



REPUBLIC OF ZAMBIA



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# The **2016** Annual Judicial Conference

*“Strengthening the capacity of the Judiciary  
to respond to the needs of the public “*



**14 - 18 November, 2016**  
Avani Victoria Falls Resort

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## WELCOME REMARKS



Distinguished participants, it is my pleasure to welcome you all to our Annual Judicial Conference 2016 whose theme is *“Strengthening the Capacity of the Judiciary to Respond to the Needs of the Public”*.

The Conference is being held in Livingstone at the Avani Victoria Falls Resort from 15-18 November 2016. It is my expectation that we shall all be in a position to devote our energies, focus and attention to the business of this Conference without any distractions from our offices or our usual engagements.

These Annual Conferences provide us with a platform where Judges and other adjudicators can share experiences and best practices in the administration of justice.

This year’s theme, *“Strengthening the Capacity of the Judiciary to Respond to the Needs of the Public”*, reinforces our resolve to move with the times and position ourselves as a relevant arm of Government in addressing the numerous challenges being faced by our people through quality and timely dispensation of justice.

In keeping up with this resolve, we have a wide range of legal luminaries and distinguished presenters who will be speaking to us during the four days of the Conference. I sincerely thank them for taking time off their busy schedules to be here with us.

I would like to pay special tribute to our all weather friend, the United Nations Development Programme for the financial support towards the holding of this year’s Conference. For our resource persons who are coming from outside Zambia, I would encourage you to take time to marvel at the splendor of the mighty victoria falls and to enjoy other tourist attractions that Livingstone City has to offer.

I look forward to a very insightful Conference.

Thank You

Hon. Mrs. Justice Irene C. Mambilima

# Programme Outline

# PROGRAMME OUTLINE

## MONDAY, 14th November, 2016

14:00hrs Arrival and Registration

19:00hrs Dinner at Leisure (Free Evening)

## TUESDAY, 15th November, 2016

### Opening Ceremony

**MODERATOR:** Hon. Mr. Justice Jones Chinyama

08:30hrs Registration continues

09:00hrs

- \* National Anthem followed by Prayer
- \* Entertainment
- \* Remarks by **Mr. Martim Faria e Maya**, UNDP Country Director - Zambia
- \* Welcome Remarks by Her Ladyship, **Hon. Mrs. Justice Irene C. Mambilima**, Chief Justice of the Republic of Zambia.
- \* Official Opening Address by **Hon. Given Lubinda**, Minister of Justice.

10:30hrs **Group Photo and Tea**

### 11:00hrs **SESSION ONE**

**Topic:** Court governance policy and case flow management  
**Chairperson:** Hon. Mr. Justice Annel Silungwe, Retired Chief Justice  
**Presenter:** Jeff Apperson, Vice President, National Centre for State Courts  
**Discussant:** Hon. Mrs. Justice Irene C. Mambilima, Chief Justice

**Plenary**

### 12:30hrs **SESSION TWO**

**Topic:** Salient features of the mediation rules-defining the role of a Judge  
**Chairperson:** Hon. Mrs. Justice Roydah M.C. Kaoma  
**Presenter:** Hon. Mr. Justice Nigel K. Mutuna

**Plenary**

13:00hrs **Lunch Break**

### 14:00hrs **SESSION THREE**

**Topic:** Discussion on Delays in criminal trials - stakeholder perspective  
**Chairperson:** Hon. Mr. Justice Gregory S. Phiri  
**Discussant:** Hon. Mr. Justice Just M. Siawwapa  
**Discussant:** Mrs Rosemary Khuzwayo - Chief State Advocate  
**Discussant:** Mr. Percy K. Chato-Commissioner General, Zambia Correctional Services

