



REPUBLIC OF ZAMBIA

THE JUDICIARY

ADDRESS BY

**THE HON. CHIEF JUSTICE OF THE REPUBLIC OF ZAMBIA
DR. MUMBA MALILA, SC**

**GIVEN AT THE ADMISSION TO THE INNER BAR OF THE
MINISTER OF JUSTICE, HON. MR. MULAMBO HAIMBE, SC,
MP; DR. HENRY BWANGA MBUSHI, SC AND MR. GILBERT
ANDFORD PHIRI, SC, DIRECTOR OF PUBLIC
PROSECUTIONS, ON 16THFEBRUARY, 2023**

AT THE SUPREME COURT, LUSAKA

I am happy to warmly welcome you, Hon. Mulambo Haimbe, SC, MP, Mr. Gilbert Andford Phiri, SC and Dr Henry Bwanga Mbushi, SC, to this special ceremony to mark the occasion of the admission to the Inner Bar following your appointment by His Excellency the Republican President to the rank and dignity of State Counsel. Please accept my heartfelt congratulations on this well deserved recognition and for taking silk today.

Being conferred with the honour and dignity of State Counsel, sets you apart among your peers, for it represents a public recognition by the appointing authority of your exceptional abilities as advocates. It is a personal turning point in your professional careers and a reward for the many years of hard work, dedication and contribution to the legal profession.

For my part, as the paterfamilias of the legal profession, the solemn act of calling you 'within the Bar' which I performed a short while ago, is an acknowledgement of your appointment as State Counsel, 'learned in the law'. That act alone brought you one step closer to the bench literally and otherwise.

Viewed in perspective, the whole process from your appointment by His Excellency the President to your admission to the inner bar today by I, Chief Justice, represents a course of validation of your having marked yourselves out as leaders in the legal profession through your excellence, experience and expertise.

And so today we celebrate your taking silk with admiration for your deep learning in the law, outstanding competence as advocates, and equally importantly, your possession of the essential qualities of

integrity, honesty, industry, independence and respect for the law. Put differently, we celebrate your embodiment of the very best qualities of the legal profession and, of course, your admission to the elite club of senior lawyers in the profession. You will henceforth be clearly visible in court for two reasons: first from where you are entitled to sit in the court room and second, from the fact that, by virtue of an unwritten sumptuary rule, you will henceforth wear silk while your juniors continue to wear ‘stuff’ gowns.

I wish to remind you that the dignity and honour bestowed upon you, is not for mere prestige and pomp, nor is it merely intended to enable you issue bigger fee notes when in private practice. It is a status that comes with enormous responsibilities. It carries with it responsibility for continuing the honoured tradition and expectation of both leadership at the Bar and service to society. It demands that your conduct and practice of the law, in whatever capacity, should be impeccable at all times. I beseech you to be worthy role models to those below you at the Bar, especially young advocates. As you work with all justice sector stakeholders, be above board, promote speedy and effective justice dispensation. Your pronouncements and deeds must exude integrity at all times.

The legal profession, the Judiciary and the general public expect high standards of performance in your practice and your work. You cannot afford to fall below those expectations. I urge you to champion the enhancement of the rule of law and the protection of human rights.

Learned Minister of Justice, I know you have a huge task of spearheading legal reforms. As part of those reforms, I implore you to give some thought to the criteria for appointment to the rank and dignity of State Counsel with a view to bringing it as close as possible to the criteria used in older Commonwealth jurisdictions. In this way, we shall avert the danger of veering away from the original intention. I urge you also to reflect on some issues on which statutory provisions relative to State Counsel are silent. Should this rank and dignity, which is steeped in tradition going back centuries, be stripped off State Counsel whose conduct shows glaring failure in integrity, honesty and independence, among others or who otherwise behaves in ways inconsistent with conduct expected of them? In other words can the Letters Patents constituting one as State Counsel be withdrawn or cancelled? What should be procedure? Can State Counsel quit that designation?

The Judiciary looks forward to working closely with you and your team as it undergoes its own institutional and legal reforms.

Learned Director of Public Prosecutions, your task at hand is a mammoth one. Being the chief prosecutor of the Republic is an onerous responsibility. I urge you to continue with your unfazed drive to prosecute all manner of crime. Your work should be tempered with the best qualities of your new status, namely integrity, probity, honesty, industry, independence and fairness.

As for you Dr. Mbushi, SC, the good age at which you have been appointed State Counsel goes to show that you have refined your practice over the years and are ripe to provide the much-needed wise

counsel and support to the legal fraternity, more especially junior counsel. As per the oath of State Counsel which you took before the Republican President, the State can and will call upon you at any time for guidance in matters of the law. I am aware that you are already serving as a member of the Anti-Corruption Commission Board. I have no doubt that your contribution there will reflect your deep understanding of the law, integrity and evenhandedness.

As I conclude, let me emphasise that your status of State Counsel will remain with you beyond your current assignments, and so are the expectations. Remember always that we have high expectations of you. You owe it to yourselves and the legal profession to remain worthy ambassadors of this professional status. I have not the slightest doubt in my mind that you will acquit yourselves well and always rise to the challenges ahead. With these remarks, may I, on behalf of my colleagues in the Judiciary, wish all of you every success and satisfaction in your new status as Senior Counsel.

Thank you.