



The Adjudicator

Judiciary Newsletter





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Advisory Committee on Public Relations and Information



Hon. Mr. Justice Charles
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Hon. Mr. Justice Kelvin
Muzenga - Chairperson



Hon. Lady Justice Bubile
Shonga - Member



Mr. Sangwani
Nyimbiri - Member



Mr. Timothy Daka -
Member



Mrs. Idah Phiri Mupemo -
Member



Mrs. Kalumba
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- Secretary

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JUDICIARY TRIPARTITE EVENT

The Judiciary is often seen as distant and closed off, operating behind heavy doors and far removed from everyday life. But this couldn't be further from the truth. As Zambia's guardian of justice, the Judiciary understands the importance of opening its doors and connecting with the people it serves. To shift this narrative, the Judiciary hosted a vibrant Public Open Day, alongside two major initiatives, to give the public a clearer understanding of its role in society.

On Thursday, 8th August 2024, the Judiciary of Zambia held a momentous event at the Supreme Court grounds in Lusaka. This tripartite event brought together the Public Open Day, the launch of the 2024 Mediation Settlement Week, and the unveiling of the Communications Strategy. Together, these initiatives aimed to enhance public engagement, improve transparency, and streamline how the Judiciary communicates with the public.



In his keynote address, His Lordship, the Hon Chief Justice Dr. Mumba Malila, SC, emphasized the importance of making the courts more accessible to the public. He stressed that opening the courts to public inspection and actively engaging in the exchange of information are essential pillars of a thriving democracy.

Another highlight of the day was the launch of the 2024 Mediation Settlement Week, a campaign aimed at promoting mediation as an alternative dispute resolution method. Justice Abha Patel, SC, Chairperson of the Advisory Committee on Court Annexed Mediation, explained that mediation offers parties a confidential, efficient, and less costly way to resolve conflicts. She stressed that mediation allows individuals to reach mutually beneficial agreements without the financial or emotional strain of traditional court cases.

Finally, the unveiling of the Communications Strategy marked a critical step in the Judiciary's ongoing efforts to improve its engagement with the public and other stakeholders. This strategy outlines a comprehensive plan to ensure that information about the Judiciary is accessible, clear, and timely, thereby fostering a more informed and engaged public an essential component of effective justice administration.



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The Honour of Being an Adjudicator: Expectations and Responsibilities;

By Mrs. Idah Phiri-Mupemo



For me, being appointed a Judge or Magistrate is one of the most prestigious achievements within the legal profession and indeed in society. It is a position that not only reflects years of dedication to the study and practice of law but also carries with it a solemn responsibility for the pursuit of justice. Our role as adjudicators is steeped in honour because of its profound impact on individuals, communities and the nation at large, as well as its critical role in upholding the rule of law. However, with this honour comes immense responsibility. As it is always emphasized therefore, Adjudicators must uphold the highest ethical standards to maintain public confidence in our individual selves and in the judiciary.

The Honour of Being an Adjudicator

As it is well known, the judiciary is the guardian of justice, tasked with ensuring that the law is applied fairly and equitably. As Adjudicators, we sit at the apex of this process, making decisions that have far-reaching consequences for individuals, businesses, government and society at large. This position requires us to have the ability to balance legal principles with a sense of fairness and compassion and the ability to apply the law impartially while taking into account the circumstances of each case.

The honor of being a Adjudicators therefore lies in the trust society places on us as individuals. We are entrusted with the lives and rights of others; our decisions can determine the outcome of disputes, the fate of those accused of crimes, or the resolution of complex legal issues. Undoubtedly, this responsibility is immense but it must be exercised with humility and integrity. In my view, the position is not just about power; it is about serving the public by providing a fair and impartial resolution to conflicts.

Furthermore, we, Adjudicators are seen as symbols of the law itself. Our role extends beyond merely resolving disputes. We are expected to embody the principles of justice, fairness, and the rule of law because the respect commanded by the Judiciary derives from its constitutional commitment to these ideals. As such, we are honoured because we are seen as the arbiters of justice in society.