**Plenary**

# PROGRAMME OUTLINE

15:00hrs

## SESSION FOUR

**Topic:** The Arbitration Agreement and Stay of Legal Proceedings under Section 10 of the Arbitration Act of 2000.

**Chairperson:** Hon. Mrs. Justice Dr. Winnie S. Mwenda

**Presenter:** Hon. Mr. Justice Charles Kajimanga

Plenary

16:00hrs

## SESSION FIVE

**Topic:** The Role of Courts before, during and after Arbitration Proceedings

**Chairperson:** Hon. Mr. Justice Justin Chashi

**Presenter:** Hon. Mr. Justice Nigel K. Mutuna

Plenary

17:00hrs

Tea Break

19:00hrs

Welcome Reception

WEDNESDAY, 16th November, 2016

09:00hrs

## SESSION SIX

**Key note Address:** Hon. Justice Edward Torgbor

09:20hrs

**Topic:** Introduction to International Arbitration Practice and Principles.

**Chairperson:** Hon. Mr. Justice Matthew M.W.S. Ngulube, Retired Chief Justice

**Presenter:** Mr. Vlad Movshovich - Partner at Weber Wentzel

10:30hrs

Tea Break

10:45hrs

## SESSION CONTINUES

**Chairperson:** Hon. Mr. Justice Matthew M.W.S. Ngulube, Retired Chief Justice

13:00hrs

Lunch Break

14:00hrs

## SESSION CONTINUES

**Chairperson:** Hon. Mr. Justice Michael C. Musonda, SC

16:30hrs

Tea Break

THURSDAY, 17th November, 2016

09:00hrs

## SESSION SEVEN

**Topic:** Judgment writing, current trends

**Chairperson:** Hon. Mrs. Justice Hildah Chibomba - President Constitutional Court

**Presenter:** Prof. James Raymond

Plenary

10:30hrs

Tea Break

## PROGRAMME OUTLINE

10:45hrs

### SESSION EIGHT

**Topic:** Expectations on the performance of the Judiciary by the Zambian public

**Chairperson:** Hon. Mrs. Justice Jane K. Kabuka

**Presenter:** Reverend Pukuta Mwanza, Evangelical Fellowship of Zambia.

**Discussant:** Mr. Abyudi J. Shonga Jnr., SC

Plenary

11:45hrs

### SESSION NINE

**Topic:** Customary Law in the context of the new Constitution of Zambia (Amendment) Act 2016 from the point of view of the Bill of Rights

**Chairperson:** Hon. Mr. Justice P. Mulonda

**Presenter:** Hon. Mr. Justice Mumba Malila, SC

**Discussant:** Mr. Eric S. Silwamba, SC

Plenary

13:00hrs

### Lunch Break

14:00hrs

### SESSION TEN

**Topic:** Judicial Code of Conduct a commentary on the Bangalore Principles

**Chairperson:** Hon. Mrs. Justice Fulgency M. Chisanga

**Presenter:** Hon. Mr. Justice Ernest L. Sakala, Retired Chief Justice

**Discussant:** Mr. Vincent Malambo, SC

Plenary

15:00hrs

### SESSION ELEVEN

**Topic:** Gender Based Violence Act and Rules

**Chairperson:** Mr. Kenneth Mulife

**Presenter:** Hon. Mr. Justice Chalwe F.R. Mchenga, SC

**Discussant:** Mrs. Rhoda Phiri Bwalya - Women in Law in Southern Africa.

Plenary

16:00hrs

### Tea (Free Evening)

FRIDAY, 18th November, 2016

09:00hrs

### SESSION TWELVE

**Topic:** Secured Transactions Laws and the Zambian Moveable Property (Security Interest) Act No. 3 of 2016

**Chairperson:** Hon. Mrs. Justice Annesia M. Banda-Bobo

**Presenter:** Hon. Justice Adele Kent, Executive Director of the National Judiciary Institute of Canada

Plenary

11:00hrs

### Tea Break

## PROGRAMME OUTLINE

11:45hrs

### SESSION THIRTEEN

**Topic:** Panel Discussion on The State of the Judiciary

**Chairperson:** Hon. Mr. Justice Marvin S. Mwanamwambwa, Deputy Chief Justice

**Panelist:** Ms. Nalishebo Imataa, Chief Administrator

**Panelist:** Mr. Charles Kafunda, Acting Chief Registrar

**Panelist:** Mr. Godwin Sakwimba, Chief Accountant

**Plenary**

12:30hrs

### Closing Remarks

Hon. Mrs. Justice Irene C. Mambilima, Chief Justice

13:00hrs

### Lunch Break

Free Afternoon

19:00hrs

### GALA DINNER

### SATURDAY, 19th November, 2016

10:00hrs

Check out and departure from Livingstone



## Principal Organizers and Funders of the Conference

### Organizing Committee

Hon. Lady. Justice E. N. Muyovwe, (Supreme Court) - Chairperson Training Committee  
Hon. Mr. Justice Evans Hamaundu, (Supreme Court) - Committee Member  
Hon. Mr. Justice Mubanga Kondolo, (Court of Appeal) - Committee Member  
Hon. Mrs. Justice Nicola Sharpe-Phiri, (High Court) - Committee Member  
Ms. Nalishebo Imataa - Chief Administrator  
Mr. Charles Kafunda - Chief Registrar  
Mr. Evaristo Pengele - Registrar Supreme Court  
Mrs. Etambuyu Zimba - Registrar Commercial Court  
Mr Collins Lundah - Registrar  
Mr. Michael Zulu - Deputy Director  
Ms. Gwen Mumba - Deputy Director Administration  
Mr. Godwin Sakwimba - Chief Accountant  
Ms. Ruth Chilembo - Senior Research Advocate  
Mrs. Janet Ilunga - Assistant Senior Research Advocate  
Mr. Casper Habasonda - Assistant Senior Research Advocate  
Mr. Masiye Banda - Chief Human Resource Development Officer  
Mrs. Annie Sakala Shula - Chief Human Resource Management Officer  
Mrs. Ketty Kangamba Musonda - Chief Procurement and Supplies Officer  
Mr. Ngoi Kalamatila - Webmaster  
Mr. Cornelius Ngonga - System Support Officer  
Mrs. Bridget Ndhlovu - Senior Human Resource Development Officer  
Mrs. Naomi Moono - Assistant Human Resource Management Officer  
Ms. Diana Mulele - Accountant  
Mr. Rodgers Phiri - Accountant  
Mrs. Hlupekile Kaputula - Executive Officer  
Mr. Christopher Chilomba - Transport Officer  
Mr. Vaison Phiri - Assistant Transport Officer  
Mr. Lekeshya Kaunda - Protocol Officer  
Mr. Chibwe Tembo - Protocol Officer  
Mr. Edwin Thawo - Protocol Officer  
Ms. Elita Funkuta - Protocol Officer

