



REPUBLIC OF ZAMBIA

# THE JUDICIARY

## Annual Report, 2015



FEBRUARY 2015



REPUBLIC OF ZAMBIA

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# THE JUDICIARY

## ANNUAL REPORT 2015

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## **MISSION STATEMENT**

*“To provide effective and efficient administration of Justice accessible to all people in Zambia through impartial and timely adjudication without fear or favour.”*

## **VISION**

*“A totally autonomous Judiciary that is independent, impartial, efficient and effective, reliable and that dispenses timely justice accessible to all without discrimination, inspiring public confidence through applying the highest standards of integrity and morality.”*



## FOREWORD

I am pleased to present the Annual Report for the Judiciary for 2015.

This year's report demonstrates the activities we undertook, the lessons learnt and our future plans in order to build upon the achievements made in 2014.

To this end, some of the notable activities undertaken are these. The Judiciary increased the number of special sessions for the High Court. We also revived Court-annexed mediation. In addition, the Supreme Court introduced a two-week special session at Ndola where it heard and delivered judgments for all appeals cause-listed in that session.

These, among other measures, saw a marked reduction in the backlog of cases and pending judgments.

With the support of our cooperating partners, we established the first-ever Gender-Based Violence fast track Courts at Lusaka and Kabwe Subordinate Courts. The modern styled courts are user-friendly, especially for Gender Based Violence (GBV) victims.

While the Institution was underfunded during the year under review, thereby affecting court operations and infrastructural projects, we continued to make positive strides in fulfilling our mandate.

All our work was, and continues to be, directed towards one goal, to promote a transparent, accountable and efficient Judiciary. We remain committed in our resolve to improve delivery of justice to the people.

It is our hope that this Annual Report will increase the public's understanding and knowledge about the operations of the Judiciary.

A handwritten signature in black ink, appearing to read 'Irene C. Mambilima'. The signature is written in a cursive style and is positioned above the printed name.

Irene C. Mambilima  
**CHIEF JUSTICE**



## ACKNOWLEDGEMENTS

I wish to pay special tribute to the Hon. Chief Justice of the Republic of Zambia, Mrs. Justice Irene C. Mambilima, for her guidance and support during the compilation of this report.

I also wish to express gratitude to the Registrar of the High Court, the Acting Director Human Resources and Administration, All Deputy Directors Court Operations and Administration, the Sheriff of Zambia, the Research Advocates and all other members of staff, for their tireless effort throughout the process.

The preparation and compilation of this report would not have been possible without their invaluable contribution.

Naishebo Imataa

**CHIEF ADMINISTRATOR**



## EXECUTIVE SUMMARY

This report highlights the activities undertaken by the Judiciary, the achievements recorded and constraints faced in the year ending 31<sup>st</sup> December, 2015. It also suggests the possible solutions to the constraints encountered during the year under review. The report also provides the outlook for the year 2016.

The period under review was quite eventful. It saw a significant reduction in the backlog of cases both in the Supreme Court and in the High Court. For the first time, the Supreme Court heard all appeals and delivered judgments within one session during the September, 2015 Supreme Court Session held at Ndola.

Further, as a way of decongesting the main court system, Court-Annexed Mediation was revived and litigants were encouraged to settle cases out of court.

In response to the escalating incidence of gender based violence, the Judiciary established Gender-Based Violence (GBV) Fast Track Courts at Lusaka and Kabwe Subordinate Courts. Further, there was a remarkable increase in the volume of cases handled by the Local Courts in 2015.

In the area of human resource development, training and induction courses were held for various categories of staff ranging from Judges to Office Assistants. The Judiciary had challenges in filling most of the vacant positions in its establishment for professional categories of staff due to lack of funds and unattractive conditions of service.

Despite inadequate funding, the Judiciary continued to implement programmes aimed at increasing access to justice.



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## 1 INTRODUCTION

The Judiciary of Zambia is one of the three arms of Government, the others being the Executive and the Legislature. The Judiciary is responsible for the administration of Justice in the country. It comprises the following:

- (a) the Supreme Court;
- (b) the High Court;
- (c) the Industrial Relations Court;
- (d) the Subordinate Courts;
- (e) the Small Claims Courts;
- (f) the Local Courts; and
- (g) the Sheriff of Zambia.

## 2 SCOPE OF THE REPORT

This report discusses the activities undertaken by the Judiciary, achievements recorded and the constraints faced in the year ending 31<sup>st</sup> December, 2015. It also discusses proposed solutions to the constraints faced during the year under review. The report also highlights the institution's plans for the year 2016.

## 3 AUTONOMY OF THE JUDICIARY

During the period under review, the autonomy of the Judiciary was confined to adjudicative functions, appointment and discipline of judicial officers. The Courts continued to have jurisdiction to hear and determine matters without any influence from other organs of government.

In terms of staffing, the President, subject to ratification by Parliament, appointed Honourable Judges of the Supreme Court and High Court. The Hon. Judges continued to enjoy security of tenure in accordance with the provisions of the Constitution of Zambia, Chapter 1 of the Laws of Zambia.

The Judicial Service Commission appointed the Registrar, Deputy Registrars, District Registrars, Members of the Industrial Relations Court, Research Advocates, Subordinate Court and Local Court Magistrates. The Judicial Service Commission also appointed administrative and support staff.

The Judiciary did not have financial autonomy and continued to rely heavily on the national treasury through the Ministry of Finance. Although the Judiciary generated some revenue from Court fees, this was negligible compared to its expenditure.

## 4 MISSION STATEMENT

"To provide effective and efficient administration of Justice accessible to all people in Zambia through impartial and timely adjudication without fear or favour."



## **5 VISION**

“A totally autonomous Judiciary that is independent, impartial, efficient and effective, reliable and that dispenses timely justice accessible to all without discrimination, inspiring public confidence through applying the highest standards of integrity and morality.”

## **6 STRATEGIES TO ACHIEVE THE MISSION AND THE VISION**

In an effort to achieve the Mission and the Vision, the Judiciary undertook the following strategies:

### **6.1 EXPEDITIOUS DISPOSAL OF CASES**

To address the backlog of cases, the Judiciary undertook the following steps, among others:

- (a) in September, 2015, the Supreme Court conducted a two (2) week session at Ndola, where it heard criminal and civil appeals and delivered judgments in all the appeals within the session;
- (b) the Judiciary continued its programme of recruiting Research Advocates and Real-Time Court Reporters to assist Judges of the Supreme Court and High Court in the dispensation of justice; and
- (c) the Judiciary revived court-annexed mediation, a mechanism of resolving disputes by the litigants themselves with the assistance of an impartial trained mediator.

### **6.2 PROVISION OF A CONDUCIVE PHYSICAL WORKING ENVIRONMENT**

The Judiciary continued to improve the working environment by enhancing the state of existing buildings and procuring of office equipment and furniture.

### **6.3 EFFECTIVE AND EFFICIENT CO-ORDINATION OF THE VARIOUS ORGANS OF THE JUDICIARY**

During the year under review, efforts continued to be made to improve the flow of information among departments of the Judiciary to ensure smooth operations of all Courts.

### **6.4 DONOR ASSISTANCE TO THE JUDICIARY**

During the year under review, the Judiciary received a total of K402, 880.00 from donors. Of this, K265, 380.00 was from United Nations Children Education Fund (UNICEF) and K137, 500.00 was from Save the Children International. In addition, the United Nations Development Programme (UNDP) supported the hosting of the Annual Judicial Conference and the installation of state of the art technology at the Gender Based Violence Court at Kabwe and Lusaka.

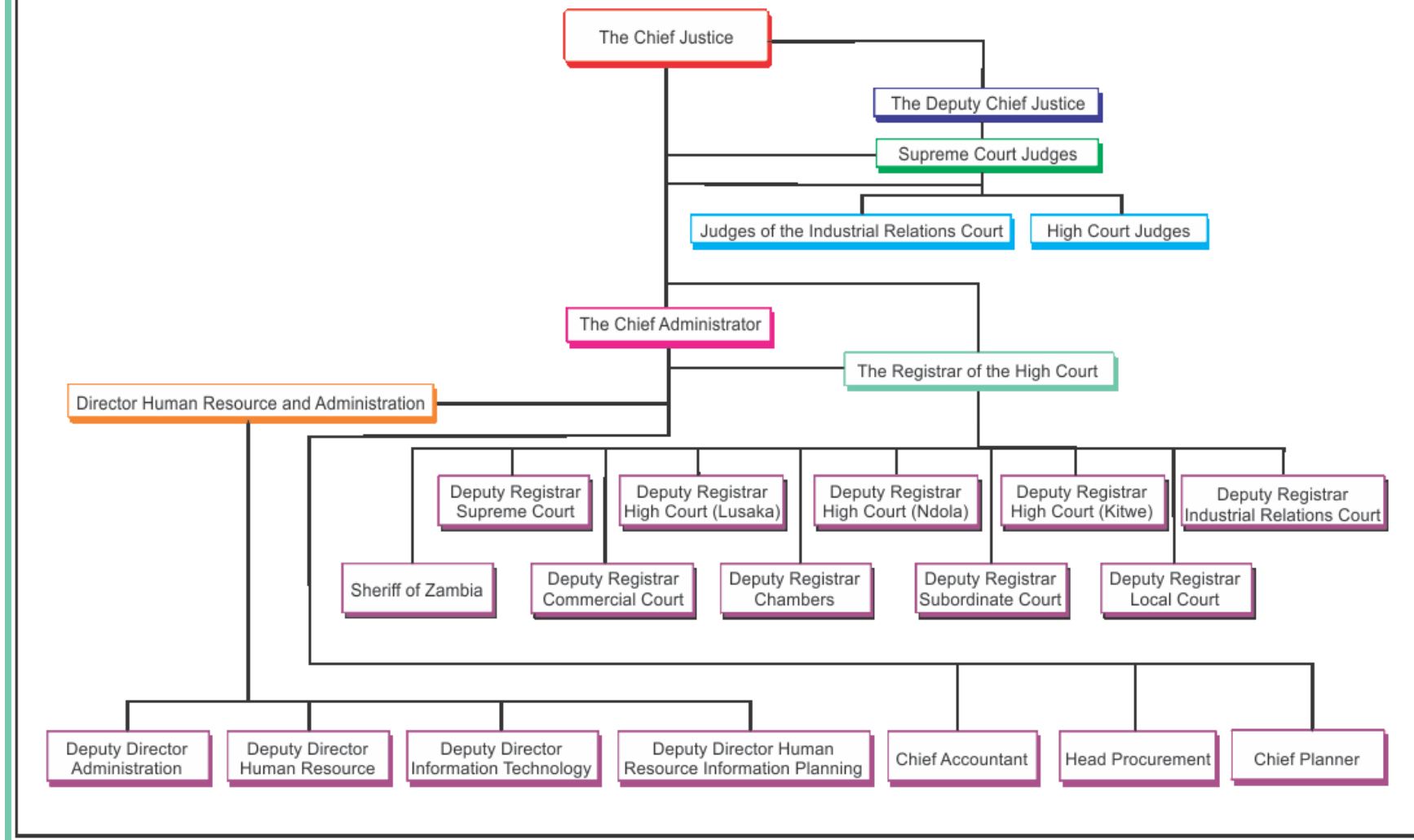
## **7 ORGANISATIONAL STRUCTURE OF THE JUDICIARY**

The Judiciary comprises the Chief Justice, who is the head of the institution, the Deputy Chief Justice, the Hon. Judges of the Supreme Court, High Court and Industrial Relations Court.

The Chief Administrator is in charge of the administrative function while the Registrar of the High Court is in charge of court operations. Other Principal Officers include the Director-Human Resource and Administration, Deputy Registrars and Deputy Directors. The organizational structure is as shown in the chart below:



## ORGANIZATIONAL STRUCTURE - JUDICIARY





## **8 COURT OPERATIONS**

### **8.1 SUPREME COURT**

#### **8.1.1 LEGAL STATUS**

The Supreme Court is established under Article 92 of the Constitution of Zambia Act, Chapter 1 of the Laws of Zambia. It is the highest Court of Appeal and a superior court of record in Zambia. It hears and determines appeals from lower Courts in accordance with the Supreme Court of Zambia Act, Chapter 25 of the Laws of Zambia and any other law. However, the Court sits as a court of first instance in matters relating to presidential election petitions.

