</sup> Ndhlovu, N (2021) Vic Falls assets register in shambles: Audit report. [online] Available at <https://www.newsday.co.zw/2021/04/vic-falls-assets-register-in-shambles-audit-report/> [Accessed on 28 April 2021]

statutory regulations as some of the reasons for loss of potential revenue. Ndhlovu (2021) quoted the Auditor as having said “It is of great concern that governance issues over the years have continued to dominate my findings. Although there was an improvement from 2015 to 2016 (reduction from 68% to 49%), there has been a notable surge from 49% to 67% in the governance issues in 2017 and 2018, respectively,” Issues raised include poor governance, poor service delivery, poor revenue collection and debt management. It was also noted by the Auditor that Victoria Falls last updated its valuation roll of properties in the resort town in 2000, resulting in loss of revenue for 21 years as new properties built after that were not billed. Ndhlovu (2021) also quoted the Auditor as having flagged the Beitbridge Rural District Council that did not have title deeds to a number of its properties, a development she said was a recipe for disaster in the event of ownership disputes. Visit Ndhlovu’s Article (Vic Falls assets register in shambles) [here](#)

- In support of the good work by the Auditor General in exposing irregularities and corruption in local authorities, Mangwaya (2021) <sup>7</sup> reporting for the Newsday on 28 April 2021, revealed that civil society organisations (CSOs) accused the government of deliberately delaying the release of the 2019 Auditor-General’s report. There is strong suspicion that the report could be containing damning exposés of abuse of public funds. The Audit report, which was supposed to be tabled before Parliament mid-June in 2020, has not yet been released and government has remained mum about it. The CSOs claimed the government, parastatals and local authorities have previously gained notoriety for abusing public funds and this could be the reason why the report remains a top secret. Mangwaya (2021) quoted the former Chairperson of the Parliamentary Public Accounts Committee, Tendai Biti, saying that audit reports should be released on time as stipulated in the Public Finance Management Act to guarantee public finance accountability. Visit Mangwaya’s Article (CSOs demand release of 2019 Auditor-General report) [here](#)

(2.3)- On the 29<sup>th</sup> of April 2021, the media exposed self-interest tendencies of some local authorities such as the Gweru City Council, Victoria Falls Municipality and Beitbridge Municipality. Furthermore, the media exposed loss in revenue suffered by the Zimbabwean government due to commercial goods smuggled through illegal entry points bypassing the Zimbabwean immigration. The following are the summaries thereof:

- On the 29<sup>th</sup> of April 2021 Chadenga (2021)<sup>8</sup> quoted the Gweru Residents and Ratepayers Association and the Gweru United Progressive Residents and Ratepayers Development Association expressing their utter dismay over the Gweru Mayor’s gigantic appetite for lavish lifestyles at the expense of the welfare of the Gweru residents and ratepayers. The Gweru Mayor Josiah Makombe stands accused of making frantic efforts to move into the mayoral mansion despite suggestions that the house sitting on three floors be turned into a money-spinning venture for the local authority. The mansion has been vacant since the

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<sup>7</sup> Mangwaya, M (2021) CSOs demand release of 2019 Auditor-General report [online] Available at <https://www.newsday.co.zw/2021/04/csos-demand-release-of-2019-auditor-general-report/> [Accessed on 28 April 2021]

<sup>8</sup> Chadenga, S (2021) Gweru residents slam mayor’s lavish lifestyle. [online] Available at <https://www.newsday.co.zw/2021/04/gweru-residents-slam-mayors-lavish-lifestyle/> [Accessed on 29 April 2021]

departure of then executive Mayor Sesel Zvidzai in 2008. Chadenga reported that when the former Town Clerk (Elizabeth Gwatipedza) was sacked for various malfeasances, the Mayor allegedly grabbed the former Town Clerk's Toyota Prado. Attempts to move into the mayoral mansion were quickly condemned by the residents. Propensity towards self-interest is a major cause for concern in Zimbabwe. This casts into doubt the underlying reasons why politicians get into politics. It appears that the majority of them join politics for personal gain and not for public interest. Visit Chadenga's Article (Gweru residents slam mayor's lavish lifestyle) [here](#)