### Financial Sponsors

United National Development Program (UNDP)  
Patents and Companies Registration Agency (PACRA)  
Government of the Republic of Zambia (GRZ)

## Session Chairpersons

Session Chairpersons



Chief Justice Annel Silungwe  
(Retired )



Chief Justice M.M.W.S. Ngulube  
(Retired )



Hon. Mr. Justice Marvin Mwanamwambwa  
(Deputy Chief Justice)



Hon. Mr. Justice Palan Mulonda  
(Constitutional Court)



Hon. Lady Justice Hildah Chibomba  
(President - Constitutional Court)



Hon. Mr. Justice G. S. Phiri  
(Supreme Court)



Hon. Mrs. Justice R. M. C. Kaoma  
(Supreme Court)



Hon. Mrs. Justice Jane K. Kabuka  
(Supreme Court)



Hon. Mr. Justice Jones Chinyama  
(Supreme Court)



Hon. Mr. Justice Michael Musonda, SC  
(Supreme Court)



Hon. Mrs. Justice Fulgency M. Chisanga  
(Judge President - Court of Appeal)



Hon. Mrs. Justice A. M. Banda-Bobo  
(High Court)



Mr. Kenneth Mulife  
(Chief Resident Magistrate - Lusaka)

## Speakers' Profiles

### ● Mr. Jeffrey A. Apperson



Mr. Jeff Apperson is a court management professional dedicated to the effective administration of justice nationally and internationally, a lifetime goal that is reflected in his career. He has worked actively, on behalf of citizens of the United States and World, to promote and enhance access to forums that would protect the vulnerable, provide conflict resolution with dignity and fairness, and facilitate equal protection under law.

Jeff served as the Clerk of the United States Bankruptcy and District Courts for the Western District of Kentucky for 27 years. He also served as an attorney advisor to the U.S. Courts as a member of the Inspector General's Office and as Chief of Court Management for the United Nations International Criminal Tribunal for the Former Yugoslavia. He has held the position of Vice President for International Relations of the National Center for State Courts since January 2011. In this role, he has overseen the management of United States rule of law projects for Bangladesh, Iraq, Serbia, Kosovo, South Africa, Honduras, Columbia, Uganda, Nigeria, Belize, Guatemala, Panama, the Caribbean Basin, and Egypt.

He has travelled to over 60 countries in various capacities, giving speeches on rule of law topics in the supreme courts of Pakistan, Indonesia, Brazil, the Caribbean Court of Justice and the International Court of Justice in The Hague, among others. Jeff co-founded and served as president and CEO of the International Association for Court Administration (IACA). During his service with IACA, he managed nine international conferences dedicated to improving court management, access to justice and institutional transparency in Slovenia, Ireland, Italy, Turkey, Trinidad, Indonesia, the UAE, The Hague, and Argentina and helped establish the International Journal for Court Administration.

Jeff graduated from Samford University Law School and was a member of the Alabama Bar Association and United States Supreme Court Bar.

### ● Hon. Lady Justice Irene C. Mambilima - Chief Justice



Madam Justice Irene Chirwa Mambilima is Zambia's first female Chief Justice. She was appointed in February 2015. Justice Mambilima holds a Bachelor of Laws Degree from the University of Zambia, a Post Graduate Diploma in Law Practice from the Law Practice Institute in Lusaka now known as the Zambia Institute of Advanced Legal Education (ZIALE), and a Masters of Laws Degree from the University of London.

She is a member of a number of professional associations, including the International Association of Women Judges, the Council of Law Reporting, Child Fund Zambia and the Advisory Board for Women in Law Southern Africa (WILSA). Since being admitted to the bar in 1977, Justice Mambilima has worked in various capacities in Government including as a State Advocate under the Attorney General's Chambers and as the Director of Legal Aid in Zambia. She has also previously served as Deputy Chief Justice, Supreme Court Judge and High Court Judge.

As the Chairperson of the Electoral Commission of Zambia, she presided over the 2011 presidential and parliamentary elections and the 2015 presidential by-election.