Expected Behaviour of Adjudicators

Being an Adjudicator is accompanied by an expectation of exemplary behaviour, both within and outside the courtroom. Our conduct is crucial in ensuring that justice is not only done but is also seen to be done. We must therefore uphold the integrity of the judicial system and maintain public confidence in its fairness and impartiality.

1. Impartiality

One of the most critical expectations of Adjudicators is impartiality. We must endeavour at all costs to be neutral and unbiased, and adjudicate cases based on the evidence and the law rather than our personal beliefs or external pressures. It is important that we avoid any appearance of bias and recuse ourselves from cases where we have a conflict of interest or where our impartiality could reasonably be questioned. Impartiality ensures that all parties receive a fair hearing and that justice is administered without fear or favor.

2. Integrity

Integrity is the cornerstone of judicial behavior. As Adjudicators, we are expected to act with honesty and uphold the highest ethical standards. This includes being transparent in our decision-making processes, providing reasoned judgments, and adhering to the rule of law even in difficult or controversial cases. We should never engage in corrupt practices, accept bribes, or allow ourselves to be influenced by political or personal considerations. Our integrity should inspire confidence in the legal system as a whole.

3. Diligence and Competence

Diligence is a responsibility that must never be compromised in the exercise of our duties. We must

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ensure that cases are handled efficiently and without undue delay. We must do our best to be well-versed in the law and to maintain a high level of competence in our legal knowledge and application. This requires continuous learning, reading and researching and staying informed about changes in the law, judicial precedents, and societal developments that may impact our decisions. Diligence and competence contribute to the delivery of justice in a timely and accurate manner.

4. Fairness

Fairness is fundamental to our role as Adjudicators. We must treat all parties with respect and ensure that everyone has an equal opportunity to present their case. We must listen attentively to arguments, consider all evidence, and provide reasoned judgments based on the law and facts. Fairness also extends to ensuring that vulnerable groups, such as children or marginalized individuals, are not disadvantaged in the judicial process.

5. Decorum and Courtesy

As Adjudicators, we must lead by example in exhibiting decorum and courtesy in our interactions with litigants, lawyers, witnesses and court staff. We are expected to conduct ourselves with dignity and professionalism, maintaining a calm and composed demeanor, even in challenging or emotionally charged situations. Our behavior sets the tone for the proceedings and reflects the seriousness of the judicial process.

6. Confidentiality

It is well known that we often deal with sensitive and confidential information. We are expected to protect the privacy of individuals involved in legal matters and to ensure that information disclosed during proceedings is not improperly shared or used for personal gain. Maintaining confidentiality is essential in safeguarding the rights of the parties involved and upholding public trust in the judicial process.

7. Independence

Judicial independence is vital to the proper functioning of the legal system. We have an important role to play in ensuring that we are free from undue influence by the government, political actors, or other external forces. To achieve this, we must be able to avoid deliberately engaging in compromising interactions and be able to make decisions based solely on the law and the facts presented before us, without fear of retribution or pressure. This independence is crucial in ensuring that justice is delivered impartially and that the judiciary remains a check on the other branches of government.

Conclusion

To be a Judge or Magistrate is a great honour that comes with a profound sense of responsibility. Each one of us plays a pivotal role in upholding justice, protecting the rights of individuals, and ensuring the fair application of the law. However, with this honor comes an expectation of exemplary behaviour which includes impartiality, integrity, diligence, fairness, courtesy, confidentiality, and independence. We must be paragons of these virtues because the effectiveness and legitimacy of the Judiciary depends on our conduct. Our behaviour as individuals not only impacts the outcomes of individual cases but also shapes public confidence in the legal system as a whole. In this way, the honor of being an Adjudicator is closely tied to the ethical demands of our role itself, which requires steadfast commitment to justice and the rule of law.



Impartiality
Integrity
Diligence and Competence
Fairness
Decorum and Courtesy
Confidentiality
Independence

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LAZ Donates Scanner to Boost The Judiciary's Efficiency

In an era where technology is reshaping every facet of society, the judiciary is not left behind. The digital revolution has reached our courts, where case files that once filled rooms with paper are now scanned and uploaded to the Judiciary's website. This leap forward is not just about keeping up with the times; it's about ensuring transparency, enhancing accessibility, and securing vital records for the future.

