

VOTE OF THANKS BY HONOURABLE LADY JUSTICE PIXIE K. YANGAILO,
AT THE 2019 JUDICIAL CONFERENCE, HELD AT AVANI VICTORIA RESORT,
LIVINGSTONE, ZAMBIA: 17TH TO 19TH DECEMBER, 2019.

Good morning

Your Excellency, the President of the Republic of Zambia, Dr. Edgar Chagwa Lungu, the Honourable Chief Justice Irene Mambilima, Retired Chief Justices present, the Deputy Chief Justice Michael Musonda, Retired Deputy Chief Justice, the President of the Constitutional Court Hilda Chibomba, Judges of the Supreme Court and the Constitutional Court, the Judge President of the Court of Appeal, Judges of the Court of Appeal and of the High Court present, the Chief Administrator of the Judiciary, the Chief Registrar and all Registrars present, all Deputy Directors present, their Worships present, Distinguished Resource Persons, foreign and local, Ladies and Gentlemen, may I simply say all protocols observed.

I stand before you with a deep sense of honour, privilege and humility, to express, on behalf of the Chief Justice and all other participants in this conference, our profound gratitude to Your Excellency, Mr President, for having taken time off your very busy schedules to join us here today and inaugurate this conference. We are very grateful indeed.

Your Excellency, your speech has emphasised the important role played by the Judiciary in any democracy and touched on crucial aspects relevant to a health and thriving democratic dispensation like ours in this country. Your speech has laid the foundation and will serve as an inspiration, for our ensuing deliberations at this gathering.

My Lady, Chief Justice Mambilima, our deep gratitude to you for the warm welcome extended to us and the excellent facilities that you have put at our disposal here. We have no doubt that this generosity with the attendant discussion that will flow from the floor, will thrive towards making this

conference a success, which in no doubt will reciprocate the efforts that you have made in bringing about this conference. We know all of us here will go the extra mile, to have that aim achieved.

Your Excellency, Mr. President, the theme for our 2019 conference is "Enhancing Capacities for Improved Access to Justice" and as rightly pointed out by Your Excellency, this resonates with the Government's goal of ensuring that justice is accessible and affordable to all in our nation, in line with the promotion of human rights, democracy, the rule of law and indeed the independence of the Judiciary. It is in that regard that we gather here in Livingstone for the furtherance of these noble aspirations.

Your Excellency, in carrying out these and other tasks as set out in our Constitution, your government ushered in the Constitutional Court and Court of Appeal, which have enhanced access to justice in our nation.

Your Excellency, the creation of specialised divisions in the High Court is indeed in line with global trends of progressive judiciaries as this encourages specialised skills to develop both at the Bar and the Bench. This, in turn, can only be good for the quality of the product of justice in the end, to the benefit of litigants and image of our country for doing business.

Your Excellency, the challenges that you pointed out, *inter alia*, Gender Based Violence and Child abuse are real ones. On our part as a judiciary, we can assure you, Your Excellency, that we will continue to do our part to ensure that these worrying vices are addressed.

Your Excellency, the Court annexed mediation has been a very useful tool helpful in conclusively resolving disputes between parties in a speedy and cost effective way. In the process this alternative dispute resolution has reduced cases pending before courts of law. As a judiciary we shall continue to encourage the Bar to fully and seriously adopt mediation as one of the best and affordable means of resolving disputes for their clients.

Your Excellency, while our criminal justice system has made very notable stride, there indeed exist challenges that require urgent attention. Your Excellency's suggestion of encouraging non- custodial punishment, in deserving cases, would undoubtedly help to reduce the pressure of the infrastructural challenges currently being faced by our correctional institutions. This is yet one of the progressive proposal that the Judiciary must consider taking on board.

Your Excellency, the Case Management System is a very welcome innovation as it is long overdue. We have every confidence that this intervention will further enhance our delivery of justice once introduced.

Your Excellency, the Court Infrastructure challenges are, also, real ones. However, we are happy to hear that the government is taking remedial steps to address this issue within the limited resources of the government, which, we are aware, are required on many competing needs and sectors of our country.

Your Excellency, Judicial Independence, as guaranteed by the Constitution ushered in by your Government, cannot be over emphasised. As a Judiciary we appreciate the safe guard and assurances that come with the pronouncement of this very important cornerstone of any progressive justice system put in our Constitution - the supreme law of the land.

Your Excellency, it is in this regard, that in enhancing capacities for improved access to justice, the Judiciary is alive to the true functions of law in developing countries like ours, such as the promotion and maintenance of the rule of law and respect for human rights, all which are an indispensable condition for the attainment of justice for all and the nation's observance of human rights.

Fellow participants, we owe a deep gratitude to the Judiciary, under the able leadership of the Honourable Chief Justice Mambilima, for having worked tirelessly in organising this conference.

The Chairperson and Members of the Committee on Training and Continuing Education, as well as the Secretariat have been up to the task of ensuring that the conference runs smoothly and successfully. I commend them for the industry they have exerted in the conceptualisation and execution of the conference programme.

In closing, it would be remiss of me not to acknowledge and thank the management and staff of Avani Victoria Falls Resort for the excellent facilities afforded to us.

Lastly and once again, Your Excellency, the President of the Republic of Zambia, for finding time to be with us today, I thank you.