Justice Mambilima has participated in various election observer missions in Mozambique, Kenya, Seychelles and she led the EISA Election Observation Mission to the presidential elections in Liberia. She has also attended various seminars, conferences and trainings in election management, alternative dispute resolution, gender and democracy and Judges Seminars.

### ● Hon. Mr. Justice Nigel Kalonde Mutuna



Hon. Mr. Justice Nigel Kalonde Mutuna CIArb obtained his LLB degree from the University of Zambia in 1984 and was admitted to the Bar as a practitioner in 1985. From 1999 to 2009, he served as President for Zambia Association of Arbitrators.

Hon. Mr. Justice Mutuna completed a Special Member course, CIArb in 2002 and was admitted to membership, he also took the first step to Fellowship CIArb, Amsterdam in 2004 and is an accredited tutor CIArb, London. He served as Judge of the High Court Commercial List from 2009 until 2016 when he was appointed Judge of the Supreme Court of Zambia.

Hon. Mr. Justice Mutuna is the Chairperson of the Advisory Committee on Court Annexed Mediation and Delay Reduction.

### ● Mr. Percy Kangwa Chato



Mr. Percy Kangwa Chato obtained his Bachelor of Social Work (BSW) degree from the University of Zambia in 1996 and later trained as a Prisons Cadet Officer at Prisons Staff Training College, Kabwe in 1998. He also obtained a Post-graduate Diploma in Human Rights Law from the University of Zambia in 2004 and attended a course in New Approaches to Management of Prisons in the 21<sup>st</sup> Century at Galilee College, Israel in 2005 as well as an Executive course in Security Sector Governance at the University of the Witwatersrand, Johannesburg, South Africa in 2007.

Mr. Chato has worked in the public sector at various levels. From 1999 to 2001, he held the rank of Assistant Superintendent and worked as Officer In-Charge Lusaka Remand Prison and Officer In-Charge Lusaka Central Prison. 2001 to 2002, Mr. Chato served as a Reformatory Superintendent at Katombora Reformatory School and later held the Rank of Senior Superintendent and served as Public Relations Officer-Prisons Headquarters between 2003 and 2004. While holding the rank of Assistant Commissioner from 2005 to 2007, he served as Director, Offender Management Unit-Prisons Headquarters, which subsequently saw him rise to the rank of Deputy Commissioner in 2009 to 2010 and held the office of Director Correctional Service and HIV/AIDS Coordinator-Prisons Headquarters. In 2010, he was elevated to Commissioner, Zambia Prisons Service, the position he held until 2015 and later promoted to Commissioner General in 2016 under the Zambia Correctional Service.

On international level Mr. Chato served under the United Nations Mission in Sudan (UNMIS) as Corrections Adviser-Operations from 2007 to 2009. He has also presented papers, some of which include the Zambia Prisons Service's 15 Point Agenda for Integration Human Rights Training and Observance in Prisons (30<sup>th</sup> October 2012 ICPA, Mexico City, Mexico, and Prisons Conditions and health care in prison settings (23<sup>rd</sup> May 2016 Vienna – Austria), at international level as well as the African HIV/AIDS in Prisons Partnership ( 20<sup>th</sup> July 2016 Arusha – Tanzania) at regional level.





### ● **Hon. Mr. Justice Mwiinde J. Siavwapa**

Hon. Justice Mwiinde J. Siavwapa holds a Diploma in Education, Magistrates' Diploma, Bachelor of Laws Degree from the University of Zambia and a Master of Laws Degree from the University of Wales.

He first trained as a Secondary School Teacher and taught at Njase Girls and Monze Boys Secondary Schools.

He was appointed Magistrate Class III and rose through the ranks to the position of Registrar of the High Court and acted as Chief Administrator of the Judiciary for 1 year 8 months before being appointed Deputy Chairman of the Industrial Relations Court on 8<sup>th</sup> February 2007.

In March 2010, Hon. Justice Siavwapa was appointed Judge of the High Court and is currently Judge-in-charge at Lusaka.



### ● **Mrs. Rosemary Nkonde Khuzwayo**

Mrs. Rosemary Nkonde-Khuzwayo, the Chief State Advocate at the National Prosecution Authority has been practicing Law for almost 20 years, out of which 17 years has been in the criminal justice system.

She started work in 1996 as a Learner Legal Practitioner in the A.G. Chambers of the then Ministry of Legal Affairs and became a State Advocate in 1997 upon being called to the bar. In the 17 years of criminal law practice, Mrs. Khuzwayo has worked both under the office of the DPP and Legal Aid.

Before assuming her current office, Mrs. Khuzwayo was seconded to Ministry of Youth and Sport from 2012 to 2013 as Legal Counsel for the Zone VI Games. After her tour of duty there, she worked for the Judiciary under the Supreme Court as a Senior Researcher from 2013 to 2015.