- On the 29<sup>th</sup> of April 2021, Ncube (2021)<sup>9</sup> reported that the Victoria Falls Mayor Hon. Somveli Dlamini suspended the city's town clerk Mr. Ronnie Dube accusing him of corruption, gross incompetence, abuse of office and causing the local authority to lose revenue. Ncube (2021) reported that the Town Clerk was suspended in terms of Section 139(3) (a) of the Urban Council Act Chapter 29:15 and the suspension is without salary or benefit as encapsulated in Section 139(5)(b) of the said Act. In pursuit thereof, Mr. Dube was asked to surrender the council vehicle, laptop and cellphone. Visit Ncube's Article (Town Clerk Dube suspended) [here](#)
- On the same day Muleya (2021)<sup>10</sup> reporting for the Herald says that from 1 March to 29 April 2021, a blitz by the National Security Taskforce, deployed by the National Joint Operations Committee, intercepted 54 buses carrying an assortment of smuggled goods worth over US\$20 million. Muleya reports that the smugglers use illegal crossing points along the Limpopo River to bring in commercial goods which they then load in buses at Dulivhadzimu bus terminus in Beitbridge for onward transmission to towns and cities nationwide. However, it should be noted that the police, army and immigration officials often give a blind eye to smuggling after receiving bribes. And it should be noted that its not only smuggling that is a cause for concern but it is also about the health of the people of Zimbabwe since most of the people leaving and entering the country are not tested of Covid-19. Visit Muleya's Article (Blitz nets 54 buses) [here](#)

(2.4)- The 30<sup>th</sup> of April 2021 was the most interesting day since the media captured the Minister of Home Affairs having caused the arrest of one Avito Newton (40) who was allegedly used as a front or agent of corrupt officials at the passport offices in Harare to solicit bribes to fast track the application of passports. The Herald, the Chronicle and the Newsday are among the key media outlets that reported on corruption. The following are the summaries of the reported cases:

- Murwira (2021)<sup>11</sup> quoted the Zimbabwe Anti-Corruption Commission (ZACC) spokesperson Commissioner John Makamure saying that a crack team had been set up by ZACC to speed up investigations into urban and rural councils, some identified

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<sup>9</sup> Ncube, L (2021) Town Clerk Dube suspended. [online] Available at <https://www.chronicle.co.zw/town-clerk-dube-suspended/> [Accessed on 29 April 2021]

<sup>10</sup> Muleya T (2021) Blitz nets 54 buses. [online] Available at <https://www.herald.co.zw/blitz-nets-54-buses/> [Accessed on 29 April 2021]

<sup>11</sup> Murwira, Z (2021) ZACC crack team targets councils. [online] Available at <https://www.herald.co.zw/zacc-crack-team-targets-councils/> [Accessed on 30 April 2021]

Government departments and the tobacco and cotton industries as it pushes to achieve its objective of completing 180 criminal dockets for prosecution before year end. In its investigations on land abuse by local authorities, the ZACC crack team will be guided by the Justice Tendai Uchena report which unearthed rampant abuse of State land and irregular distribution of residential stands by land barons who also pocketed the proceeds. On the list of people and institutions to be investigated by ZACC include, several high profile persons, Cabinet ministers, top council managers, Zinara officials, Cottco and Government departments such as Ministry of Lands, Agriculture, Fisheries, Water and Rural Resettlement. The Chitungwiza Municipality's Nyatsime settlement where holders of offer letters from council have been elbowed out by land barons has been cited as one of the examples. According to Murwira (2021) Comm Makamure said some ZACC investigations resulted in the arrest of Mutoko Rural District Council Acting Chief Executive Officer, Mr. Samson Zulu, over allegations of corruption. Visit Murwira's Article (ZACC crack team targets councils) [here](#)