#### **8.1.2 COMPOSITION OF THE COURT**

The Supreme Court is composed of the Chief Justice, the Deputy Chief Justice and nine Supreme Court Judges. During the year under review, the composition of the Court was as follows:

- (a) The Hon. Chief Justice Mrs. Justice Irene C. Mambilima;
- (b) The Hon. Deputy Chief Justice Mr. Justice M. S. Mwanamwambwa; and
- (c) Nine Hon. Supreme Court Judges.

During the course of the year, Hon. Mr. Justice M.E. Wanki and Hon. Mr. Justice M. Lisimba retired.

#### **8.1.3 SUPREME COURT SESSIONS AND CIRCUITING**

During the year under review, the Supreme Court sat to hear and determine criminal and civil appeals at Lusaka, Ndola and Kabwe. There were seven sittings gazetted for Kabwe and Ndola, and five gazetted for Lusaka. The Supreme Court also held separate sittings for motions in July, October and December.

#### **8.1.4 CASE RETURNS FOR THE SUPREME COURT**

During the year under review, the Supreme Court received a total of 444 new records of appeal; 223 were criminal appeals while 221 were civil appeals. Fourteen (14) Criminal cases and 199 civil cases were carried over from 2014. The Court disposed of a total of 466 appeals, out of which 209 were criminal appeals while 257 were civil appeals. See Table 1 below.

**Table 1 - Supreme Court Cases in 2015**

<b>Records of Appeal</b>	<b>Criminal</b>	<b>Civil</b>
No. of cases brought forward from 2014	14	199
No. of cases filed	223	221
No. of cases disposed of	209	257
No. of cases pending hearing	28	163



### 8.1.5 ACHIEVEMENTS OF THE SUPREME COURT

In the year under review, the following were the achievements of the Supreme Court:

- (a) The backlog of civil appeals was reduced from a gap of two and a half years in 2014 to two years. Effectively, this entailed that the court was hearing matters filed in 2013;
- (b) With regard to criminal appeals, the Supreme Court continued to record a milestone in clearing the backlog of filed criminal cases lodged with records of appeal. The court is now current in terms of the complete criminal records lodged;
- (c) the Judiciary's continued use of the services of Real-Time Court Reporters and Research Advocates helped the Hon. Judges to quicken the disposal of cases;
- (d) the continuation of an ad hoc commercial panel in the Supreme Court helped in the expedient disposal of commercial appeals. The Supreme Court is current in terms of hearing commercial appeals;
- (e) in the year under review, the Supreme Court reduced the number of criminal and civil cases cause listed in each session from sixty (60) to forty two (42) cases per session. This was in order to devote more time to delivery of judgments;
- (f) As a result, there was an increase in the number of judgments delivered with an average of 39 judgments per month in 2014, against 11 Judges to an average of 39 judgments per month in 2015, against 9 Judges;
- (g) the strict adherence to the Supreme Court Rules, as amended by Statutory Instrument No. 12 of 2012, continued to reduce the number of adjournments. This contributed to the expedient disposal of appeals;
- (h) in September, 2015 the Supreme Court heard all appeals cause listed and concluded judgments in a two-week session in Ndola. The breakdown is as summarised in the table below; and

**Table 2 – Supreme Court Session Ndola September 2015**

Type	Cases Listed	Abandoned/ Withdrawn	Judgments Delivered	Consent Judgment	Adjourned
Criminal	10	5	5	-	-
Civil	13	2	6	2	3
Commercial	5	0	5	0	-
<b>Total</b>	<b>28</b>	<b>7</b>	<b>16</b>	<b>2</b>	<b>3</b>

- (i) The Supreme Court continued with the electronic filing system for all records to enhance case record management and storage. During the year under review the scanning results were as shown in the table below.



**Table 3 - Supreme Court Cases scanned in 2015**

Record Type	Total Number Scanned
Civil Appeals	293
Criminal Appeals	178
Chamber applications	26
Total	497

**8.1.6 CONSTRAINTS FACED BY THE SUPREME COURT**

Despite the achievements highlighted above, the Supreme Court continued to face a number of constraints during the period under review. These included:

- (a) inadequate chambers for Judges and office space for support staff;
- (b) lack of maintenance of existing structures due to inadequate funding;
- (c) inadequate storage space for case records;
- (d) inadequate personal to holder motor vehicles for Judges;
- (e) inadequate utility vehicles; and
- (f) inadequate office furniture and equipment.

**8.1.7 PROPOSED SOLUTIONS TO THE CONSTRAINTS**

- (a) acquire or build more court houses and office accommodation;
- (b) increase funding to meet operational needs; and
- (c) build or procure alternative storage facilities for case records.



## **8.2 HIGH COURT**

### **8.2.1 LEGAL STATUS**

The High Court is established under Article 94 of the Constitution of Zambia. Its operations are governed by the High Court Act, Chapter 27 of the Laws of Zambia and any other relevant laws. Further, the High Court has a Principal and Criminal Registry at Lusaka while other High Courts have District Registries. The Commercial Registry at Lusaka was established by Statutory Instrument Number 29 of 1999. The Commercial Registry has since been established at Kitwe on the Copperbelt.

### **8.2.2 COMPOSITION OF THE HIGH COURT**

The High Court had an establishment of fifty (50) Puisne Judges with the Chief Justice as an ex-officio member. During the year under review, the High Court had a total of thirty-nine (39) Judges. The Judges were distributed as follows:

- (a) Lusaka, twenty-four (24) Judges;
- (b) Ndola, seven (6) Judges;
- (c) Livingstone, two (2) Judges;
- (d) Kabwe, two (2) Judges; and
- (e) Kitwe, four (5) Judges.

### **8.2.3 FUNCTIONS OF THE HIGH COURT**

The functions of the High Court are as follows:

- (a) to hear and determine civil and criminal cases;
- (b) to supervise the Subordinate Courts;
- (c) to hear appeals from the Subordinate Courts;
- (d) to review Subordinate Court cases; and
- (e) any other functions as may be provided by the law.

In the case of the Commercial list, the registry was created in order to provide a fast-track mechanism of resolving cases of a commercial nature.

### **8.2.4 REPORT ON HIGH COURT SESSIONS**

The High Court introduced special criminal sessions and increased the number of the ordinary sessions in order to clear the backlog of cases pending cause listing. As at 31<sup>st</sup> December 2015, the Lusaka High Court conducted twelve (12) criminal sessions while Chipata and Mongu High Courts had eight (8) normal sessions each. Kabwe High Court had eight (8) normal sessions and one (1) special session.

Livingstone and Mazabuka High Courts had four (4) sessions each. Ten (10) normal sessions and one (1) special session were held at Kitwe High Court. Solwezi held four (4) normal sessions and two (2) special sessions. Six (6) sessions were held at Ndola High Court. Four (4) sessions were held at Mansa and eight (8) sessions at Kasama.



### 8.2.5 CASE RETURNS FOR THE HIGH COURT

In the period under review, a total of 7,559 cases were filed in the High Court. About 64% (or 4,851) of this total were civil cases while 36% (2,708) were criminal cases. See Figure 1 below.

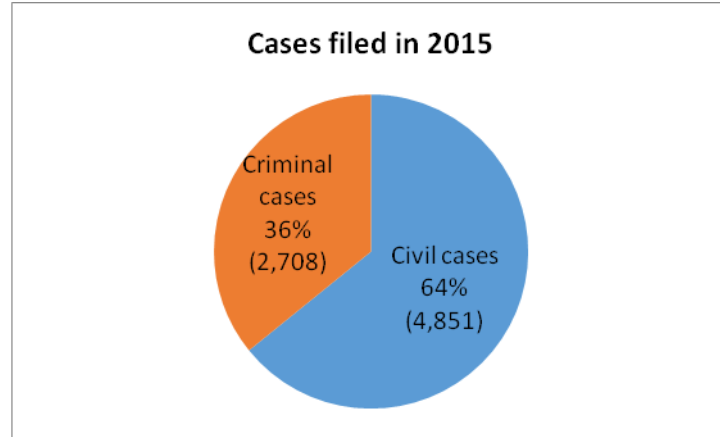


Figure 1: Cases filed at the High Court in 2015

Further, 5,164 civil cases and 449 criminal cases were brought forward from 2014. The Court disposed of 6,429 cases out of which 3,883 were civil cases and 2,609 were criminal cases. This information is illustrated in figures 2 and 3. The graphs show that for both civil and criminal, more cases were filed and disposed of in 2015 than 2014. See also Table A in Appendix I.

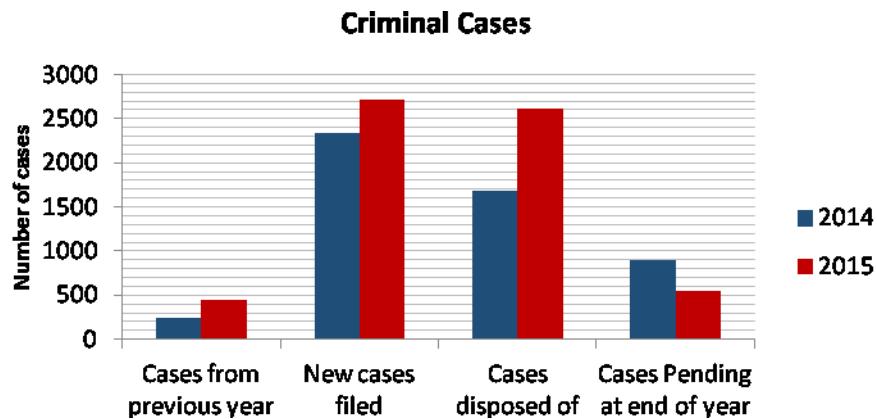


Figure 2: Criminal Cases handled by the High Court

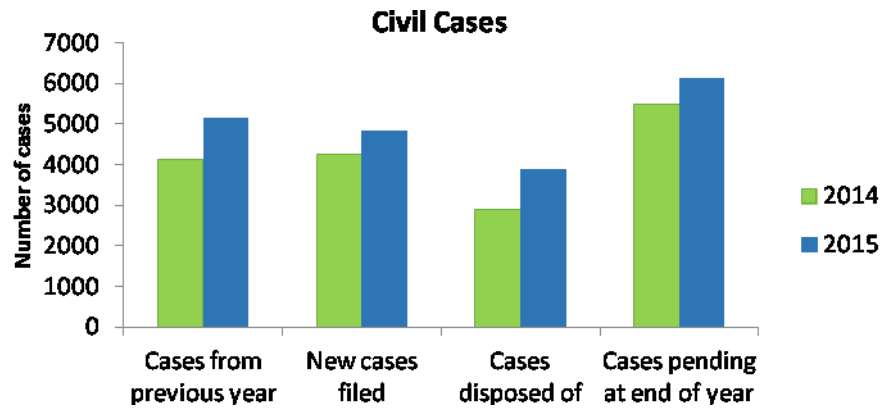


Figure 3: Civil Cases handled by the High Court

The Commercial Court received a total of 598 new cases in 2015 at both Lusaka and Kitwe and disposed of 759 cases. Table four (4) below presents information on commercial cases for 2014 and 2015. As the table shows, more cases were filed and disposed of in 2015 as compared to 2014.

