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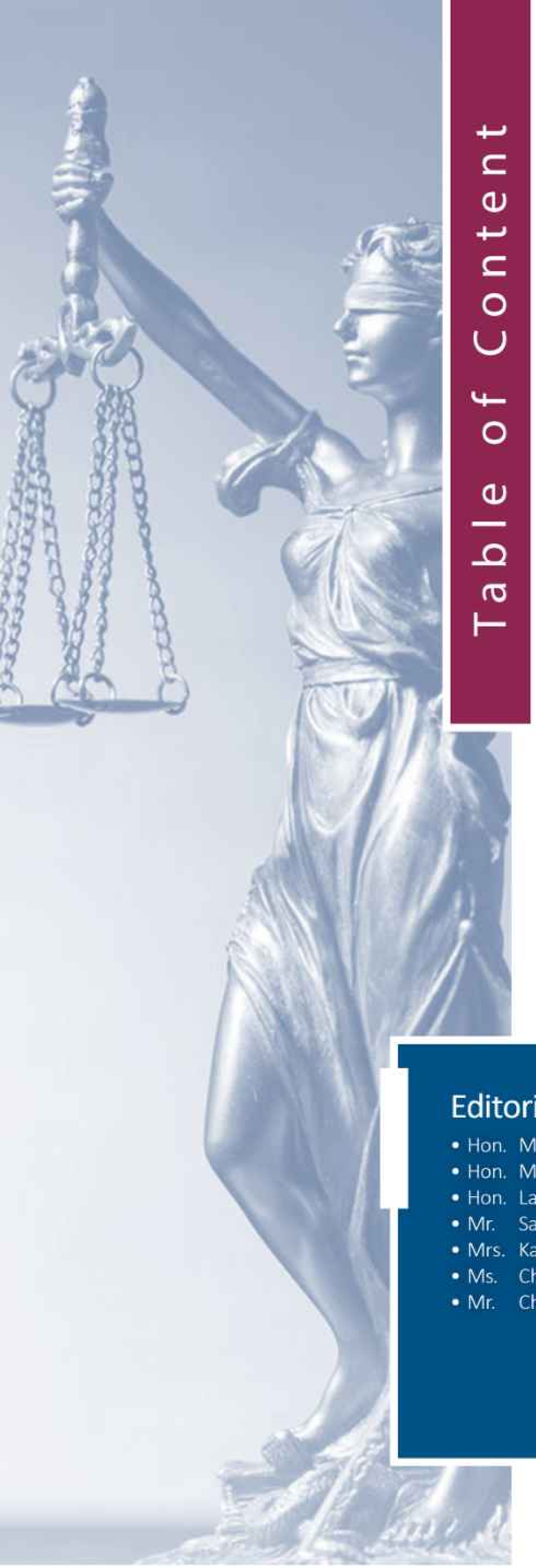
The Adjudicator

Judiciary Newsletter



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Editorial Note

As we present this final edition of The Adjudicator for the year, the Editorial Team, under the auspices of the Hon. Chief Justice's Advisory Committee on Public Relations and Information, takes this opportunity to thank all its distinguished contributors throughout this year's editions.

This edition offers a cursory look at the year in review, particularly some selected engagements by the Office of the Chief Justice, both locally and abroad. It captures key developments and milestones, while also featuring articles that engage with specific issues and topical themes of interest to the Judiciary. Together, these contributions reflect the diversity of thought and experience that continue to define our institution.

Again, we extend our sincere appreciation to all contributors whose insightful, informative and thought-provoking submissions have made The Adjudicator a success throughout the year.

Your willingness to share knowledge and perspectives has enriched the publication and strengthened its role as a platform for engagement, learning and reflection within the Judiciary.

We encourage all members of the Judiciary to continue contributing articles for publication. Whether for informational, educational or even light-hearted and reflective purposes. The Adjudicator thrives on your voices. Submission details are provided within this newsletter and we look forward to receiving even more contributions in the coming year.

As the year draws to a close, the Editorial Team wishes all members of the Judiciary a joyous festive season and a productive and fulfilling 2026. We remain committed to making The Adjudicator an even more vibrant and engaging publication and look forward to your continued support and submissions.

Hon. Mr. Justice Kelvin Muzenga
Chairperson-Advisory Committee on Public Relations and Information

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A Long-Overdue Review of Court Vacations in the Judiciary of Zambia

By David Kidney

For the longest time, the Judiciary of Zambia has observed four formal court vacations, namely; Easter, Whitsun, Michaelmas and Christmas. While Easter and Christmas vacations are generally well understood, Whitsun and Michaelmas vacations often invoke very little familiarity, not only in terms of their origins, but also as to what they represent and how they came to be embedded within the court calendar, their roots lying in Christian and English legal traditions.