Recognizing the importance of technology in justice delivery, the Law Association of Zambia (LAZ) on 18th September 2024, donated an HP ScanJet, a high-speed scanner capable of processing 5,000 pages per hour. This is not just a piece of equipment it's a critical tool in the ongoing modernization of our judicial processes.

The formal handover of the scanner, received by the Chief Registrar Hon Exnobert Zulu, and other judiciary officers, marked a significant moment in our journey toward a more efficient and transparent legal system. The Chief Registrar expressed gratitude to LAZ, acknowledging their continued support in our shared mission to administer justice efficiently.



Former LAZ Vice President, Ngosa Mulenga Simachela, hands over scanner to the Hon. Chief Registrar, Exnobert Zulu.



Judiciary members of Staff and LAZ members, at the Supreme Court Building, after the donation

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The Importance of Article 13(b)

(The Harm Exception) of The 1980 Hague Convention on Civil Aspects of International Child Abduction, the case for Zambia

By Ruth L. Mbambi

The Children's Code Act No.12 of 2022, hereinafter referred to as "the Children's Code Act," is the latest codified law on children. The Children's Code Act, inter alia, domesticated the 1980 Hague Convention on Civil Aspects of International Child Abduction. Zambia acceded to the 1980 Hague Convention on the Civil Aspects of International Child Abduction (Hague Abduction Convention), hereinafter called the Convention, on 26th August 2014. The Act domesticated the Hague Convention and is part of domestic law. This article highlights Article 13(b) of the Hague Convention.

The Convention concerns the wrongful removal of a child from the Republic or wrongful retention of the child in the Republic. Section 283 of the Children's Code Act provides that: A child shall be considered to be wrongfully removed from the Republic where:

- It is a breach of the rights of custody or the rights of access granted to a person, institution, or body;
- At the time of removal of the child, the rights of custody or access to the child were exercised solely by that person, institution, or body.

A child shall be considered to be wrongfully retained in the Republic where:

- It is a breach of the rights of custody or access granted to the person, institution, or body over the child in the country in which the child was habitually resident immediately before the retention.
- The rights of custody or access to the child were exercised solely by that person, institution, or body or jointly with another person, institution, or body.

The Harm Exception – Article 13(b) provides that:

Notwithstanding the provisions of the preceding Article, the judicial or administrative authority of the requested State is not



bound to order the return of the child if the person, institution, or other body opposing the return establishes that:

- There is a grave risk that his or her return would expose the child to physical or psychological harm or otherwise place the child in an intolerable situation.

Article 13(b) plays a significant role in cases where there is a threat of domestic violence against the abducted child, as it prohibits the return of the child to the country of habitual residence where there is a "grave risk" of harm. In cases where 'grave' risk is present, the court may still order the return of the child but may opt for protective measures to mitigate the risk. If the taking parent is the victim of domestic violence, but not the child, courts ordinarily order the return of the child to the country of habitual residence, as the threat of domestic violence on the child is considered a mere "risk." The court may then seek protective measures for the child in the country of habitual residence.

However, according to the interim report on the project investigating the effects and outcomes of abduction where it is alleged to have occurred against a background of violence or abuse towards the taking parent and/or the abducted child, presented by Professor Marilyn Freeman and Professor Nicola Taylor at the 2024 Family Law Conference, the findings were as follows:

The majority (n=95, 83.3%) reported that the Article 13(b) exception is often, mostly, or always argued when international child abduction occurs against a background of violence or abuse towards the taking parent and/or abducted child(ren).

How often are children returned despite the exception being argued?

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Three-quarters (n=84, 75.7%) of the 111 respondents reported that abducted children are often or mostly returned when the Article 13(b) exception is argued in circumstances of domestic violence and/or abuse. The defense of 'grave risk of harm' works well when the 'grave risk' is readily apparent.