Table 4 - Cases handled by the Commercial Court

Year	Station	Cases from previous year	New cases filed	Cases disposed of	Cases pending at end of year
2014	Lusaka	773	562	669	666
	Kitwe*	-	-	-	-
	<b>Total</b>	<b>773</b>	<b>562</b>	<b>669</b>	<b>666</b>
2015	Lusaka	666	581	753	494
	Kitwe	-	17	6	11
	<b>Total</b>	<b>666</b>	<b>598</b>	<b>759</b>	<b>505</b>

\*The court was only established at Kitwe in 2015

### 8.2.6 ACHIEVEMENTS OF THE HIGH COURT

During the year under review, the High Court recorded the following achievements:

- (a) all the gazetted High Court criminal sessions were held;
- (b) the number of circuit sessions increased in Mongu and Chipata from twelve (12) to sixteen (16). This was aimed at reducing the backlog of cases recorded in the year 2014;
- (c) two (2) computers and printers were procured for Chipata and Mongu High Courts in order to speed up the process of preparing records of appeal to the Supreme Court;



- (d) water supply at Lusaka High Court was connected to the borehole at the former National Housing Authority Building and Lusaka Water and Sewerage Company to mitigate water problems;
- (e) inactive case records at Lusaka High Court were archived in order to create space for new files;
- (f) some furniture and equipment was replaced at Lusaka, Mansa and Kitwe High Courts;
- (g) suits were procured for all the drivers at Lusaka High Court;
- (h) the office of Deputy Registrar Chambers was re-established in order to expeditiously deal with Chamber applications;
- (i) offices at Kabwe High Court were partitioned;
- (j) inverter batteries were procured to mitigate load shedding at Ndola High Court;
- (k) the construction of a perimeter security wall fence was completed and the litigants car park was extended at Ndola High Court;
- (l) boreholes were sunk and water pumps installed at Mansa and Kitwe High Courts;
- (m) the backlog of cases at Mansa and Kasama High Courts was significantly reduced; and
- (n) in terms of the Commercial Division, the Commercial Court Registry was opened at Kitwe High Court with one Marshal and one Registry Clerk deployed. Cases were heard at Kitwe by three (3) Lusaka-based Judges who circuited Kitwe for duration of one-week in July, August and November, respectively.

#### **8.2.7 CONSTRAINTS FACED BY THE HIGH COURT**

Despite the above milestones achieved by the High Court, the following were the constraints during the period under review:

- (a) office space remained a challenge for both Honourable Judges and the support staff; Lusaka High Court had twenty four (24) Judges but only eight (8) had established Chambers;
- (b) transport continued to be a challenge especially for circuit sessions;
- (c) there were insufficient record scanners;
- (d) insufficient budgetary allocation and erratic funding by the treasury continued to make it difficult to undertake activities and meet statutory obligations such as procurement of Judges' personal to holder motor vehicles. This also affected major projects such as the rehabilitation and construction of courts as well as staff houses;
- (e) the Honourable Judges at Kitwe, Livingstone and Kabwe High Courts continued to operate without Research Advocates;
- (f) there was no utility vehicle at Kitwe High Court;



- (g) the institutional house in Kitwe was in a dilapidated state;
- (h) there was inadequate infrastructure, furniture and equipment at Kitwe High Court;  
and
- (i) the Kitwe High Court was understaffed. The station remained without a resident Judge for the Commercial List and inadequate number of Court Reporters, Interpreters and Registry Clerks.

#### **8.2.8 PROPOSED SOLUTIONS TO THE CONSTRAINTS**

In order to address the above challenges, the following are the proposed solutions:

- (a) construction of new buildings to address the challenge of office space;
- (b) expansion of existing court buildings;
- (c) procurement of vehicles for court operations;
- (d) renovation of the institutional house in Kitwe;
- (e) increasing staffing levels;
- (f) procurement of more record scanners; and
- (g) appointment of a resident Judge for the Commercial List at Kitwe.



### **8.3 THE INDUSTRIAL RELATIONS COURT**

#### **8.3.1 LEGAL STATUS**

The Industrial Relations Court (IRC) is established under Article 91(c) of the Constitution, Chapter 1 of the Laws of Zambia and is constituted under section 84 of the Industrial and Labour Relations Act, Chapter 269 of the Laws of Zambia. The Court has been operational at Lusaka since 1973. The Court at Ndola was opened in 1994 and it became operational in 1996.

#### **8.3.2 COMPOSITION**

The Court had an establishment of six (6) Judges. During the year under review, it was composed of one (1) Chairperson and five (5) Deputy Chairpersons distributed as follows:

- (a) one (1) Chairperson and three (3) Deputy Chairpersons at Lusaka; and
- (b) two (2) Deputy Chairpersons at Ndola.

#### **8.3.3 FUNCTIONS OF THE COURT**

The functions of the Court are stipulated under Section 85 of the Industrial and Labour Relations Act as amended by Act No. 30 of 1997. They include the following:

- (a) original and exclusive jurisdiction to hear and determine any industrial relations matters and any proceedings under the Industrial and Labour Relations Act;
- (b) jurisdiction to commit and punish for contempt any person who disobeys or unlawfully refuses to carry out or to be bound by any order made against that person;
- (c) jurisdiction to hear and determine any dispute between an employer and an employee notwithstanding that such dispute is not connected with a collective agreement or other trade union matter; and
- (d) jurisdiction to carry out assessments and taxation of costs.
- (e) powers to approve settlement of Industrial and Labour disputes.

#### **8.3.4 CASE RETURNS FOR THE INDUSTRIAL RELATIONS COURT**

During the period under review, 592 new cases were filed at Lusaka IRC, representing about 83% of the total cases filed and 121 cases were filed at Ndola IRC, representing about 17%. See Figure 4. A total of 406 cases were brought forward from 2014.

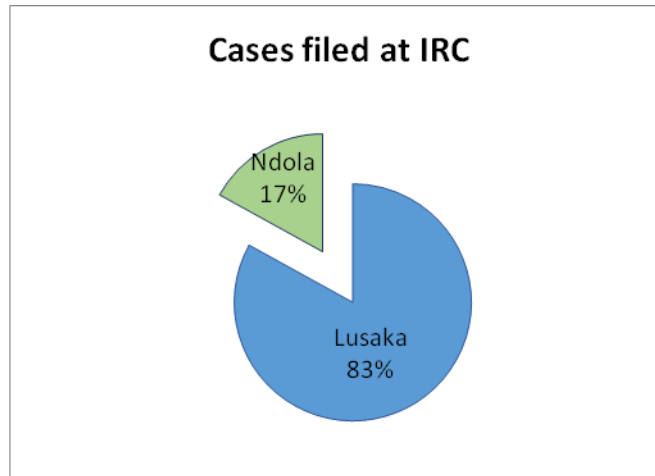


Figure 4: Cases filed at Industrial Relations Court in 2015

Figure 5 below shows the cases handled by IRC in 2014 and 2015. As can be seen from the figure, the number of cases filed in 2015 was slightly more than that recorded in 2014. The Court disposed of significantly more cases in 2015 than 2014. This might be due to the fact that while data for 2015 covered the entire year, the data for 2014 was for the period from January to October. In consequence, the number of cases pending at the end of the year reduced in 2015. See Table B in appendix for details.

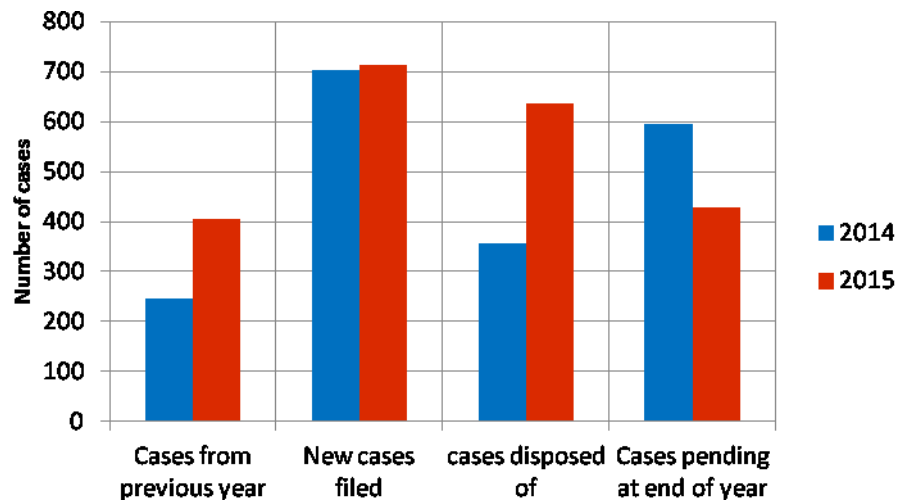


Figure 5: Cases handled by IRC in 2014 and 2015

### 8.3.5 ACHIEVEMENTS OF THE INDUSTRIAL RELATIONS COURT

The following were the achievements of the Court in 2015:

- (a) the interior part of the court house at Lusaka was painted;





- (b) an information technology officer was deployed and internet was connected at Lusaka;
- (c) security was improved at Lusaka by the provision of twenty-four (24) hour police security in mid-2015. In addition, the Judiciary hired the services of a private security firm;
- (d) stationery was supplied by Central administration which improved court operations; and
- (e) the 2016 budget preparation was done with financial support from the Sheriff of Zambia.

### **8.3.6 CONSTRAINTS FACED BY THE INDUSTRIAL RELATIONS COURT**

The following were the constraints faced by the IRC at Lusaka and Ndola during the year 2015:

- (a) the Court faced challenges with regard to infrastructure both at Lusaka and Ndola. In Lusaka, there was only one Court room available against four (4) Judges while at Ndola the Court continued to use the High Court building for its business. Further, the support staff were housed in a building which is located more than 500 metres away from the Hon. Judges Chambers and the High Court building. This posed a great challenge to the coordination of duties and the security of court records. In addition, there was generally inadequate office space for Hon. Judges, Members and support staff;
- (b) the erratic water supply at Lusaka continued to pose a health risk. Efforts were made to sink a borehole to compliment the supply from Lusaka Water and Sewerage Company, but this did not yield any results;
- (c) both Courts experienced insufficient budgetary allocation and erratic funding. This made it extremely difficult to implement planned activities and to settle outstanding bills.
- (d) Lusaka and Ndola had only one utility vehicle each. At Lusaka the vehicle was sometimes shared by the four (4) Hon. Judges while at Ndola by two (2) Hon. Judges whenever their personal to holder vehicles were being serviced;
- (e) there was poor water drainage system at Lusaka. During the rainy season, the building became inaccessible due to heavy flooding which affected some offices on the ground floor;
- (f) both Lusaka and Ndola had no designated room for the library. This made it difficult for the Courts to have complete sets of Laws of Zambia volumes; and
- (g) both Lusaka and Ndola IRC had insufficient furniture and office equipment, such as computers, fax machines, scanners and printers.



### 8.3.7 PROPOSED SOLUTIONS TO THE CONSTRAINTS

The following are the proposed solutions to the constraints faced by the IRC:

- (a) the approved budgetary allocations for 2016 must be released on time on a monthly basis;
- (b) the Court fees must be further revised upwards;
- (c) government must authorise the Judiciary to retain the fines;
- (d) utility vehicles should be procured for both Lusaka and Ndola for Court circuits;
- (e) new court buildings and offices should be constructed especially at Ndola.
- (f) procurement of more office furniture and equipment at both Lusaka and Ndola;
- (g) completion of the borehole water reticulation system at Lusaka; and
- (g) improvement of the water drainage system at Lusaka.



## **8.4 THE SUBORDINATE COURTS**

### **8.4.1 LEGAL STATUS**

The Subordinate Courts are established under Article 91 of the Constitution, Chapter 1 of the Laws of Zambia. They are governed by the Subordinate Courts Act, Chapter 28 of the Laws of Zambia.

### **8.4.2 COMPOSITION OF THE COURTS**

The Composition of the Subordinate Courts is as follows:

- (a) Chief Resident Magistrate;
- (b) Principal Resident Magistrate;
- (c) Senior Resident Magistrate;
- (d) Resident Magistrate;
- (e) Magistrate Class I;
- (f) Magistrate Class II; and
- (g) Magistrate Class III.

The Courts are supported by Senior Clerks of Court, Clerks of Court, Court Interpreters and other support staff.