### ● Hon. Mr. Justice Charles Kajimanga



Hon. Mr. Justice Charles Kajimanga FCIArb obtained his LLB degree from the University of Zambia in 1983 and was admitted to the Bar in 1984. In 1993, he obtained his LLM degree from Cornell University (USA). He was appointed Judge of the High Court in 2002. In December 2015, he was appointed Judge of the Supreme Court.

Hon. Mr. Justice Kajimanga is a Fellow of the Chartered Institute of Arbitrators (England) and a member of the London Court of International Arbitration (African Users Council). Since 2006, he has been an approved tutor, examiner and assessor in arbitration courses offered by the Chartered Institute of Arbitrators in Zambia. He was the first Chairman of the Chartered Institute of Arbitrators Zambia Branch. He has presented papers at and attended arbitration conferences and seminars within and outside Zambia. Hon. Mr. Justice Kajimanga is a contributor of a chapter in a book entitled 'ARBITRATION IN AFRICA: A REVIEW OF KEY JURISDICTIONS' published by Sweet & Maxwell in 2016.

### ● Hon. Justice Torgbor



Hon. Justice Edward Torgbor, CA, FCIArb, LLD, is currently a Specialist International and Chartered Arbitrator and Mediator based in Nairobi (Kenya), he is a Fellow of the Chartered Institute of Arbitrators (England) and Vice-President of the LCIA African Users' Council.

Judge Torgbor is a former Barrister in England, Judge of the High Court of Kenya, Professor of Law (Stellenbosch University) and Court Member of the LCIA. He is an Advocate of the Supreme Court of Zambia, Attorney at Law, Ghana, CIArb Lecturer and Tutor in arbitration law and practice. He has published for professional journals in Africa and United Kingdom (the LCIA and Chartered Institute of Arbitrators). He has had various roles as Keynote Speaker, Chairman, Presenter and Resource Person at numerous arbitration conferences, seminars and workshops in various countries in Africa and Europe.

His specializations include: Domestic & International arbitration/ADR practice; International Trade & Investment Law; Corporate and Commercial Law; Energy and Natural Resources, Banking, and Designing regulatory frameworks for Public Sector reform, and governance facilitation.

He was lead Counsel for the Eastern and Central African Trade Development Bank (PTA Bank) and Legal Consultant for UNEP and UN-Habitat. He drafted a Framework Environmental Law for the Kingdom of Cambodia and compiled a Compendium of Judicial Decisions on Environmental Law under UNEP Consultancy, and wrote a Guidebook on "The Right to Adequate Housing" for UN-Habitat.

He is a law graduate from the Universities of Edinburgh, Cambridge and Stellenbosch, with many years experience in the legal, judicial, academic fields, and in dispute resolution.



### ● Vlad Movshovich



Vlad Movshovich is a partner in the Dispute Resolution Business Unit at Webber Wentzel.

He obtained his BA (with distinction) in 2002, and LLB (with distinction) in 2004 from the University of the Witwatersrand. He also obtained a BCL (with distinction) in 2005 - with emphasis on International Arbitration and Civil Procedure - and MLitt (Thesis title: Ultra vires representations and unlawful decisions in English administrative law, in comparative perspective) from the University of Oxford, UK.

Vlad speaks English, Afrikaans and Russian and has particular expertise in the fields of complex commercial and corporate dispute resolution, domestic and international arbitration, public, administrative and procurement law disputes, the law on corruption, bribery and sanctions, corporate governance and partnership disputes as well as mining and mineral law

Vlad is admitted as an Attorney of the High Court of South Africa and a Solicitor of the Senior Courts of England and Wales. He has advised and acted for several re-nowned corporations such as the US Office of Foreign Assets Control regulations, the Helen Suzman Foundation, Airports Company South Africa Ltd, and the Anglo American Group to mention but a few.

Vlad is a member of the the Law Society of the Northern Provinces, Law Society of the Cape of Good Hope and the Law Society of England and Wales, 2009 to date. He is also a member of the International Council for Commercial Arbitration's ("ICCA") Working Group / task team for development of African Arbitral Practice, 2016 to date.

He has contributed to the legal profession as a Tutor in various law subjects, including property, delict, Roman law, legal history, public law and legal research methods, University of the Witwatersrand and University of Oxford, 2002, 2003 and 2006.

### ● Reverend Pukuta Mwanza



Reverend Pukuta Mwanza holds a Bachelor of Mineral Sciences Degree in Metallurgy and Mineral Processing from the University of Zambia, Master of Arts Degree in Rural Social Development from the University of Reading (UK) and Master of Arts Degree in Organizational Leadership from Eastern University in Pennsylvania (USA).

He has work experience in Engineering Industry, Relief and Development, Pastoral ministry, Consultancy and Lecturing. He is an ordained cleric and member of the Miracle Life Family Church. He is currently serving as Executive Director of the Evangelical Fellowship of Zambia (EFZ) which is a Christian church umbrella organization with more than 15,000 churches countrywide.

He has authored 2 books entitled "***A Christian Attitude Towards Suffering and Pain***", and "***Vision, the Key to personal Destiny and Organizational Leadership***" and he has contributed to several other publications.