A simple reference to widely accessible online sources like Wikipedia reveals that Whitsun (also known as Whitsunday or Whit Sunday) is the Christian holy day of Pentecost, observed on the seventh Sunday after Easter. It commemorates the descent of the Holy Spirit upon the disciples of Jesus Christ, as recorded in the Acts of the Apostles. Michaelmas, on the other hand, refers to a traditional period of recess named after the Feast of Saint Michael the Archangel, observed on 29th September. In both academic and legal traditions, particularly in England, Michaelmas marked the beginning or end of a term, and by extension, a structured pause in institutional activity.

Traditionally, in our Judicial Calendar Easter and Whitsun vacations have fallen around April and June respectively, each lasting no more than four days, with the period invariably encompassing a Saturday and Sunday. When critically examined, the practical value of such short recesses becomes questionable. From a purely operational perspective, vacations of this duration offer limited respite to adjudicators and court staff, while simultaneously contributing to fragmentation in court sittings and case progression. In essence, the interruption created may outweigh any meaningful restorative benefit the vacation is intended to provide.

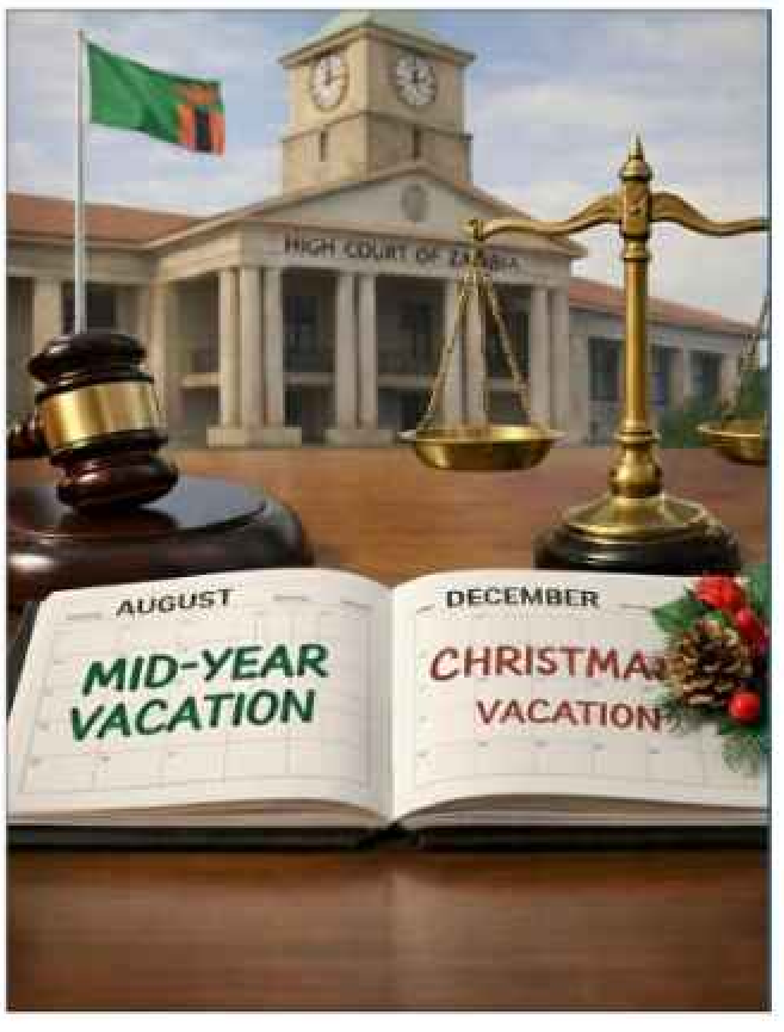
I believe that the incorporation of these vacations into our legal calendar is not accidental. Rather, it reflects the historical inheritance of English legal traditions, from which many Commonwealth judiciaries, including Zambia's, drew their early institutional frameworks. Over time, these observances became standard fixtures in court calendars, often retained with little interrogation as to their continued relevance or practical utility in modern judicial administration.

As per Gazette Notice No. 1588 of 2025, the decision has been made to only have two vacations in the Judiciary of Zambia Legal Calendar. This recent decision to move away from four fragmented vacations and instead adopt two longer and more meaningful recesses, namely; the Christmas Vacation and a Mid-Year Vacation in August marks, in my humble view, a significant and progressive shift in judicial administration. This reform reflects a conscious effort by Management to align tradition with practicality and symbolism with function.