### **8.4.3 FUNCTIONS OF THE SUBORDINATE COURTS**

The functions of the Subordinate Courts as provided under Section 17 of the Subordinate Courts Act include the following:

- (a) to hear and determine criminal and civil cases;
- (b) to hear and determine cases involving juveniles;
- (c) to inquire and make affiliation and adoption orders;
- (d) to conduct inquests;
- (e) to administer oaths and affirmations;
- (f) to visit prisons as justices of the peace;
- (g) to make such orders and decrees as may be required by law; and
- (h) to hear appeals from the Local Courts.



#### 8.4.4 DISTRIBUTION OF COURTS

The Subordinate Courts are found in the following districts of Zambia:

- |                   |                    |                  |
|-------------------|--------------------|------------------|
| 1. Chambeshi;     | 23. Kapiri Mposhi; | 45. Mpulungu;    |
| 2. Chadiza;       | 24. Kaputa;        | 46. Mufumbwe;    |
| 3. Chama;         | 25. Kasama;        | 47. Mufulira;    |
| 4. Chavuma;       | 26. Kasempa;       | 48. Mumbwa;      |
| 5. Chililabombwe; | 27. Katete;        | 49. Mwense;      |
| 6. Chilubi;       | 28. Kawambwa;      | 50. Mwinilunga;  |
| 7. Chisamba;      | 29. Kitwe;         | 51. Nakonde;     |
| 8. Chingola;      | 30. Livingstone;   | 52. Namwala;     |
| 9. Chinsali;      | 31. Luanshya;      | 53. Nchelenge;   |
| 10. Chipata;      | 32. Lukulu;        | 54. Ndola;       |
| 11. Choma;        | 33. Lundazi;       | 55. Nyimba;      |
| 12. Chongwe;      | 34. Lusaka;        | 56. Petauke;     |
| 13. Gwembe;       | 35. Luwingu;       | 57. Samfya;      |
| 14. Isoka;        | 36. Mansa;         | 58. Senanga;     |
| 15. Itezhi-tezhi; | 37. Mazabuka;      | 59. Serenje;     |
| 16. Kabompo;      | 38. Mbala;         | 60. Sesheke;     |
| 17. Kabwe;        | 39. Mkushi;        | 61. Shang'ombo;  |
| 18. Kafue;        | 40. Mongu;         | 62. Siavonga;    |
| 19. Kalabo;       | 41. Monze;         | 63. Sinazongwe;  |
| 20. Kalomo;       | 42. Mpika;         | 64. Solwezi; and |
| 21. Kalulushi;    | 43. Mporokoso;     | 65. Zambezi.     |
| 22. Kaoma;        | 44. Mpongwe;       |                  |

#### 8.4.5 CASE RETURNS FOR THE SUBORDINATE COURTS

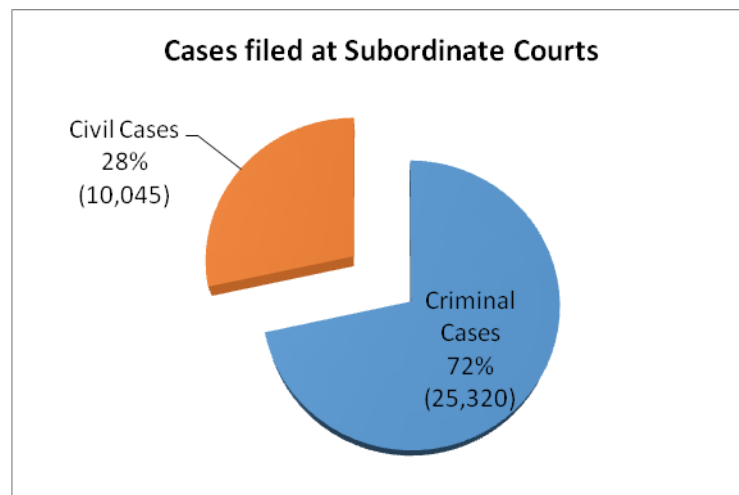


Figure 6: Cases filed at the Subordinate Courts in 2015



During the period under review, the Subordinate Courts received a total of 35,365 cases; 25,320 (72%) of the cases were criminal cases and 10,045 (28%) were civil cases. See Figure 6 above.

A total of 4,933 civil cases and 8,025 criminal cases were brought forward from 2014 bringing the total number of cases that were before the Subordinate Courts to 48,323. The Courts disposed of 23,647 and 9,497 criminal and civil cases respectively. For both civil and criminal, the number of cases received and disposed of was more in 2015 than 2014. See Figure 7 below and Table C in Appendix I.

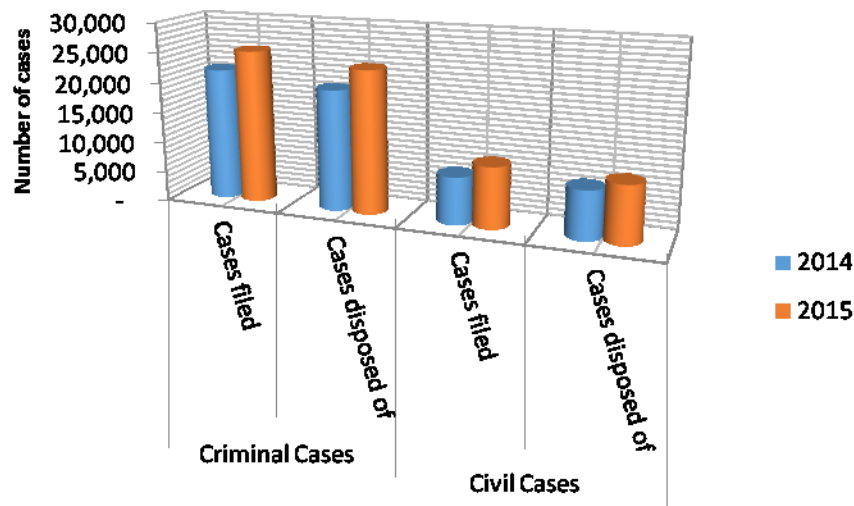


Figure 7: Cases filed and disposed of at the Subordinate Courts

#### 8.4.6 ACHIEVEMENTS OF THE SUBORDINATE COURTS

The Subordinate Courts made the following achievements in the period under review:

- the Sinazongwe Subordinate Court in Southern Province was successfully opened, this reduced the workload at Choma Subordinate court and improved the rate at which cases were disposed of;
- Magistrates and support staff were recruited;
- the car park was renovated and broken window panes were replaced at Kitwe Subordinate Court;
- courtroom furniture was procured for Kitwe, Chipata, Lundazi, Katete and Petauke Subordinate Courts;
- a borehole was sunk at Ndola Subordinate Court;
- rentals for all Magistrates were paid on time;



- (g) the Gender Based Violence (GBV) Fast Track Court was established at Lusaka and Kabwe Subordinate Courts;
- (h) furniture and computers were purchased for all chambers and registries at Kabwe Subordinate Court ;
- (i) Court Interpreters and Registry staff underwent in-service training at the Lusaka Magistrates Complex; and
- (j) chambers, court rooms, kitchen, washrooms and the Juvenile section at Lusaka were rehabilitated .

#### **8.4.7 CONSTRAINTS FACED BY THE SUBORDINATE COURTS**

The following constraints were faced by the Subordinate Courts during the year under review:

- (a) funding was inadequate and did not meet the operational needs of the courts;
- (b) there was inadequate office equipment and furniture;
- (c) the inadequacy of utility vehicles greatly affected service delivery;
- (d) there was inadequate office space and court rooms. The available court houses were dilapidated such as the Kitwe Subordinate Court. As a result some courts were either housed in Council Chambers or had to share the same building with the Local Courts;
- (e) insufficient budgetary allocations for infrastructure continued to delay the completion of some projects and in some cases, the contractors demobilized from the site;
- (f) there was failure to attract and retain professional Magistrates largely due to uncompetitive conditions of service;
- (g) the lack of infrastructure at the Kasama, Mazabuka, Mansa, Mongu, Chipata, and Solwezi High Courts deprived the Subordinate Courts of sittings during High Court circuit sessions;
- (h) the Kitwe Subordinate Court was in a dilapidated state;
- (i) there was lack of security at Lusaka Magistrates Court Complex;
- (j) there was insufficient storage space for concluded case records at all Subordinate courts; and
- (k) Subordinate Courts in the newly created districts had no infrastructure and were not on the establishment.



#### **8.4.8 PROPOSED SOLUTIONS TO THE CONSTRAINTS**

The following are the proposed solutions to the above constraints:

- (a) Government should improve Recurrent Departmental Charges (RDCs.) and funds for capital projects. Funding should be done on a monthly basis to ensure the efficient operations of the courts;
- (b) furniture and equipment such as heavy duty photocopying machine, fax machine, laptops must be procured in order to improve the preparation and transmission of case records for appeals, sentencing, confirmation and committal;
- (c) vehicles should be procured for every station to improve the dispensation of justice;
- (d) more court houses should be constructed;
- (e) containers for alternative storage should be procured; and
- (f) placing the newly created courts on the establishment.



## 8.5 SMALL CLAIMS COURT

### 8.5.1 LEGAL STATUS

The Small Claims Court is established under the Small Claims Act, Chapter 47 of the Laws of Zambia.

### 8.5.2 FUNCTIONS OF THE SMALL CLAIMS COURT

The Small Claims Court was established to hear civil matters for claims up to K20, 000.00 for litigants who cannot afford legal representation. However, it has no jurisdiction over claims arising from customary law, divorce, maintenance or custody of children, validity of wills, damages for defamation, malicious prosecution, wrongful imprisonment, adultery or sedition and actions against a consular office or foreign state.

### 8.5.3 COURT SESSIONS

The Small Claims Court sat on all working days.

### 8.5.4 CASE RETURNS FOR THE SMALL CLAIMS COURT

During the period under review, a total of 1,498 cases were brought forward from 2014. In 2015, a total of 3,070 new cases were filed. The following table shows details of the case returns.

**Table 5 - Cases handled by the Small Claims Court in 2014 and 2015**

Year	Station	Cases from previous year	New cases filed	Cases disposed of	Cases pending at end of year
2014	Lusaka	601	1,272	797	1,076
	Ndola	534	757	645	646
	Kitwe	218	659	420	457
	Total	1,353	2,688	1,862	2,179
2015	Lusaka	1,076	1,268	1,769	575
	Ndola	418	893	681	630
	Kitwe	535	909	505	939
	Total	2,029	3,070	2,955	2,144

### 8.5.5 ACHIEVEMENTS OF THE SMALL CLAIMS COURT

One (1) Commissioner was appointed for the Kitwe Small Claims Court, which had been experiencing a shortage of Commissioners. This helped in the quick disposal of cases.





#### **8.5.6 CONSTRAINTS FACED BY THE SMALL CLAIMS COURT**

The Small Claims Court faced the following constraints:

- (a) Commissioners were not paid their honorariums on time due to the delayed release of RDCs;
- (b) there was inadequate transport to obtain dates of hearing and have urgent applications signed as Commissioners remained part time adjudicators;
- (c) there were insufficient courtrooms for sittings at Ndola and Kitwe; and
- (d) there was a shortage of staff at Kitwe which currently does not have a staff establishment.

#### **8.5.7 PROPOSED SOLUTIONS TO THE CONSTRAINTS**

The following are the proposed solutions:

- (a) there should be timely release of funds for Commissioners' honorarium;
- (b) more utility vehicles must be procured;
- (c) court houses must be constructed;
- (d) relevant staff must be recruited; and
- (e) staff establishment must be created for Kitwe Small Claims Court.



## 8.6 LOCAL COURTS

### 8.6.1 LEGAL STATUS

The Local Court is established by Article 91 of the Constitution, Chapter 1 of the Laws of Zambia and constituted under Section 4 (1) of the Local Courts Act, Chapter 29 of the Laws of Zambia.

### 8.6.2 DISTRIBUTION OF LOCAL COURTS

In 2015, there were 525 Local Courts dotted throughout the country. These formed the base of the judicial system in Zambia and have the largest number of courts. The distribution of the Local Courts was as shown in the table below.