### ● Mr. Abyudi J. Shonga Jnr., SC



Mr. Abyudi J. Shonga Junior, SC was admitted to the Zambian Bar in January 1994. He has a Bachelor of Laws Degree from the University of Zambia. He worked in private practice as Partner at Shamwana and Company until 2009. During this period, he engaged in civil litigation on a broad spectrum of issues including but not limited to Aeronautical Law in Zambia, land related disputes, commercial law, matrimonial law; also offered corporate advisory services.

Mr. Abyudi J. Shonga Junior, SC served as Solicitor General from August 2009 to February 2010 when he was elevated to serve as Attorney General for the Republic of Zambia. In this position he was principal legal advisory to the government and advising Cabinet in its meetings.

He has coordinated and dealt with litigation against the Zambian Government both at home and abroad, overseeing drafting of Bills and Statutory instruments on behalf of the Government.

### ● Professor James C. Raymond



Professor James C. Raymond is founder and president of the International Institute for Legal Writing and Reasoning.

He has conducted workshops and seminars for judges, lawyers, bar associations, law schools, and quasi-judicial tribunals in the United States and more than 30 other countries. His clients include the International Criminal Tribunal for Rwanda; the East Africa Court of Justice; the Caribbean Court of Justice; the Association of Commonwealth Judges and Magistrates; the United Nations Dispute Tribunal; and courts, tribunals, and bar associations in Antigua, Australia, Barbados, Belize, Canada, the Cook Islands, Ethiopia, Grenada, Guyana, Hong Kong, India, Jamaica, Kenya, Malaysia, Malawi, the Marshall Islands, Mauritius, New Zealand, Papua New Guinea, the Philippines, the PRC, St. Lucia, St. Kitts & Nevis, Rwanda, Samoa, Singapore, the Solomon Islands, Tanzania, Trinidad and Tobago, Vanuatu, and Zambia. He currently serves as consultant to develop plain language jury directions (the Canadian Judicial Council).

In addition to essays in law reviews, his publications include His publications include *Literacy as Human Problem* (U of Alabama Press); *Writing Is an Unnatural Act* (Harper); *English as a Discipline: or, Is There a Plot in this Play* (U of Alabama Press); *Moves Writers Make* (Prentice-Hall); *Clear Understandings: A Guide to Legal Writing* (with Ronald L. Goldfarb, Random House); and articles in the *Pepperdine Law Review*, the *Alabama Law Review*, and *The Judicial Review: Journal of the Judicial Commission of New South Wales*.

His most recent book is *Writing for the Court* (Carswell, 2010).

His writing workshops are based on an issue-driven approach, applicable to every phase of litigation from drafting indictments to writing appellate judgments. It results more efficient writing, shorter pleadings and judgments, better organization, clearer style, and more precise logic. It is also useful in promoting settlements, conducting focused hearings, and preparing oral arguments and judgments. It is appropriate for both judges and counsel. Participants are invited (not required) to bring a writing sample to the session, to be used as the basis of a revision exercise. For examples of results, please see "Before and After" at [www.jcraymond.com](http://www.jcraymond.com)

### ● Hon. Mr. Justice Mumba Malila, SC



Hon. Mr. Justice Mumba Malila, SC is a Cambridge University and University of Zambia graduate. He possesses vast legal experience: twice Attorney General of Zambia and ex official member of the Zambia Cabinet under three Presidents

He served as Commissioner and Vice Chairperson of the African Commission on Human and Peoples' Rights (one time Special Rapporteur on Prisons and Conditions of Detention in Africa, Chairperson of the ACHPR's Working Group on Extractive Industries and Human Rights Violations in Africa). Hon. Malila served as Chairperson of the Zambian Human Rights Commission as well as Lecturer in Law at the University of Zambia

He was also a member of the Judicial Service Commission, the Zambia Law Development Commission, the Citizens Economic Empowerment Commission, Chairperson of the ZIALE Council and Chairperson of the Anti-Money Laundering Authority.

Hon. Malila is currently Judge of The Supreme Court of Zambia.

### ● Eric Suwlanji Silwamba, SC



*ERIC SUWILANJI SILWAMBA, SC (LLB. (Hons) (UNZA) POST-GRADUATE LEGISLATIVE DRAFTING DIPLOMA (ZIALE), MCI Arb (UK)*

Mr. Eric Suwlanji Silwamba, SC is the Principal Partner at Silwamba, Jalasi & Linyama Advocates. He obtained a Bachelor of Laws Degree with Merit in 1983 from the University of Zambia (UNZA). He was admitted to the bar on the 20<sup>th</sup> day of December, 1984. On 16<sup>th</sup> August, 2005 he was conferred with rank and dignity of State Counsel. He has several years experience in Private Practice and has held various Public offices. In the field of Litigation, Mr. Silwamba has had the opportunity of attending to some of the most complex litigation cases both Criminal and Civil.