- The Editor of the Herald<sup>12</sup> also added his voice by recommending that there be more radical reforms and cleansing targeting seemingly corrupt institutions such as Zinara. The remarks from the Editor shows that he is in support of the Parliament of Zimbabwe's Public Accounts Committee that recommended the prosecution of all those who were involved in corruption at Zinara. The Editor decried the cost of the corruption when one considers millions of dollars needed to repair roads whose construction was compromised through corruption. The entity has also been extravagant in the use of money that it collects from motorists. For instance, it bought gym equipment for its top managers at a cost of US\$4,000 per person, gave board members US\$19,600 Christmas hampers. Also appalling is that the Zinara's salary bill was 11 percent of its revenue, instead of 2.5 percent. Read Editorial Comment (EDITORIAL COMMENT: Zinara might need even more radical reform) [here](#)
- Dembedza (2021)<sup>13</sup> reporting for the Herald updated the public on progress being made vis-à-vis the prosecution of the former University of Zimbabwe (UZ) Vice Chancellor Levi Nyagura, who is accused of illegally awarding Mugabe a PhD degree. According to Dembedza (2021) the former First Lady Grace Mugabe performed satisfactorily during an oral examination conducted by an examination panel at her children's home in Mazowe leading to her graduation with a PhD degree. A third witness Mr. Surgent Chevo, who was the Registrar at the UZ during that period, told the court that there were no irregularities in all processes up until Mugabe graduated with a PhD. That said, the witness stated that there was nothing unusual in the processes and no signs of favouritism were exhibited. The second witness, senior lecturer Julius Musevenzi, had also told the court that there were documents showing that other university staff members took part in admitting Mrs. Mugabe as a student. It was also revealed through Advocate Zhuwarara's cross examination that there were university documents showing that Mrs. Mugabe was

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<sup>12</sup> Herald (2021). EDITORIAL COMMENT: Zinara might need even more radical reform [online]. Available at <https://www.herald.co.zw/editorial-comment-zinara-might-need-even-more-radical-reform/> [Accessed on 30 April 2021]

<sup>13</sup> Dembedza, P (2021) 'Ex-First Lady passed oral exam' [online] Available at <https://www.herald.co.zw/ex-first-lady-passed-oral-exam/> [Accessed on 30 April 2021]

conducting research and that progress reports were produced by Prof Mararike. Read Dembedza's Article ('Ex-First Lady passed oral exam' ) [here](#)

- Sibanda (2021)<sup>14</sup> quoted the Reserve Bank of Zimbabwe (RBZ) saying that its Financial Intelligence Unit (FIU) will crack the whip on errant businesses fueling dodgy transactions, as it intensifies efforts to curtail market indiscipline. According to Sibanda (2021) citing the RBZ Governor, the FIU's role is to instill market discipline, and punishing errant behaviour and promoting discipline. The reporter stated that foreign currency exchanges hands illegally, at a premium, between suppliers of RTGS dollars and buyers of a particular commodity with the local currency finding its way to the auction market. The RBZ Governor is quoted saying that this practice amounts to abuse of the auction facility given the forex is bought illegally at a modest premium and the RTGS dollars finds their way to the auction to buy US dollars at a huge discount. The RBZ Governor is also quoted saying that the "FIU is about financial integrity and instilling discipline in the financial market. You find a small company making a huge deposit of say \$20 million or \$100 million and come to the auction. What (is their business)? You find there are no records. FIU classifies transactions like that as suspicious. Such transactions can only be done by proper and big businesses," For such transactions, the RBZ Governor said that the FIU will continue to red flag, block, probe or call owners to explain suspicious transactions to prevent abuse of ill-gotten money and auction system. When that happens the FIU will always suspend or freeze bank accounts involving suspicious transfers to carry out proper investigations into circumstances and veracity of curious transactions. Read Sibanda's Article (RBZ cracks whip on errant businesses) [here](#)
- Sharuko (2021)<sup>15</sup> reported that Heath Streak who is accused of match fixing claims that poor judgment sucked him into the mess which triggered his spectacular fall from grace, leading to an eight-year ban, from cricket. The former Zimbabwe captain and coach, insisted he never fixed a match, or participated in any sport-fixing, during his entire career in the sport. He also claimed he never benefited from his relationship, with shamed Indian bookmaker, Deepak Agarwal, the man who brought him down. The only two gifts he received from Agarwal, claimed Streak, were a bottle of whisky and an iPhone, for his wife. He was sanctioned by the International Cricket Council, for flouting the Code, which safeguards the game from corruption. He was found guilty of passing on sensitive information, to the shadowy Indian bookmaker, who was also banned for two years. Read Sharuko's Article (Streak takes blame for downfall.) [here](#)
- The Minister of Home Affairs, Hon. Kazembe Kazembe was reported by Mangwaya (2021)<sup>16</sup> as having caught Avito Newton (40) red-handed soliciting bribes to fast track the application and processing of passports. Avito Newton (40) served as a tout or agent of passport officers in the employ of the Harare Passport offices. The Home Affairs minister Kazembe Kazembe had gone undercover to the Registrar-General's Offices in Harare in