**Table 6 - Distribution of Local Courts in Zambia**

Province	Total No. of Courts	Operational	Non – Operational	Without Structures (Under Tree)
Lusaka	40	33	7	3
Central	29	24	5	-
Copperbelt	50	46	4	1
Luapula	57	46	10	4
N/Western	50	35	15	9
Muchinga	39	28	11	18
Eastern	69	65	4	14
Northern	54	45	9	4
Southern	53	42	11	5
Western	84	55	29	43
<b>Total</b>	<b>525</b>	<b>416</b>	<b>85</b>	<b>101</b>

### 8.6.3 OBJECTIVES OF THE LOCAL COURTS

The objective of Local Courts is to administer African Customary law and any other law provided for by Section 13 of the Local Courts Act.

### 8.6.4 FUNCTIONS OF THE LOCAL COURTS

The functions of the Local Courts are as follows:

- (a) to hear and determine criminal and civil cases;
- (b) to determine cases under the provisions of all by-laws and regulations made under the provisions of the Local Government Act, Chapter 281 of the Laws of Zambia and in force in the area of jurisdiction of such Local Court; and
- (c) to enforce the provisions of any written law, which such Local Court is authorized to administer under the provisions of section 13 of the Local Courts Act.



### 8.6.5 STRUCTURE OF LOCAL COURTS

The Local Courts are divided into two grades, that is, Grade **A** and Grade **B** Court. A Grade **A** Court is presided over by a Principal Presiding Local Court Magistrate, a Senior Presiding Local Court Magistrate and a Senior Local Court Magistrate. A Grade **B** Court is presided over by a Presiding Local Court Magistrate and a Local Court Magistrate.

### 8.6.6 COMPOSITION

During the year under review, the Local Court Magistrates were distributed as follows:

- (a) 4 Principal Presiding Local Court Magistrates;
- (b) 54 Senior Presiding Local Court Magistrates;
- (c) 132 Presiding Local Court Magistrates;
- (d) 186 Senior Local Court Magistrates; and
- (e) 299 Local Court Magistrates.

### 8.6.7 CASE RETURNS FOR THE LOCAL COURTS

During the period under review, a total of 16,799 civil cases were brought forward from 2014. In 2015, 162,489 new cases were filed bringing the total number of civil cases to 179,288.

The Courts disposed of 136,301 cases leaving 42,987 civil cases pending at the end of 2015. In relation to criminal cases, 1,802 cases were brought forward from 2014 while the number of new cases filed was 10,673, giving a total of 12,475 cases. A total of 8,673 cases were disposed of and 3,802 were pending at the end of 2015. Figure 8 below shows the proportions of the number of cases disposed of and pending in 2014 and 2015. As can be seen from the graph, the volume of cases handled by the Local Courts increased in 2015. See Table D in Appendix I for a distribution by province.

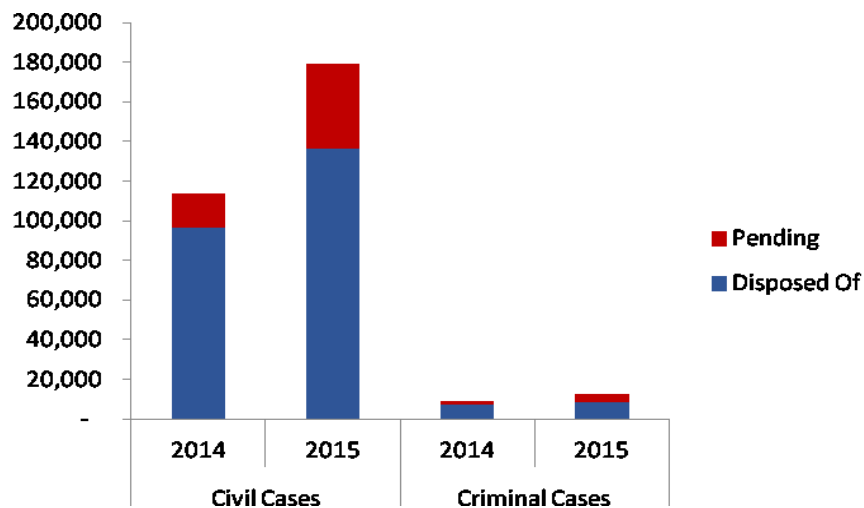


Figure 8: Cases handled by the Local Courts in 2014 and 2015



#### **8.6.8 ACHIEVEMENTS OF THE LOCAL COURT**

The following were the achievements of the Local Court during the period under review:

- (a) criminal jurisdiction was enhanced for the Local Court Magistrates in Choma and Lusaka. This increased access to criminal justice within those communities;
- (b) university graduates continued to be employed in key positions such as Provincial Local Court Officers and Local Court Officers. This led to the improvement in quality of supervision at Provincial level;
- (c) some Local Court Magistrates were trained as trainers on how to handle Gender Based Violence cases;
- (d) Local Court Magistrates were appointed on permanent and pensionable conditions of service. This reduced the burden of paying gratuities at the end of their contracts;
- (e) the construction of Lukulu and Kalabo Urban Local Courts was completed; and
- (f) revenue collection increased in all the provinces due to an increase in litigation.

#### **8.6.9 CONSTRAINTS FACED BY THE LOCAL COURTS**

Despite the above achievements, the following were some of the challenges faced by the Local Courts:

- (a) there was lack of transport to inspect, supervise and serve summons and other court processes especially in rural areas;
- (b) there was inadequate court infrastructure especially in rural areas;
- (c) there was obsolete or no furniture at all in most of the courts;
- (d) there was no water and electricity in most rural Local Courts;
- (e) there was insufficient and erratic funding to the Local Courts. This negatively affected the procurement of goods and services for the smooth operation of the courts;
- (f) the re-classification of Local Courts into Grades A and B was not regularly done and this affected access to timely justice;
- (g) there were inadequate safes in all Local Courts;
- (h) there were delays in the renewal of contracts for Local Court Magistrates; and
- (i) there was a shortage of adjudicators and support staff.

#### **8.6.10 PROPOSED SOLUTIONS TO THE CONSTRAINTS**

Below are the proposed solutions to the constraints faced by the Local Courts:

- (a) motor vehicles, bicycles and speedboats should be procured;
- (b) more court rooms and staff houses should be constructed;
- (c) the procurement process should be decentralised to Provincial level;
- (d) alternative energy sources such as solar should be provided;



- (e) there should be regular funding to the Local Courts;
- (f) all the Local Courts should have equal jurisdiction;
- (g) contracts for Local Magistrates should be renewed on time;
- (h) more safes should be procured;
- (i) treasury authority should be granted for recruitment of staff; and
- (j) more land should be sourced for construction of Local Courts.



## 8.7 SHERIFF'S OFFICE

### 8.7.1 LEGAL STATUS

The Sheriff's Office is established under the Sheriff's Act, Chapter 37 of the Laws of Zambia.

### 8.7.2 FUNCTIONS OF THE SHERIFF'S OFFICE

The main function of the Office was to secure the rights of individuals and institutions through debt recovery. This was done by enforcing court orders through the service of warrants on defaulting individuals or institutions and execution of process in accordance with relevant laws. The office was also mandated by law to conduct public auction sales.

### 8.7.3 ACHIEVEMENTS OF THE SHERIFF'S OFFICE

In the year under review, the Sheriff's Office achieved the following:

- (a) There was an increase in revenue collection. The following table shows a comparison of fees collected in 2014 and 2015.

**Table 7 -Fees collected by the Sheriff in the years 2014 and 2015**

Province	2014			2015		
	100%	60%	40%	100%	60%	40%
Lusaka	3 497 171.91	2 098 303.15	1 398 868.76	5 702 843.61	3 421 706.17	2 281 137.44
Kitwe	337 082.50	202 249.50	134 833.00	415 673.00	249 403.80	166 269.20
Ndola	449 930.00	269 958.00	179 972.00	240 153.00	144 091.80	96 061.20
<b>Totals</b>	<b>4,284,184.41</b>	<b>2,570,510.65</b>	<b>1,713,673.76</b>	<b>6,358,669.61</b>	<b>3,815,201.77</b>	<b>2,543,467.84</b>

- (b) Security firms were engaged to safeguard the seized items and the Sheriff's Offices;
- (c) two (2) power generators at Chinika and Kambala offices were procured at a cost of K340,598.00 This helped to mitigate against load shedding;
- (d) two (2) motor vehicles were purchased for the Sheriff's office at Lusaka to enhance operations;
- (e) an office and warehouse were acquired and renovated in Kalulushi and a bailiff was deployed; and
- (f) a water tank was installed at Lusaka Sheriff's office to ease water problems.

### 8.7.4 CONSTRAINTS FACED BY THE SHERIFF'S OFFICE

During the year under review, the Sheriff's Office experienced the following constraints:

- (a) there was inadequate transport which resulted in loss of revenue;



- (b) there was lack of security for officers, especially when executing Writs of Possession;
- (c) there was a shortage of staff especially drivers;
- (d) there was inadequate funding; and
- (e) some Bailiffs had no training on how to conduct executions.

#### **8.7.5 POSSIBLE SOLUTIONS TO THE CONSTRAINTS**

The following are the proposed solutions:

- (a) motor vehicles should be procured for the Sheriff's Office to ease its operational difficulties;
- (b) the Inspector General of Police should be engaged to provide security to the Sheriff's Office;
- (c) treasury authority should be given to fill vacant positions especially for drivers; and
- (d) training and refresher courses should be conducted for staff.



## **9 HUMAN RESOURCES AND ADMINISTRATION DEPARTMENT**

The Human Resources and Administration Department was primarily concerned with managing the workforce and providing support services to the core functions of the Judiciary.

### **9.1 ACHIEVEMENTS OF THE HUMAN RESOURCES AND ADMINISTRATION DEPARTMENT**

During the year under review, the department achieved the following:

#### **9.1.1 HUMAN RESOURCE MANAGEMENT**

##### **9.1.1.1 STAFF RECRUITMENT**

The Judiciary's staff complement stood at 4,422 employees against the 2015 approved establishment register 6,267. The 1,845 vacant positions could not be filled as there was no net recruitment in the 2015 budget. For details see appendix II.

However, Human Resource Management was able to fill vacant positions during the reporting year which arose on account of dismissals, deaths, resignations, retirements and non renewal of contracts. See Appendix II.

##### **9.1.1.2 CAPACITY BUILDING**

In terms of training the following programmes were undertaken

###### **(a) Workshops and Seminars**

- (i) United Nations Office on Drugs and Crime (UNODC) Zambia Project organized a consultative meeting on Prison Conditions, Policy and Legal Reform for nine (9) Hon. Judges and eight (8) Magistrates at the Protea Safari Lodge in Chisamba from 7<sup>th</sup> to 8<sup>th</sup> December, 2015.
- (ii) The Competition and Consumer Protection Commission conducted a two (2) days workshop for Judges and Magistrates at Protea Safari Lodge, Chisamba from 7<sup>th</sup> to 8<sup>th</sup> December, 2015.

###### **(b) Induction/Re-orientation**

- (i) The Judiciary organised an induction programme for ten (10) Hon. Judges at Protea Safari Lodge in Chisamba from 8<sup>th</sup> to 10<sup>th</sup> of January, 2015. The induction programme comprised of newly appointed and serving Judges; and
- (ii) Management organised a two day re-orientation workshop for one hundred and fifty (150) Office Assistants under the theme, "Enhancing Professionalism" from 2<sup>nd</sup> to 5<sup>th</sup> July, 2015 at Lake Kariba Inns in Siavonga.





**(c) Short Courses**

The Japan International Co-operation Agency (JICA) through the knowledge co-creation sponsored one Magistrate to undertake a month's training in Criminal Justice Response to Corruption.