Mr. Silwamba is former Minister of Presidential Affairs, Office of the President, State House, former Minister of Presidential Affairs and Minister for Legal Affairs (as the Ministry of Justice was then known). He also served as Deputy Minister, Ministry of Information and Broadcasting Services and Deputy Minister (Special Duties) Office of the President, State House and he was Member of Parliament for Ndola Central Constituency for five (5) year .

He was the Chairperson of the Ministerial Committee of Ministers of Foreign Affairs and Defence for the **LUSAKA CEASEFIRE AGREEMENT** for the Democratic Republic of Congo.

Mr. Silwamba is a member of the Chartered Institute of Arbitrators of the United Kingdom.



### ● Chief Justice Ernest L. Sakala - (Retired)

Hon. Justice Ernest Linesi Sakala (Retired Chief Justice) obtained his Bachelor of Laws Degree (LLB), from the University of Zambia in 1969, and later called to the Zambian Bar in 1971. In the year 2000, he obtained a Master of Laws Degree (LLM) from the University of Zambia with his thesis on *"The Judicature, Judges, Judicial Autonomy and Independence: Threats to Autonomy and Independence, Realities and Challenges"*.

He served in various government portfolio from 1970, such as Public Prosecutor attached to Ministry of Legal Affairs. He also worked as State Advocate, Assistant Senior State Advocate and eventually elevated to Senior State Advocate in the Attorney-General's Chambers,

In 1975, Chief Justice Ernest L. Sakala (Rtd) was appointed Director of Public Prosecutions and later on in 1977 appointed to the bench as Judge of the High Court. He was elevated to the Supreme Court bench in 1985. In 1988, he was moved to the position of Investigator-General, Commission for Investigations, a position he held until 1989 when he was re-appointed Supreme Court Judge. He acted as Deputy Chief Justice from April 2000 to May 2001 and eventually appointed Chief Justice in 2002.

Justice Sakala (Rtd) has been a member of the Comesa Court of Justice since 2005. He has also served as Chairperson, Parliamentary and Ministerial Code of Conduct Tribunals, Tribunal of Inquiry appointed under the Judicature provisions of the Constitution of Zimbabwe, Committee drafting Judicial Code of Conduct for the Judiciary.

Chief Justice Sakala (Rtd) also served Acting Chairperson for the Southern African Chief Justices forum from 2007 to 2009 and later a Chairperson from 2009 to 2011, when he retired.



### ● Mr. Vincent Malambo, SC

Mr. Vincent Malambo SC, is a Lawyer with over 30 years experience in litigation and dispute resolution, company foundation, legal, business and fiscal advice.

He holds a Bachelor of Laws and is a member of International Bar Association and the Chartered Institute of Arbitrators (London). In addition to his experience as a Lawyer, Mr. Malambo SC, has past served in the following government portfolios, Minister of Legal Affairs and Special Assistant to the President for Political and Legal Affairs. Mr. Malambo SC, has previously served as Convenor of the Legal Practitioners Committee and currently serves as Chairman of the Disciplinary Committee of the Zambia Institute of Certified Accountants. He took silk in 2002.

He is an honorary lecturer in Ethics and Professional Conduct at the Zambia Institute of Advanced Legal Studies



### ● **Hon. Mr. Justice Chalwe F. R. Mchenga, SC**

Hon. Mr. Justice Chalwe Mchenga was admitted to the bar in 1991 and joined the Zambia Law Development Commission as a Research Fellow in the same year. In 1993, he joined the Directorate of Legal Aid, where he spent 3 years as Legal Aid Counsel.

He was transferred to the Directorate of Public Prosecutions as a State Advocate in 1995 and he rose through the ranks to Director of Public Prosecutions. Hon. Justice Mchenga held the position of Director of Public Prosecution from 2004 to 2011 when he was appointed High Court Judge.

In June 2016, Justice Mchenga was appointed Deputy Judge President of the Court of Appeal, a position he holds to date. He has also been honorary lecturer in Criminal Procedure at ZIALE since 2008



### ● **Mrs Rhoda Phiri Bwalya**

Rhoda Phiri Bwalya is an advocate currently working at Women and Law in Southern Africa (WLSA) Zambia where she gives technical support to the STOP GBV Access to Justice Project supported by USAID and DFID and operational in sixteen (16) districts of Zambia. She graduated with a Bachelor of Laws Degree from the University of Zambia in 1999. She proceeded to the Zambia Institute of Advanced Legal Education in the year 2000 where after she was admitted to the Bar in June 2001. She briefly worked in private practice until 2004 when she joined the National Legal Aid Clinic for Women where she worked for slightly over ten years before her current employment. She has spent many years litigating on behalf of vulnerable women and children in order to protect their rights. Her current role is to assist victims of gender based violence access justice through litigation, advocacy, capacity building for various stakeholders, law reform and implementation. She has attended various training relating to human rights amongst which included strategic litigation and in depth studies of international conventions relating to women and children's rights. She has also contributed to various publications in the promotion of access to justice.