The Challenge for Zambia

Article 13(b) of the Hague Convention on Civil Aspects of International Child Abduction, which is crucial in applications under this Convention, was not domesticated into the Children's Code Act No. 12 of 2022. It would be interesting to see how our courts

handle a Hague Convention matter in which Article 13(b) has been pleaded.

Conclusion

There is an urgent need for Zambia to domesticate Article 13(b) of the Hague Convention, which was omitted. The failure to domesticate this Article would make it difficult, if not impossible, for our courts to effectively protect abducted children from threatened or actual domestic violence in Hague Convention applications.

Child Justice Week 2024



Hon. Deputy Chief Justice Mr. Justice Micheal Musonda, SC. (second left), Minister of Justice, Princes Kasune (middle right), Hon. Lady Justice Mwamba Chanda (far left), Suzy Thompson (Middle), & two young parliamentarians, David Thole & Elijah Jere (far right) at MICC during the Child Justice Week Launch

Imagine a Zambia where every child not only has a voice but is truly heard—a nation where justice is tailored to the unique needs of its youngest citizens. This vision is the driving force behind Child Justice Week 2024, themed "Zambia at 60: Advancing Child Justice and Safeguarding Children's Rights in an Evolving World." Launched on October 8th at the Mulungushi International Conference Centre, this initiative brings together the Judiciary, the Child Justice Forum, and key partners in a collective effort to make the justice system child friendly.

At the heart of this movement is the Children's Code Act, passed in 2022, which aligns Zambia's laws with international standards

like the UN Convention on the Rights of the Child. The Act tackles issues such as child marriage and criminal responsibility, now set at 12 years old. However, the challenge lies in implementing this legislation effectively—a point emphasized throughout the week.

Acting Chief Justice, Hon. Justice Michael Musonda, SC, highlighted the Judiciary's role in bringing the Children's Code Act to life. While other arms of government may celebrate its passing, the Judiciary ensures it works in practice. Justice Musonda called for deeper collaboration

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to guarantee the law's effectiveness in protecting Zambia's children.

A standout moment came when two young parliamentarians, David Thole and Elijah Jere, from Kabulonga Boys Secondary School, presented during "The Voice of the Child." They urged the government to raise the legal age for accessing tobacco and alcohol to 21 and called for stricter penalties for businesses selling to minors, as well as youth rehabilitation centers.

Adding to the day's significance, the Honourable Minister of Justice, Princess Kasune, reaffirmed the government's commitment to advancing child justice. She was joined by young Susy Thomson, who symbolically acted as Minister of Justice during the event. Together, they highlighted the importance of prioritizing rehabilitation over punitive measures within the Children's Code Act.

And in the spirit of shared responsibility, Hon. Lady Justice

Mwamba Chanda, Judge in Charge of the Family and Children Division, emphasized that protecting children is a duty extending from families to communities and institutions. She urged all stakeholders to unite in ensuring every child in Zambia has access to a child-friendly justice system.

During the launch, several organizations, including the Drug Enforcement Commission, Legal Aid Board, YWCA, and Zambia Police, among others, showcased how they are advancing child justice through their exhibits, highlighting their vital contributions to protecting children's rights and ensuring justice for all.

Child Justice Week 2024 is more than a commemoration—it's a call to action. As Zambia marks 60 years, the focus on child justice sharpens, aiming to create a future where every child's rights are upheld and their voices heard ensuring a child friendly justice system.



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Diversion in Zambia Legal and Institutional Framework for Children in Conflict with the Law

By Angel Bhamjee



The enactment of the Children's Code Act No. 12 of 2022 is a milestone in Zambia's child protection, focusing on rehabilitation and reintegration for children in conflict with the law. It prioritizes child-friendly justice processes, including diversion, to avoid formal criminal proceedings and uphold children's dignity and rights.

Diversion steers children away from formal judicial proceedings, offering rehabilitative alternatives. Defined in the Act as "the referral of cases of children alleged to have committed offences away from the criminal justice system with or without conditions," diversion acknowledges that punitive measures can harm a child's development. Rooted in restorative justice, diversion emphasizes rehabilitation over punishment, helping children avoid formal criminal records and the negative long-term effects of criminal proceedings. It aligns with Zambia's broader goals of child protection, recognizing that many children in conflict with the law face social, economic, and familial challenges.