**(d) Other Programs and Activities**

- (i) The National Legal AID Clinic for Women with the support of Government of the Republic of Zambia and United Nations (UN), organized a Gender Based Violence Training of Trainers Workshop for the Traditional Leaders and Local Court Magistrates were trained. Fifty eight (58) Local Court Magistrates were trained;
- (ii) The Judiciary bargaining unit undertook training in Needs Based Collective Bargaining from 30th September to 2<sup>nd</sup> October, 2015;
- (iii) The Judiciary sponsored one officer from the procurement department to attend the CIPS Pan African Conference in Pretoria, South Africa under the theme, "Raise Your Game, Raise Your Voice" from 28<sup>th</sup> to 29<sup>th</sup> July, 2015; and
- (iv) The Judiciary hosted the 17<sup>th</sup> Triennial Conference of the Commonwealth Magistrates' and Judges' Association; and participated in the following international conferences; Southern African Chief Justices Forum in Zimbabwe; International Conference for Chief Justices of the World in India, and the Annual African Chief Justices and Senior Judiciary workshop in Ireland.

**9.1.2 ADMINISTRATION AND PROCUREMENT MANAGEMENT**

- (a) In an effort to effectively manage purchases of various goods and services, Management decided to have one year running contracts, for the supply and delivery of stationery, toner, cartridges, printing services, repair and maintenance of IT equipment, cleaning material and travel services;
- (b) Management enhanced security at the Hon. Judges' residences at Lusaka; and
- (c) Management procured gowns for Hon. Judges and Research Advocates, court attire for Magistrates and Court Reporters as well as uniforms for Office Assistants.

**9.1.3 TRANSPORT MANAGEMENT**

There were a total of 102 vehicles (runners) country wide out of which 10 were procured during the year under review. A total of 31 vehicles were used as utility and 39 were circuit vehicles. The remainder were duty and project vehicles. Fifty eight (58) of these



vehicles have, however, lived there life span as per government regulation of 5 years. The table below summarizes this information.

**Table 8 – Number of Judiciary Vehicles in 2015**

Description	Number
Circuit Vehicles	39
Utility Vehicles	31
Duty and Project Vehicles	32
<b>Total</b>	<b>102</b>
*Procured in 2015 (included in total above)	10

## **9.2 CONSTRAINTS FACED BY THE HUMAN RESOURCES AND ADMINISTRATION DEPARTMENT**

The department faced the following constraints:

- (a) there was no net recruitment provision in the 2015 budget to fill vacant positions in the Judiciary staff establishment;
- (b) the Judiciary continued facing a critical shortage of professional Magistrates, Research Advocates, Court Interpreters, Court Marshals, Clerks of Court and Secretaries;
- (c) the Judiciary continued facing a lack of administrative structures at Provincial and District levels to consolidate decision making at the lower levels;
- (d) there was inadequate funding for Personal Emoluments as the Treasury only released K6, 168, 640.00. As at 31st December, 2015, the Judiciary owed K69, 194,360.76 in unpaid gratuity, settling in allowance, leave travel, repatriation and leave terminal days;
- (e) there was a lack of decent houses and access to good social amenities for rural Local Courts;
- (f) there was a lack of transport for Local Court Messengers to serve or execute Court processes forcing them to walk long distances;
- (g) the Judiciary was unable to replace most of its motor vehicle fleet which is worn out due to lack of funding from the Treasury; and
- (h) the Judiciary continued to grapple with the challenges of inadequate office space and court rooms as well as office equipment.

## **9.3 PROPOSED SOLUTIONS TO THE CONSTRAINTS**

The following are the proposed solutions to the above constraints:

- a) adequate funding should be provided for the training and development unit as well as the Judicial School of Excellence in order to enhance capacity building;



- b) treasury authority should be granted to allow the Judiciary to fill the available vacancies and create new ones;
- c) conditions of service must be improved in order to attract and retain skilled personnel; and
- d) funding should be improved for replacement of old furniture and office equipment.

## **10 STATE OF INFRASTRUCTURE**

In December, 2014, the Judiciary established a Planning Unit, to coordinate, plan, design and supervise the construction and maintenance of infrastructural projects within the institution. Between 2012 and 2014, the Judiciary had awarded close to 200 projects across the country of which 92 have been completed.

### **10.1 ACHIEVEMENTS RELATING TO INFRASTRUCTURE**

- a) Despite lack of funding for construction, works continued at the newly acquired National Housing Authority Building.
- b) The Planning Unit carried out conditional site surveys and developed Bills of Quantities for the dilapidated court buildings.

### **10.2 CONSTRAINT FACED RELATING TO INFRASTRUCTURE**

Rehabilitation and construction works stalled due to budgetary constraints. Despite the budgetary allocation of K30, 194, 455.00, towards capital projects, the Ministry of Finance did not release the funds.

### **10.3 POSSIBLE SOLUTION TO THE CONSTRAINT**

The Ministry of Finance should release the funds for infrastructure rehabilitation and construction.



## 11 COMPUTERIZATION OF THE JUDICIARY

The Judiciary, under its computerization programme, worked on a number of interventions aimed at addressing some of the challenges the institution was facing.

### 11.1 ACHIEVEMENTS RELATING TO COMPUTERIZATION

#### (a) Digitalization of Court Case Records

Digitalization of court records was an intervention aimed at addressing cases of missing records. With this intervention, every physical record was scanned and stored in an electronic version which could be reproduced if the physical file went missing. This significantly reduced complaints of missing case records at the courts where this system was deployed. A total of **11, 440** case records were scanned in the period under review as follows:

#### LUSAKA

Registry	Records Scanned
Supreme Court Registry	497
High Court Commercial Registry	587
High Court Principal Registry	6037
High Court Criminal Registry	507
Subordinate Court Civil Registry	1423
Subordinate Court Criminal Registry	1517

#### KITWE

Registry	Records Scanned
High Court Civil Registry	275
High Court Criminal Registry	107
High Court Commercial Registry	13

#### NDOLA

Registry	Records Scanned
High Court Civil Registry	430
High Court Criminal Registry	73

#### (b) Electronic Asset Register

The Judiciary continued strengthening its internally developed electronic asset register to monitor and track vital institutional assets such as computers, printers, copiers and scanners. The system which was deployed at the web



address <http://www.judiciary.gov.zm/helpdesk/> has so far been extremely useful in addressing pivotal audit queries on distribution and acquisition of assets.

**(c) Implementation of Technology at Kabwe GBV Court**

The Judiciary in conjunction with the United Nations Development Programme (UNDP) and the Zambia Law Development Commission (ZLDC) installed state-of-the-art technology at its Kabwe GBV Court aimed at alleviating obstacles faced by victims of GBV.

**(d) Enhancement of Information Dissemination Tools**

The institution continued strengthening its information dissemination tools aimed at improving communication with the general public. The following tools were implemented:

**(i) Website**

Updated daily and accessed via the web address [www.judiciary.gov.zm](http://www.judiciary.gov.zm), was a vital tool for accessing latest court judgments, legal calendars, weekly cause lists and other services offered by the Judiciary;

**(ii) Self-Service Kiosks**

The Judiciary continued to update and widen the scope of information available on the self-service kiosks installed at Lusaka, Ndola and Kitwe High Courts aimed at providing the public with information concerning the operations of the Institution; and

**(iii) Electronic Cause List Displays**

The Judiciary continued to update and widen the scope of information available on displays installed at the Supreme Court, Lusaka High Court and the Magistrates' Court Complex. The screens provided real-time cause lists and important notices to litigants and the general public.

**(e) Real-time Court Reporting**

Real-Time Court Reporters significantly contributed to reducing the time taken to write judgments. Previously, proceedings were handwritten and usually transcribing took several weeks before they were made available to adjudicators.

The Judiciary currently has a total of 63 Real-Time Court Reporters broken down as follows:

Servicing Lusaka Courts	20
Servicing Kabwe Courts	1
Servicing Ndola Courts	3
Servicing Kitwe Courts	2
Undergoing Training at 19 Tito Road	31
New Recruits (2015)	6
Separated from Judiciary	16



## 11.2 CONSTRAINTS RELATING TO COMPUTERIZATION

The following were the constraints faced by the Judiciary in relation to computerization:

- (a) computerization of court rooms and digitalization of court records could not be rolled out to other provinces, apart from selected courts in Lusaka and Copperbelt, due to limited funds;
- (b) electronic attendance system was limited to Judiciary headquarters due to lack of funds;
- (c) information dissemination tools were limited to a few selected regions due to lack of funds; and
- (d) the number of Real-Time Court Reporters was insufficient compared to the number of adjudicators in the country making this service only available to a few adjudicators.

## 11.3 PROPOSED SOLUTIONS TO THE CONSTRAINTS

In order to address the above constraints, there is need to secure funding-

- (a) to rollout the digitalization of court records and computerize more courtrooms in all provincial centres;
- (b) to rollout the installation of electronic attendance units to other stations;
- (c) to widen the scope of information dissemination by installing more kiosks and connecting other stations to the internet; and
- (d) to continue the recruitment and training of Real-Time Court Reporters to adequately service all adjudicators.



## 12 ACCOUNTING UNIT

The Accounting unit is responsible for overseeing the budget processes and financial operations of the Judiciary in order to ensure effective financial management systems and applications.

For the year ending 31<sup>st</sup> December, 2015, the budget allocation for the Judiciary amounted to **K361, 774,078.00** out of which **K226, 773,682.00** was for personal emoluments leaving a balance of **K135, 000,396.00** for Recurrent Departmental Charges (RDCs). The Budget allocation represented only 0.55% of the National Budget. However, Judiciary was granted authority to supplement RDCs budget amounting to **K14, 749,105.34**.

The table below shows the budget performance in 2015.

**Table 9 – 2015 Budget Performance**

Item	Budget Provision	Total Released	Variance
<b>Approved Budget</b>			
Personal Emoluments	226,773,682.00	226,773,682.00	-
Non Personal Emoluments	70,000,659.33	21,561,562.30	48,439,097.03
Other Personal Emoluments	29,821,850.00	29,821,850.00	-
Grants	1,000,000.00	1,000,000.00	-
Capital	30,194,455.00	-	30,194,455.00
Rentals	3,983,431.67	3,983,431.67	-
<b>Total</b>	<b>361,774,078.00</b>	<b>283,140,525.97</b>	<b>78,633,552.03</b>
<b>Supplementary Budget</b>			
Rentals	8,523,772.00	8,523,772.00	-
Court Fees	1,000,000.00	1,000,000.00	-
Mutembo Nchito Tribunal	5,225,333.34	5,285,333.34	(60,000.00)
<b>Total</b>	<b>14,749,105.34</b>	<b>14,809,105.34</b>	<b>(60,000.00)</b>
<b>Total Authorised Provision</b>	<b>376,523,183.34</b>	<b>297,949,631.31</b>	<b>78,573,552.03</b>

### 12.1 ACHIEVEMENT

The Accounting Unit recorded an increase in revenue collection for the year 2015 in comparison to 2014. This was attributed to strengthening of financial controls and increased frequency of revenue monitoring. Table 14 below shows a comparison of revenue collection for 2014 and 2015.



Table 10 – Revenue Collection for 2014 and 2015

Department	2014 Revenue	2015 Revenue	Variance
Supreme Court	111,688.31	159,230.75	47,542.44
High Court	1,249,456.06	3,375,124.30	2,125,668.24
Lusaka Province	5,189,625.76	6,923,878.69	1,734,252.93
Small Claims Court	98,199.00	276,344.00	178,145.00
Sherriff's	3,497,171.91	6,988,755.48	3,491,583.57
Industrial Relations Court	192,551.38	225,699.10	33,147.72
Copperbelt Province	1,260,689.12	1,721,766.19	461,077.07
Central Province	630,445.00	337,058.77	-293,386.23
Council Of Law Reporting	199,270.00	140,608.00	-58,662.00
Northern Province	426,030.67	627,768.75	201,738.08
Southern Province	590,337.72	841,456.70	251,118.98
Eastern Province	1,620,792.00	1,382,166.99	-238,625.01
Muchinga Province	560,299.13	729,599.24	169,300.11
Luapula Province	360,448.00	389,707.85	29,259.85
N/Western Province	428,322.20	755,719.75	327,397.55
Western Province	704,741.35	910,902.64	206,161.29
<b>Total Captured</b>	<b>17,120,067.61</b>	<b>25,785,787.20</b>	<b>8,665,719.59</b>

## 12.2 CONSTRAINTS FACED BY THE ACCOUNTING UNIT

### (a) Insufficient Budgetary Allocation (Budget Ceiling)

The budget allocation to the Judiciary was only 0.55% of the total National budget for the year 2015. The budget estimate for the Judiciary based on its needs was K1, 112,932,432.16 but only a budget ceiling of K361, 774,078.00 was given by Ministry of Finance. This meant that activities had to be scaled down hence affecting the Institution's operations.