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<sup>14</sup> Sibanda, G (2021) RBZ cracks whip on errant businesses. [online] Available at <https://www.herald.co.zw/rbz-cracks-whip-on-errant-businesses/> [Accessed on 30 April 2021]

<sup>15</sup> Sharuko, R (2021) Streak takes blame for downfall.[online] Available at <https://www.herald.co.zw/streak-takes-blame-for-downfall/> [Accessed on 30 April 2021]

<sup>16</sup> Mangwaya, M (2021) Tout coaxes minister for bribe. [online] Available at <https://www.newsday.co.zw/2021/04/tout-coaxes-minister-for-bribe/> [Accessed on 30 April 2021]

an effort to unmask corruption at the government institution. Kazembe told the Parliamentary Committee on Defence, Home Affairs and Security Services led by Umzingwane MP Levy Mayihlome that he went to the Harare Civil Registry offices disguising as an ordinary passport seeker where a tout or agent sold him a place in the front of the queue for US\$30. The suspect identified as Avito Newton (40) was immediately arrested on 29 April 2021 at about 0645hrs. The minister overheard the suspect touting for persons who wanted to be assisted in obtaining passport application forms at a cost of US\$30 before inviting the suspect to his motor vehicle, acting as if he wanted to be assisted. The suspect was handed over US\$50 which he took and started to negotiate with the minister on passport acquisition and was subsequently arrested. However, the Zimbabwe Coalition on Debt and Development Programmes Manager John Maketo said by arresting a suspect in his own capacity, Kazembe was exposing incompetence on the part of the police in fighting crime in the community. Read Mangwaya's Article (Tout coaxes minister for bribe) [here](#)

- On the same day, Chingarande (2021)<sup>17</sup> reporting for the Newsday revealed that Harare Magistrate Stanford Mambanje had set the 26<sup>th</sup> of May 2021 as the trial date for former disgraced Health minister Dr. Obadiah Moyo, who faces a criminal abuse of office charge. Moyo appeared in court on 29 April 2021 where he filed a notice to apply for removal from remand but later dropped the application, opting to have his bail conditions relaxed. The Magistrate promised to make a ruling on the application on the 7<sup>th</sup> of May 2021. Read Chingarande's Article (Ex-Health minister's trial date set) [here](#)

### **(3)-CONCLUSION**

ACT-SA appreciates the good work being done by the media in exposing corruption considering that corruption remains as one of the leading obstacles to development in the country. The above case studies confirm the existence of corruption at all levels in society, including corruption by individuals and institutions who by nature of their positions are supposed to be exemplary yet they have been reported to be corrupt. Allegations of corruption against Tabani Mpfu who is the Head of the Special Anti-Corruption Unit (SACU) is a cause for great concern.

Muleya (2021)'s report that from 1 March to 29 April 2021, the National Security Taskforce, intercepted 54 buses carrying an assortment of smuggled goods worth over US\$20 million is another cause for concern. This confirms that the country is losing millions in revenue due to smugglers who use illegal crossing points along the Limpopo River to bring in commercial goods which they then load in buses at Dulivhadzimu bus terminus in Beitbridge for onward transmission to towns and cities nationwide. There is no doubt that the law enforcement agents have always been aware but gave a blind eye since they were also benefiting through the solicitation of bribes.

In addition, poor service delivery in local authorities should not be surprising since these local authorities have been operating for a long time without qualified staff. Most of the officials have

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<sup>17</sup> Chingarande, D (2021) Ex-Health minister's trial date set. [online] Available at <https://www.newsday.co.zw/2021/04/ex-health-ministers-trial-date-set/> [Accessed on 30 April 2021]



been working in an acting capacity since the Minister of Local Government and Public Works, July Moyo had neglected appointment of the Local Authority Board since 2017. The mother body could be responsible for all the malaise in local authorities in the country. The irregularities picked by the Auditor General in local authorities such as Victoria Falls, Gweru and Beitbridge are thus not surprising.

Finally hats-off to the Minister of Home Affairs, Hon. Kazembe Kazembe who was reported by Mangwaya (2021) as having caught Avito Newton (40) red-handed soliciting bribes to fast track the application and processing of passports. Avito Newton (40) served as a tout or agent of passport officers in the employ of the Harare Passport offices. This case also shows that the supervisors at the Passport offices are either sleeping on duty or part of the corrupt syndicate. More investigations should be made at the passport offices country-wide.

**For comments and donations, please contact**

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