Before formal diversion programs, children faced harsh penalties, including prolonged detention in adult facilities. Reports, such as the 2014 UNICEF study and the 2017 Auditor General's audit, highlighted these challenges and advocated for child-friendly alternatives. The National Diversion Framework of 2018 institutionalized diversion, guiding law enforcement, prosecutors, and social workers on its application. The Children's Code Act codifies diversion and restorative justice principles,

promoting mediation, community service, and family conferencing. These measures allow children to make amends without the lasting consequences of judicial sanctions. The Act mandates diversion as a first resort for children and ensures equal access, upholding the rights and welfare of all children in the justice system.

Despite legal advancements, full implementation of diversion faces challenges. These include inconsistent application across districts, limited resources, and lack of stakeholder awareness. Resource shortages hinder programs like community service and vocational training, while fragmented coordination among justice actors delays effective outcomes. Additionally, a lack of awareness among police, social workers, and adjudicators about diversion principles hampers its consistent application. Ongoing training is essential to ensure that diversion is applied appropriately. The absence of sufficient service providers further limits rehabilitation, reducing the effectiveness of diversion in preventing reoffending.

Zambia's legal framework for diversion is commendable, but institutional improvements are needed. Addressing resource gaps, enhancing multisectoral coordination, stakeholder training, and community involvement are key to making diversion a successful alternative to formal judicial processes and ensuring the rehabilitation and reintegration of children in conflict with the law.



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SEACJF 2024 **The Southern and Eastern African Chief Justices' Forum**

In today's interconnected world, where borders are becoming increasingly symbolic, the challenges faced by nations are often mirrored across continents. This is particularly evident in Africa, where judiciaries share many of the same struggles, including case backlogs, infrastructure deficiencies, limited resources, and threats to judicial independence. These shared challenges make collaboration between African nations essential for enhancing justice delivery.

The Southern and Eastern African Chief Justices' Forum (SEACJF) offers a critical platform through which Chief Justices from across the region come together to address these pressing issues collectively. Established in 2003, SEACJF promotes judicial independence, human rights, and access to justice. It advocates for the welfare of judges and facilitates cooperation with global judicial bodies, all while focusing on improving justice delivery within Africa.

The 8th SEACJF Conference, held at Speke Resort Munyonyo, Kampala, Uganda, from September 30 to October 2, 2024, epitomized this spirit of collaboration. Under the theme, "Enhanced Access to Justice – Underscoring Reforms in African Judiciaries," the forum provided a formal space for judicial leaders to reflect on critical issues and adopt strategies to strengthen justice systems across the continent. Hosted by the Ugandan Judiciary, the event brought together delegates from countries across Southern and Eastern Africa, along with distinguished guests from government, international organisations, and academia.

His Excellency President Yoweri Kaguta Museveni officially opened the conference, using his address to underscore the role of justice in fostering economic growth. He called for the integration of traditional African legal principles with modern frameworks to tackle the continent's unique challenges. President Museveni also highlighted the importance of economic prosperity in supporting judicial systems, noting that a thriving economy enables judiciaries to flourish.



Hon. Mr. Justice Obister Musukwa & Hon. Mr. Justice Evaristo Pengele at the SEACJF conference

Justice Bheki Maphalala, Chief Justice of Eswatini and Chairperson of SEACJF, expressed optimism about the future, welcoming the participation of South Sudan, Somalia, and Burundi, with the hope that they would soon become full members of the Forum. He reiterated that SEACJF's objectives is to promote the independence of judiciaries and ensure access to justice, particularly in countries where judicial independence remains under threat.