### (b) Erratic funding by the treasury

The budget performance of the Judiciary had a negative outlook; funds meant for construction and rehabilitation projects were not released and this affected programme implementation for the Institution. This notwithstanding, funds meant for court operations were released by the Treasury.

### (c) Other Emoluments

The budgeted Personnel emoluments (PEs) based on the ceiling provided by the Ministry of Finance for the year 2015 was K6, 168,640.00. The outstanding bill for PEs stood at K69, 194,360.76 as at 31<sup>st</sup> December, 2015.





## **13 FUTURE PLANS**

The Judiciary intends to build upon its achievements as well as put in place measures to address some of the challenges encountered in 2015. The future plans for each level of the court and administration are as follows:

### **13.1 THE SUPREME COURT**

- (a) to construct a new and modern Supreme Court building;
- (b) to rehabilitate as well as construct modern and electronic registry for receipt and storage of active appeal documents and an archives room for the storage of complete documents;
- (c) to procure utility motor vehicles for court sessions; and
- (d) to procure personal-to-holder motor vehicles for Hon. Judges.

### **13.2 THE HIGH COURT**

- (a) to establish divisions in the High Court to promote specialization;
- (b) to procure motor vehicles for court sessions;
- (c) to establish permanent High Courts in all provincial centres with infrastructure and accommodation for Judges and staff;
- (d) to have a resident Judge appointed to the Commercial Court at Kitwe;
- (e) to construct new High Court buildings at Lusaka, Kitwe and Ndola; and
- (f) to lobby the Treasury to release funds on time for effective implementation of programmes.

### **13.3 THE INDUSTRIAL RELATIONS COURT**

- (a) to establish IRC Registries at Solwezi and Livingstone;
- (b) to conduct court circuits at Solwezi and Livingstone;
- (c) to procure motor vehicles for court circuits;
- (d) to formulate a practice manual for the IRC;
- (e) to rehabilitate existing infrastructure;
- (f) to sink a borehole at Lusaka;
- (g) to improve water drainage system at Lusaka; and
- (h) Construct court house at Ndola.

### **13.4 THE SUBORDINATE COURT**

- (a) to lobby the Treasury for funds to recruit more Magistrates and support staff;
- (b) to build houses for adjudicators especially in rural areas;
- (c) to lobby the Treasury for funds to rehabilitate and construct court houses especially in the newly created districts;
- (d) to procure furniture and motor vehicles for use during circuits and monitoring of projects;



- (e) to harmonise conditions of service and entry points for equal qualifications; and
- (f) to improve the conditions of service for Magistrates.

### **13.5 THE SMALL CLAIMS COURT**

- (a) to establish Small Claims Courts at Kabwe and Livingstone;
- (b) to procure motor vehicles for each of the Small Claims Courts to enhance their operations;
- (c) to construct court rooms specifically for the Small Claims Courts so that they do not share with the Subordinate Courts; and
- (d) to secure the honorariums for the Commissioners.

### **13.6 THE LOCAL COURT**

- (a) to procure suitable transport for use by the Local Courts;
- (b) to construct and rehabilitate Court houses and ablution blocks in rural areas and;
- (c) to sink boreholes in rural areas.

### **13.7 THE SHERIFF'S OFFICE**

- (a) to paint all offices and warehouses;
- (b) to procure motor vehicles; and
- (c) to complete the slab at Chinika Sheriff's yard.

### **13.8 THE HUMAN RESOURCES AND ADMINISTRATION DEPARTMENT**

- (a) to operationalise the Constitutional Court and the Court of Appeal pursuant to the amendment to the Constitution of Zambia;
- (b) to lobby the Treasury for funds for capacity building;
- (c) to request the Ministry of Finance for treasury authority to create new positions and fill the vacant ones;
- (d) to lobby the Treasury for adequate budget support for the liquidation of personal emolument related arrears;
- (e) to establish a special unit or constabulary;
- (f) to revise the Terms and Conditions of service in order to attract and retain key personnel;
- (g) to review and develop the 2016-2021 Strategic Plan;
- (h) to develop a Performance Management System (PMS);
- (i) to review and develop the Training and Development Policy; and
- (j) to lobby the Treasury for adequate budget support for infrastructure.



### 13.9 ACCOUNTING UNIT

- (a) to lobby the government for increased budgetary support in order to enhance access to justice;
- (b) to expand the accounts unit staff establishment; and
- (c) to enhance capacity building.



## **CONCLUSION**

The Judiciary of Zambia remains committed to provide effective, efficient, and timely dispensation of justice which is accessible to all people in Zambia. Despite the highlighted challenges, the Judiciary shall continue to maintain and uphold the highest standards of integrity and morality to increase public confidence.

## Appendix I: Case Statistical Returns

Table A – Case Returns for the High Court for 2014 and 2015

<b>A. Civil Cases</b>								
<b>Station</b>	<b>Cases brought forward from previous year</b>		<b>Cases filed in 2015</b>		<b>Cases disposed of</b>		<b>Cases pending at end of year</b>	
	<b>2014</b>	<b>2015</b>	<b>2014</b>	<b>2015</b>	<b>2014</b>	<b>2015</b>	<b>2014</b>	<b>2015</b>
Lusaka	1,933	2,899	1,821	2,908	1,816	2,339	1,938	3,468
Ndola	660	843	455	339	87	550	1,028	632
Kitwe	978	988	1,640	1,081	846	730	1,772	1,339
Livingstone	309	234	138	232	76	183	371	283
Kabwe	52	60	114	203	20	57	146	206
Mansa	18	25	11	18	8	11	21	32
Chipata	51	19	47	44	14	6	84	57
Mongu	25	22	21	17	24	3	22	36
Kasama	86	74	7	9	3	4	90	79
<b>Total</b>	<b>4,112</b>	<b>5,164</b>	<b>4,254</b>	<b>4,851</b>	<b>2,894</b>	<b>3,883</b>	<b>5,472</b>	<b>6,132</b>
<b>B. Criminal Cases</b>								
<b>Station</b>	<b>Cases brought forward from previous year</b>		<b>Cases filed in 2015</b>		<b>Cases disposed of</b>		<b>Cases pending at end of year</b>	
	<b>2014</b>	<b>2015</b>	<b>2014</b>	<b>2015</b>	<b>2014</b>	<b>2015</b>	<b>2014</b>	<b>2015</b>
Lusaka	181	66	367	434	192	308	356	192
Ndola	9	14	74	205	69	202	14	17
Kitwe	6	3	620	582	465	570	161	15
Livingstone	12	126	176	281	142	361	46	46
Kabwe	-	16	221	217	205	206	16	27
Mansa	2	42	185	140	138	181	49	1
Chipata	4	9	165	230	85	224	84	15
Mongu	24	49	228	196	203	191	49	54
Kasama	7	124	295	423	182	366	120	181
<b>Total</b>	<b>245</b>	<b>449</b>	<b>2,331</b>	<b>2,708</b>	<b>1,681</b>	<b>2,609</b>	<b>895</b>	<b>548</b>

**Table B - Case Returns for the IRC for 2014 and 2015**

IRC	2014			2015		
	Lusaka	Ndola	Total	Lusaka	Ndola	Total
Cases from previous year	135	112	247	295	111	406
New cases filed	599	105	704	592	121	713
Judgments delivered	85	99	184	169	86	255
Cases dismissed/discontinued	94	9	103	180	39	219
Cases settled at mediation	44	2	46	100	10	110
Total No. of cases disposed of	247	110	357	498	138	636
Cases pending at end of year	487	107	594	345	84	429

**Table C -Case Returns for the Subordinate Courts for 2014 and 2015**

A. Criminal Cases								
Province	Cases from previous year		New cases filed		Cases disposed of		Cases pending at end of year	
	2014	2015	2014	2015	2014	2015	2014	2015
Central	536	302	2,535	2,675	2,379	2,617	517	360
Copperbelt	1,091	1,953	3,476	6,104	3,157	5,778	947	2,279
Eastern	299	1,077	2,461	2,523	1,618	2,070	430	1,530
Luapula	415	338	1,611	1,635	1,540	1,608	492	365
Lusaka	1,779	1,322	3,853	4,851	3,854	4,608	1,849	1,565
Muchinga	327	154	998	1,029	923	868	402	315
N/Western	289	303	1,922	1,883	1,553	1,669	655	517
Northern	-	199	1,113	1,137	914	1,066	199	270
Southern	1,119	1,221	2,017	2,559	1,977	2,566	1,180	1,214
Western	1,366	1,156	1,870	924	2,073	797	1,081	1,283
<b>Total</b>	<b>7,221</b>	<b>8,025</b>	<b>21,856</b>	<b>25,320</b>	<b>19,988</b>	<b>23,647</b>	<b>7,752</b>	<b>9,698</b>
B. Civil Cases								
Province	Cases from previous year		New cases filed		Cases disposed of		Cases Pending at end of year	
	2014	2015	2014	2015	2014	2015	2014	2015
Central	622	111	847	592	1,243	552	226	151
Copperbelt	630	1,300	1,602	3,034	1,611	2,704	621	1,630
Eastern	324	476	614	579	462	420	476	635
Luapula	140	263	330	478	252	405	218	336
Lusaka	1,552	1,509	1,898	2,427	2,339	3,146	1,111	790
Muchinga	77	33	266	325	288	262	55	96
N/Western	330	258	756	1,072	653	775	433	555
Northern	-	34	286	445	243	308	43	171
Southern	819	430	498	703	474	686	843	447
Western	533	519	657	390	411	239	779	670
<b>Total</b>	<b>5,027</b>	<b>4,933</b>	<b>7,754</b>	<b>10,045</b>	<b>7,976</b>	<b>9,497</b>	<b>4,805</b>	<b>5,481</b>

**Table D -Case Returns for the Local Courts for 2014 and 2015**

**A. Civil Cases**

Province	Cases from previous year		New Cases Filed		Cases disposed of		Cases pending at end of year	
	2014	2015	2014	2015	2014	2015	2014	2015
Lusaka	695	1,550	20,537	45,887	19,682	39,693	1,550	7,744
Copperbelt	1,385	1,681	19,505	25,001	19,209	23,406	1,681	3,276
Central	645	962	9,685	13,285	9,368	11,160	962	3,087
North Western	363	130	6,344	8,486	6,577	8,076	130	540
Southern	273	2,639	10,613	11,259	8,247	1,490	2,639	12,408
Western	1,266	4,071	7,288	7,596	4,483	4,937	4,071	6,730
Eastern	1,837	3,060	16,365	23,818	15,142	21,962	3,060	4,916
Luapula	22	599	6,463	8,175	5,886	7996	599	778
Northern	0	506	6,512	11,082	6,006	10,081	506	1,507
Muchinga	18	1,601	3,768	7,900	2,185	7,500	1,601	2,001
<b>Total</b>	<b>6,504</b>	<b>16,799</b>	<b>107,080</b>	<b>162,489</b>	<b>96,785</b>	<b>136,301</b>	<b>16,799</b>	<b>42,987</b>