### ● Justice C. Adèle Kent



Justice Kent was born and raised in Calgary, Alberta. After completing studies in political science, she attended law school at the University of Alberta, graduating with an LLB in 1977. She was admitted to the Alberta bar in 1978. She practiced law in Edmonton and then in Calgary, focusing her practice in the latter years on health law and construction litigation.

Justice Kent was appointed to the Court of Queen's Bench of Alberta in February, 1994. Since her appointment, she has been a member of several committees of the Court including the Media Relations Committee, the Civil Procedure Committee, the List Management Committee and the Strategic Planning Committee. She was also a member of the Public Information Committee of the Canadian Judicial Council and the National Advisory Committee on Judicial Ethics, first as a member and then as co-chair. In August 2014, Justice Kent was appointed Executive Director of the National Judicial Institute. Prior to her appointment she worked on several NJI courses on judicial ethics, science and civil law. She also assisted the judiciary in other countries in the design of judicial education courses.

In 2005, she published a book entitled *Medical Ethics: the State of the Law*.

Justice Kent speaks English and French.

### ● Ms. Nalishebo Imataa - Chief Administrator



Ms. Nalishebo Imataa is the current Chief Administrator of the Judiciary. She was appointed with effect from 25<sup>th</sup> September, 2015. She holds a bachelor of Social Work with a minor in Public Administration and did her Masters in Law and Governance at the Queens University of Belfast Ireland.

She is a member of the Zambia Institute of Human Resource Management. Upon completion of her first degree, she worked as a Support Intern of the Victims and Witnesses Unit, of the International Criminal Court in the Netherlands.

Thereafter she came back home and was employed by the Judiciary of the Republic of Zambia as Assistant Project Coordinator for the Child Justice Administration Project.

Since then, she has risen through the ranks as Project Coordinator/Senior Clerk of court of the Magistrates Court Complex in Lusaka, to Deputy Director Human Resource and finally Director Human Resource the position she has held until her appointment as Chief Administrator.



### ● **Mr. Charles Kafunda - Acting Chief Registrar**

Mr. Charles Kafunda joined the Judiciary in the year 2003 as a Lay Magistrate Class II and was deployed at Chikwa Subordinate Court in Lusaka. He served as Magistrate in charge at Choma Subordinate Court between the years 2004 to 2007 and rose to the rank of Senior Resident Magistrate. He was magistrate in charge for Lusaka province between 2007 and 2011 and rose to the rank of Chief Resident Magistrate.

In 2011 Mr. Kafunda was appointed Deputy Registrar, a position he held up to May, 2016. During this period, Mr. Kafunda was responsible for managing the Subordinate Courts, Lusaka High Court and the Commercial Division, the latter being the last assignment before Mr. Kafunda was appointed as Acting Chief Registrar of the Judiciary in May, 2016. He has been Deputy Director and Director for the Zambia Justice Information System (ZAJIS) and Task Manager for the Access to Justice Programme. He is a member of the Chartered Institute of Arbitration.



### ● **Mr. Godwin Sakwimba - Chief Accountant**

Mr. Charles Godwin Chinyama Sakwimba holds a Bachelor of Accountancy Degree from the Copperbelt University, Certificates of Eastern and Southern African Accountant Generals Forum (ESAAG) and is a member of the Zambia Institute of Certified Accountants (ZICA).

Mr. Sakwimba has worked as an accountant in various organizations which include :

TAZARA 1982 to 1985

ZIMCO-GROUP 1986 - 1991

Lusaka Water and Sewerage Company 1995 - 2008

Judiciary 2009 to date



● **Mr. Martim Faria e Maya - UNDP Country Director for Zambia**

Prior to his appointment as UNDP Country Director for the Republic of Zambia Martim served as UNDP Deputy Country Director – Programmes in Zimbabwe (2011-2015); Donor relations Advisor in the partnerships Bureau of UNDP (2005 – 2008); UNDP Deputy Resident Representative in Guinea-Bissau (2002-2005); Policy Advisor in the Bureau of Development Policy of UNDP (2002); and Economist in the UNDP Mozambique Country Office (1998 – 2002). Between 2008 and 2011, Martim was on leave from UNDP, during which time he served as Chief Country Programme Officer at the African Development Bank, where he was responsible for managing the institution's lending and grant portfolios in Angola, Madagascar, Malawi, Mauritius, Mozambique and Zambia. Prior to UNDP, Martim served briefly in the Mission to Bosnia and Herzegovina of the Organization for Security and Cooperation in Europe (OSCE). He started his career as a Programme Manager in Portugal's Trade and Tourism Promotion Board.

Martim Holds a Masters in Public Policy from the University of Michigan (USA), and a B.A in Economics and Political Science from the University of Massachusetts (USA).