The conference featured a series of panel discussions and presentations that focused on judicial reforms and the establishment of specialised courts. Judicial leaders from various countries shared insights into their systems, offering valuable lessons for enhancing justice administration

The presentations covered various court divisions across the region. Lesotho highlighted the Land Court's role in resolving land disputes, while Malawi focused on the Commercial Division's impact on business cases. Mozambique shared insights on the Juvenile Court's work with young offenders. Zambia's Justice Evaristo Pengele discussed the Economic and Financial Crimes Division's efforts to tackle financial misconduct. Kenya

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emphasized the Environment and Land Court's handling of land use and environmental issues, and Uganda presented the International Crimes Division's role in dealing with war crimes and genocide cases.

Throughout the conference, the need for reforms in African judiciaries was repeatedly highlighted. These reforms, ranging from the establishment of specialised courts to the adoption of technology, are viewed as crucial for improving access to justice. Participants stressed the importance of embracing e-filing and virtual court proceedings as a means to reduce case backlogs and make justice more accessible to the public.

The conference, attended by representatives from Zambia, Lesotho, Eswatini, Angola, Botswana, Kenya, Malawi, Mozambique, Namibia, South Africa, Seychelles, Zimbabwe, Tanzania, South Sudan, Somalia, and Burundi, was not only a gathering of legal minds but also a reaffirmation of the shared commitment to judicial excellence across the African continent. Through such collaborative efforts, Africa's judiciaries are poised to drive transformative change, ensuring that justice becomes both accessible and effective for all.



Hon. Mr. Justice Obister Musukwa (Left), Hon. Mr. Justice Evaristo Pengele (Middle), and SEACJF Coordinator/ Registrar High Court (chambers) Hon. Mr Sangwani Nyimbiri (Right), at SEACJF Conference.



Various Chief justices and representatives pose for a photo with the Ugandan president his Excellency Yoweri Museveni (in white) during the official opening.

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Enhancing Legal Research



Legal research forms the backbone of any judicial system, providing the foundation for informed decisions that affect individuals, communities, and even nations. At the heart of this process are Research Advocates, who assist judges by interpreting complex legal principles, identifying relevant precedents, and synthesizing vast amounts of information. Recognizing the importance of their work, the Judiciary of Zambia recently hosted a comprehensive four-day training to enhance the skills of its Research Advocates.

Held at the Taj Pamodzi Hotel in partnership with the Judicial Institute for Africa (JIFA), the training aimed to sharpen the research capabilities of the advocates. Hon. Mr. Justice Michael Musonda, SC, Deputy Chief Justice, opened the event by highlighting how well-prepared legal researchers contribute to the efficient functioning of the courts. Their work directly impacts the speed and quality of judicial outcomes, accentuating the necessity of their expertise.

Building on this point, Hon. Lady Justice Nicola Sharpe-Phiri, Chairperson of the Advisory Committee on Training and Continuing Education, emphasized the Judiciary's commitment to developing a skilled workforce. She noted that continuous professional development is key to meeting the constitutional demands placed on the Judiciary, and this training was part of the broader effort to ensure Zambia's legal system remains both competent and responsive to the public's needs.

Representatives from JIFA praised the Judiciary for its dedication to strengthening research capacity, noting that a skilled team of Research Advocates is vital to maintaining the rule of law. This training builds on previous efforts, including a similar program held in Chisamba earlier this year, further reinforcing the commitment to enhancing the judicial system.



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Performance Management FAQs

The Judiciary recently introduced the Performance Management System (PMS) to enhance excellence in justice administration. To ensure its success, the Advisory Committee on Performance Management was formed to oversee policy, while the Department of Performance Management coordinates activities at the operational level. As PMS is a new initiative, this article provides basic information to address common questions.

1. What is Performance Management?

Performance Management is a structured approach to improving organizational performance by managing individual and team performance within a framework of planned goals, standards, and competencies. It emphasizes management by agreement and cooperation rather than command, assessing performance at three levels:

- Strategic: Organizational goals aligned with the mission and values.
- Operational: Departmental activities focused on quality and process improvement.
- Individual: Ensures employees perform their tasks effectively.

2. What is a Performance Target?

This is a specific, predefined level of performance that an individual, department, or organization aims to achieve within a set timeframe. Targets must be Specific, Measurable, Attainable, Realistic, and Time-bound (SMART).