**B. Criminal Cases**

Province	Cases from previous year		New Cases Filed		Cases disposed of		Cases pending at end of year	
	2014	2015	2014	2015	2014	2015	2014	2015
Lusaka	0	0	969	1,421	969	977	0	444
Copperbelt	94	217	1,339	1,527	1,216	1,437	217	307
Central	67	231	805	1,024	641	426	231	829
North Western	29	12	622	754	639	719	12	47
Southern	31	171	857	1,175	717	865	171	481
Western	290	303	631	409	618	321	303	391
Eastern	275	556	2,337	2,629	2,056	2,391	556	794
Luapula	1	1	99	269	99	223	1	47
Northern	0	141	506	947	365	814	141	274
Muchinga	0	170	367	518	197	500	170	188
<b>Total</b>	<b>787</b>	<b>1,802</b>	<b>8,532</b>	<b>10,673</b>	<b>7,517</b>	<b>8,673</b>	<b>1,802</b>	<b>3,802</b>

**Appendix II: Human Resources Establishment**

**Table I–2015 Recruitments**

<b>POSITION</b>	<b>NUMBER EMPLOYED</b>
Member of the Industrial Relations Court	1
Assistant Senior Research Advocate	4
Human Resource Management Officer	1
Local Court Officer	4
Deputy Sheriff	1
Magistrate Class II	3
Magistrate Class III	4
Office Orderly	2
Stenographer	1
Typist	1
Court Usher	1
Court Reporter	13
Court Interpreter	1
Court Clerk	1
Registry Clerk	4
Local Court Messenger	1
Assistant Court Clerk	6
Domestic Servant	16
Driver	9



**Table II- Staff Establishment**

SN	POSITION	APPROVED ESTABLISHMENT	FILLED POSITIONS	VACANCIES	ADDITIONAL REQUIREMENTS	PROPOSED ESTABLISHMENT
1	ACCOUNTANT	12	11	1	9	21
2	ACCOUNTANTS ASSISTANT	22	20	2	0	21
3	ADMINISTRATIVE OFFICER	1	1	0	0	1
4	ASSISTANT ACCOUNTANT	15	14	1	0	15
5	ASSISTANT CLERICAL OFFICER	56	49	7	12	68
6	ASSISTANT COURT CLERK	502	421	81	273	775
7	DEPUTY DIRECTOR – ADMINISTRATION	1	1	0	0	1
8	ASSISTANT DIRECTOR – IT	1	1	0	0	1
9	ASSISTANT EXECUTIVE OFFICER	3	3	0	0	3
10	ASSISTANT HUMAN RESOURCE OFFICER	3	1	2	1	4
11	ASSISTANT INTERNAL AUDITOR	3	2	1	0	3
12	ASSISTANT MASTER OF THE SUPREME COURT	1	1	0	0	1
13	ASSISTANT PERSONNEL OFFICER	4	4	0	0	4
14	ASSISTANT REGISTRAR	12	9	3	5	17
15	ASSISTANT SENIOR RESEARCH ADVOCATE	42	26	16	0	42
16	ASSISTANT SERRIFF	2	2	0	0	2
18	AUTO MECHANIC	2	2	0	0	2
19	BAILIFF	69	26	43	0	69
20	CHAIRPERSON – IRC	2	2	0	0	1
21	CHAUFFEUR	1	1	0	0	1
22	CHIEF ACCOUNTANT	1	1	0	0	1
23	CHIEF ADMINISTRATOR	1	1	0	0	1
24	CHIEF HUMAN RESOURCES DEV. OFFICER	1	1	0	0	1

SN	POSITION	APPROVED ESTABLISHMENT	FILLED POSITIONS	VACANCIES	ADDITIONAL REQUIREMENTS	PROPOSED ESTABLISHMENT
25	CHIEF HUMAN RESOURCES MGT. OFFICER	1	1	0	0	1
26	CHIEF JUSTICE	1	1	0	0	1
27	CHIEF LIBRARIAN	1	1	0	0	1
28	CHIEF PLANNER	1	1	0	0	1
29	CHIEF PURCHASING AND SUPPLIES OFFICER	1	1	0	0	1
30	CHIEF REGISTRY OFFICER	1	1	0	0	1
31	CHIEF RESIDENT MAGISTRATE	9	3	6	0	9
32	CLERICAL OFFICER	93	80	13	101	194
33	CLERK OF COURT	93	86	7	80	173
34	COMPUTER OPERATOR	4	3	1	0	4
35	COURT CLERK	186	179	7	86	272
36	COURT INTERPRETER	167	150	17	62	229
37	COURT MARSHAL	39	38	1	0	39
38	COURT REGISTRAR	17	9	8	4	21
39	COURT USHER	13	14	-1	15	28
40	DEPUTY CHAIRPERSON	8	7	1	0	0
41	DEPUTY CHIEF JUSTICE	1	1	0	0	1
42	DEPUTY DIRECTOR – HR	1	1	0	0	1
43	DEPUTY DIRECTOR - CHAMBERS	0	1	-1	0	0
44	DEPUTY DIRECTOR – COURT OPERATIONS	9	8	1	0	9
45	DEPUTY DIRECTOR - HRIP	1	1	0	0	1
46	CHIEF LOCAL COURTS OFFICER	1	1	0	0	1
47	DEPUTY SHERIFF	1	1	0	0	1
48	DIRECTOR – HUMAN RESOURCE AND ADMINISTRATION	1	1	0	0	1
49	DIRECTOR – COURT OPERATIONS	1	1	0	0	1
50	DISTRICT REGISTRAR	2	0	2	0	2

SN	POSITION	APPROVED ESTABLISHMENT	FILLED POSITIONS	VACANCIES	ADDITIONAL REQUIREMENTS	PROPOSED ESTABLISHMENT
51	DOMESTIC SERVANT	194	164	30	11	205
52	DRIVER	142	130	12	21	163
53	ELECTRICIAN	3	3	0	0	3
54	EXECUTIVE OFFICER	1	1	0	0	1
55	GENERAL WORKER	600	138	462	96	696
56	HIGH COURT JUDGE	50	38	12	0	50
57	HORTICULTURALIST ASSISTANT	1	1	0	0	1
58	HORTICULTURALIST	1	1	0	0	1
59	HUMAN RESOURCES DEVELOPMENT OFFICER	1	1	0	0	1
60	HUMAN RESOURCES MANAGEMENT OFFICER	12	11	1	0	12
61	INTERNAL AUDITOR	2	1	1	0	2
62	LIBRARIES OFFICER	2	1	1	0	2
63	LOCAL COURT MAGISTRATE	372	253	119	0	372
64	LOCAL COURT MESSENGER	984	939	45	235	1219
65	LOCAL COURTS OFFICER	18	16	2	15	33
66	MAGISTRATE CLASS I	81	55	26	39	120
67	MAGISTARTE CLASS II	64	67	-3	24	88
68	MAGISTARTE CALSS III	64	36	28	16	80
69	MASTER INTERPRETER	1	1	0	0	1
70	MASTER OF THE SUPREME COURT	1	1	0	0	1
71	MEMBER OF THE IRC	16	13	3	2	18
72	NETWORK ADMINITRATOR	2	1	1	0	2
73	NETWORK SUPPORT STAFF	4	4	0	0	4
74	OFFICE ORDERLY	206	182	24	128	334
75	PERSONAL SECRETARY	51	42	9	14	65
76	PERSONNEL ASSISTANT	4	1	3	0	4

SN	POSITION	APPROVED ESTABLISHMENT	FILLED POSITIONS	VACANCIES	ADDITIONAL REQUIREMENTS	PROPOSED ESTABLISHMENT
77	PERSONNEL OFFICER	1	3	-2	1	2
78	PLUMBER	1	0	1	2	3
79	PRESIDING LOCAL COURT MAGISTRATE	338	156	182	51	389
80	PRINCIPAL ACCOUNTANT	1	1	0	0	1
81	PRINCIPAL PLANNER – ARCHITECTURE	1	1	0	0	1
82	PRINCIPAL PLANNER – CIVIL	1	1	0	0	1
83	PRINCIPAL PRESIDING JUSTICE	11	3	8	25	36
84	PRINCIPAL RESIDENT MAGISTRATE	11	10	1	2	13
85	PRINCIPAL SHORTHAND COURT REPORTER	2	1	1	0	2
86	PROCUREMENT AND SUPPLIES OFFICER	4	2	2	9	13
87	PROTOCOL OFFICER	1	1	0	0	1
88	PROVINCIAL LOCAL COURTS OFFICER	9	9	0	4	13
89	PUBLIC RELATIONS OFFICER	1	0	1	0	1
90	PURCHASING AND SUPPLIES ASSISTANT	2	2	0	1	3
91	LOCAL COURT REGISTRAR	25	9	16	67	92
92	COURT REPORTER	29	29	0	0	0
93	ASSISTANT REGISTRY OFFICER	1	1	0	0	0
94	REGISTRY CLERK	178	164	14	151	329
95	REGISTRY OFFICER	10	5	5	0	10
96	RESIDENT MAGISTRATE	65	25	40	28	93
97	SECURITY GUARD	31	21	10	0	31
98	SENIOR ACCOUNTANT	2	2	0	0	2
99	SENIOR ANALYST	1	1	0	0	1
100	SENIOR ASSISTANT REGISTRAR	3	1	2	0	3
101	SENIOR CLERK OF COURT	16	14	2	6	22

SN	POSITION	APPROVED ESTABLISHMENT	FILLED POSITIONS	VACANCIES	ADDITIONAL REQUIREMENTS	PROPOSED ESTABLISHMENT
102	SENIOR COURT INTERPRETER	29	20	9	9	38
103	SENIOR COURT USHER	18	11	7	1	19
104	SENIOR HUMAN RESOURCES DEV. OFFICER	1	1	0	0	1
105	SENIOR HUMAN RESOURCES MGT. OFFICER	2	2	0	0	2
106	SENIOR INTERNAL AUDITOR	1	1	0	0	1
107	SENIOR COURT JUSTICE	366	160	206	97	463
108	SENIOR LOCAL COURT MESSENGER	71	23	48	73	144
109	SENIOR LOCAL COURTS OFFICER	1	1	0	0	1
110	SENIOR OFFICE ORDERLY	16	15	1	0	16
111	SENIOR PERSONAL SECRETARY	3	3	0	0	3
112	SENIOR PRESIDING LOCAL COURT JUSTICE	123	36	87	75	198
113	SENIOR PURCHASING AND SUPPLIES OFFICER	1	1	0	0	1
114	SENIOR REGISTRY OFFICER	1	0	1	0	1
115	SENIOR RESEARCH ADVOCATE	11	11	0	0	11
116	SENIOR RESIDENT MAGISTRATE	16	7	9	11	27
117	SENIOR SHORTHAND COURT REPORTER	8	5	3	0	8
118	SHERIFF OF ZAMBIA	1	1	0	0	1
119	SHORTHAND COURT REPORTER	32	30	2	0	32
120	STENOGRAPHER	27	19	8	8	35
121	STORES OFFICER	1	1	0	0	1
122	SUPREME COURT JUDGE	10	9	1	0	10
123	SYSTEM ADMINISTRATOR	2	0	2	0	2
124	SYSTEMS SUPPORT STAFF	5	3	2	10	15
125	TELEPHONE OPERATOR	6	2	4	0	6
126	TRANSPORT OFFICER	1	1	0	0	1

SN	POSITION	APPROVED ESTABLISHMENT	FILLED POSITIONS	VACANCIES	ADDITIONAL REQUIREMENTS	PROPOSED ESTABLISHMENT
127	TYPIST	195	154	41	152	347
128	UNDERSHERIFF	16	9	7	0	16
129	WATCHMAN	245	120	125	246	491
130	WEBMASTER	2	1	1	0	2
131	HEAD PROCUREMENT	1	0	1	0	0
132	PRINCIPAL PERSONAL SECRETARY	1	1	0	0	1
133	ASSISTANT STORES OFFICER	1	1	0	0	1
134	RETIRED CHAIRPERSON	1	1	0	0	1
135	RETIRED CHIEF JUSTICE	2	2	0	0	0
136	RETIRED SUPREME COURT JUDGE	3	3	0	0	0
137	RETIRED HIGH COURT JUDGE	13	13	0	0	0
	<b>TOTALS</b>	<b>6267</b>	<b>4422</b>	<b>1845</b>	<b>2278</b>	<b>8545</b>