3. What is a Performance Standard?

Performance standards outline job duties and the expected quality of work, based on the SMART principle.

4. How are Performance Targets Determined?

Targets are drawn from strategic plans, departmental and individual work plans, and job descriptions. They are developed through consultation and consensus, then agreed upon in writing.

5. Who Conducts Performance Appraisals?

Immediate supervisors are responsible for conducting appraisals for their subordinates. In cases of dual reporting lines, both supervisors contribute.

6. Is Performance Management About Highlighting Weaknesses?

No, it focuses on developing an employee's strengths

and identifying gaps in skills needed for success in their current role and career progression.

7. Why is Performance Management Important for the Judiciary?

- To foster a performance culture.
- To enhance judicial accountability.
- To boost public confidence.
- To improve court systems and processes.
- To ensure objective management of rewards and promotions.
- To manage unsatisfactory performance and develop remedial measures.
- To promote efficient use of public resources.

8. How Does Performance Management Balance Judicial Independence with Evaluation?

Judicial evaluations focus on institutional effectiveness while safeguarding independence. Performance targets must emphasize efficiency, fairness, and adherence to legal standards.

9. Does Performance Management Preserve Public Trust in the Judiciary?

Yes, by ensuring the fair and efficient disposal of cases, PMS strengthens access to justice and enhances public trust in the judiciary.

10. How Can Institutions Ensure Effective Implementation of PMS?

Effective implementation requires systematic development and progressive stages of execution, with flexibility for adjustments as needed.

11. Who Can I Contact for More Questions?

Reach out to your supervisor or department head. If they cannot assist, contact the Performance Management Department at performance@judiciaryzambia.com.



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Chief Justices Since Independence



Sir Diarmaid William Conroy

Born in 1913, was Zambia's first Chief Justice from 1961 to 1965, leading the judiciary through the country's independence. He had the honour of swearing in Dr. Kenneth Kaunda as the first Republican President on 24th October 1964.

Conroy also contributed to Zambia's educational development by serving as Chairperson of the Provisional University of Zambia Council in 1964. According to the Annual Report of the Judiciary and the Magistracy for the year 1965, Sir Conroy retired on 28th February, 1965, and Zambia's founding President His Excellency Dr. Kenneth Kaunda appointed Justice Blagden as Chief Justice.



Justice John Ramsey Blagden

Hon. John Ramsey Blagden served as Chief Justice from 1966 to 1968, playing a key role during the country's post-independence transition. On 16th November 1968, he received the nomination papers for Zambia's Presidential elections from both Kenneth Kaunda and Harry Mwaanga Nkumbula at the High Court in Lusaka.

Blagden helped bridge the gap between colonial legal traditions and Zambia's emerging independent judicial system. Chief Justice Blagden retired from the Judiciary and left Zambia on 28th February, 1969. He was succeeded, on 1st March, 1969, by the then Attorney General, Irish-born J.J. Skinner.



Sir James John Skinner:

Sir James John Skinner, was one of the first white men to have joined Dr. Kaunda's United National Independence Party (UNIP) at its birth in 1960 quickly rising to the role of legal advisor.

He served in Zambia's first cabinet, first as Minister of Justice from October 1964 to January 1965. He was then appointed Attorney General, a position he held from January 1965 to March 1969. Additionally, he served as Minister of Legal Affairs from January 1967 to December 1968. In March 1969, Skinner was appointed Chief Justice of Zambia, although he resigned from the position in September of the same year.



Justice Brian André Doyle

Brian André Doyle, served as Zambia's third Chief Justice after the country gained its independence. He served from 1969 to 1975 and retired from the Judiciary in May 1975. Doyle's tenure was marked by his dedication to establishing a strong judicial framework, training Zambian legal professionals, and ensuring judicial independence.

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Justice Annel Musenge Silungwe

Was born in Mbala in 1936. He was appointed Puisne Judge in 1971, and in 1973, he was nominated as a Member of Parliament and appointed Minister of Legal Affairs and Attorney General, roles he held until 1975. In 1974, he was conferred the status of State Counsel.

On 1st May 1975, at the age of 39, Hon. Justice Silungwe was appointed Chief Justice of Zambia, becoming the first indigenous person to hold this prestigious position. He remained in office until his retirement on 30th June 1992, making him the longest-serving Chief Justice in the country's history.



Justice Matthews Ngulube

Justice Matthew Ngulube served as Zambia's Chief Justice from 1992 to 2002, a pivotal time for the judiciary in the post-independence era. His leadership was instrumental in upholding judicial independence and reinforcing the rule of law during Zambia's political reforms. Justice Ngulube's contributions significantly bolstered the nation's legal framework, ensuring the judiciary remained autonomous and impartial, leaving a lasting legacy in Zambia's legal history.



Justice Ernest Sakala

Born in 1943, was a prominent figure in Zambia's judiciary, serving as Chief Justice from 2003 to 2011. His legal career spanned multiple significant roles, including Director of Public Prosecutions, High Court Judge, and Supreme Court Judge, reflecting his deep commitment to justice in Zambia. His contributions helped solidify the country's post-independence judicial system, advocating for fairness and judicial independence. Sakala's leadership in judicial reforms and training further strengthened Zambia's legal framework, aligning it with the values of freedom and democracy achieved after independence. Even after retirement, he continued his legal influence internationally, serving as a non-resident judge in Namibia.



Justice Irene Mambilima

Zambia's 7th Chief Justice, Hon. Mrs. Justice Irene Chirwa Mambilima, was born on March 31, 1952, and was admitted to the bar in 1977. She made history as Zambia's first female Chief Justice, serving from her appointment on 26th February 2015 until her demise in 2021.

Prior to her appointment as Chief Justice, Justice Mambilima served as the first female Deputy Chief Justice from 2008 to 2015. She held various positions within the Judiciary, having first joined as a Commissioner of the High Court in 1985. Additionally, she served as Chairperson of the Electoral Commission of Zambia, presiding over the 2006 and 2011 general elections, as well as the January 2015 presidential by-election.

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Dr. Mumba Malila, SC. Chief Justice

was appointed Chief Justice of Zambia in 2021, becoming the 8th person to hold this prestigious position. Dr. Malila has had a distinguished career in law, holding various high-profile positions, including serving as Zambian Attorney General from 2011 to 2014. In addition to his national roles, he is also a member of the United Nations Working Group on Arbitrary Detention.

Prior to his appointment as Chief Justice, Justice Malila served as a Supreme Court Judge.

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Wellness Corner

At the Judiciary of Zambia, sports have become a cornerstone for promoting wellness and unity among members of staff. Every Friday afternoon, the Industrial Relations Division car park in Lusaka comes alive as staff gather for aerobics sessions. Starting at 14:30 hours, these vibrant workouts offer a refreshing break from routine, combining fitness with fun.

Meanwhile, soccer enthusiasts take to the Nationalist Stadium, where men's and women's teams represent the Judiciary in friendly matches against other institutions. These games foster camaraderie, teamwork, and collaboration beyond the office.



The Adjudicator



Photo Focus



His Lordship the Hon. Chief Justice (Centre) receiving Meritous Leadership Award from African Bar Association



The Hon. Mr. Justice A. Shilimi, & Hon. Mr. Justice J. Siavwapa at the 60th Independence Day Investure Ceremony



Hon. Mr. Justice E. Pengele (right) & Hon. Mr. Justice O. Musukwa at SEACJF Cultural Night in Uganda.



World Bank's courtesy call to the Office of the Chief Justice



EU AML-CFT Judges Workshop - Financial Investigations-Best Practices, in Livingstone

The Adjudicator



Photo Focus



The Judiciary of Zambia Choir at the 60th Independence Day Investure Ceremony



Hon. Deputy Chief Justice Micheal Musonda, SC. (Centre), with the Minister of Justice Princes Kasune (left), and Hon. Lady Justice Maria Kawimbe (right), during the Elections Management Strategic Plan Launch at the Supreme Court Grounds