The Mid-Year Vacation, now set in August, offers a far more purposeful pause. Properly understood, this vacation should not merely be seen as time away from work, but as a strategic break. A period during which adjudicators and court staff can attend to the year's accumulated demands. With extremely limited sittings, if any, the mid-year break presents an opportunity to focus on judgment writing, administrative reorganisation as well as professional renewal. In this sense, the vacation connotes not inactivity, but deliberate recalibration.

The Christmas Vacation, which has been retained, continues to carry deep significance within our social and cultural context. Beyond its religious meaning, the Christmas period traditionally represents a time for rest, family and reflection. Its preservation within the judicial calendar therefore resonates not only institutionally, but also personally, for many within the Judiciary and beyond. In honest terms, it remains the Judiciary vacation with the greatest practical and human relevance and its continuation is both sensible and expected. Whitsun Vacation??? SMH.

You see, viewed holistically, this reform signals a shift away from inherited practices that no longer serve their intended purpose, towards a model that recognises the intensity of judicial work and the need for a structured, meaningful breather. More importantly, it reflects a Judiciary that is willing to adapt and critically assess its own processes in pursuit of greater efficiency and well-being. The move is also symbolic of a Judiciary evolving with purpose, and one that is hopefully well-positioned to adjust and thrive going forward.



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FROM LINKEDIN TO THE GLOBAL STAGE:

How Justice Martin Musaluke became Zambia's first UNDT Judge

His Lordship Hon. Mr. Justice Martin Musaluke's journey to the United Nations Dispute Tribunal (UNDT) did not begin with his direct response to a formal call for applications or a long-held ambition to work internationally. Instead, it started with an unexpected telephone call from a fellow judge who had come across an advertisement on LinkedIn seeking judges for the UN Dispute Tribunal.

Initially reluctant, Justice Musaluke recalls expressing little interest in the opportunity. As an established Constitutional Court judge, he was not seeking a new role. However, his colleague encouraged him to consider the opportunity, noting that it was time for him to be on the global stage. He eventually decided to open the link and reviewed the requirements.

As he read through the job description, Justice Musaluke realised that the work reminded him of his years at the Industrial Relations Court. The job description was exactly what he had spent much of his early career doing. Encouraged by this familiarity, he submitted his application, viewing it as a simple attempt rather than an expectation of success.

The selection process that followed was demanding and highly competitive. After his application was acknowledged, Justice Musaluke was required to complete a written assessment based on a record of appeal of approximately thirty pages with four hours to produce a full judicial opinion.

He recalls spending the first hour reading the record and the remaining three hours drafting his judgment, completing it just minutes before the deadline. Despite the pressure, he remained confident in his work. Few weeks later, he received confirmation that he had been shortlisted for a personal interview at The Hague in the Netherlands.
During the interview, Justice Musaluke drew on decades of judicial experience, particularly in employment law and administrative justice. It was only later that the scale of the competition became fully apparent. A total of 391 applicants from 79 countries had applied for just five available positions.

Justice Musaluke advanced to the final shortlist of ten candidates. At this stage, his candidature took on national significance.

The election was conducted by the United Nations General Assembly on 17th November 2025 in New York. Candidates were required to secure at least 94 votes in the first round. When the results were announced, Justice Musaluke's name was the first to be called, having received 119 votes, comfortably surpassing the required threshold.

His election confirmed him as the first Zambian national to serve on the United Nations Dispute Tribunal. Justice Musaluke has described his appointment as both an honour and a profound responsibility. He emphasised that he will serve not merely as an individual judge, but as a representative of Zambia.

"It is a great opportunity and responsibility because I am not going there as Judge Musaluke. I am going there representing Zambia," he said. He also expressed enthusiasm about the diversity of cases handled by the Tribunal, noting that disputes often arise from varied cultural and professional backgrounds.

He views this as an opportunity to grow as a judicial officer, applying cultural sensitivity and international best practices in the administration of justice. In such an environment, he observed, "you become a global judge."

Reflecting on his career, Justice Musaluke noted that his journey from handling his first employment case in 1994, serving at the Zambia Privatisation Agency, practising privately, and later serving as Judge in Charge of the Industrial Relations Division, had steadily prepared him for this international role.

He believes that each stage of his professional life contributed meaningfully to his readiness for the UNDT, viewing the victory as the culmination of years of dedicated service. Justice Musaluke is set to commence his part-time, seven year term in July 2026. He has pledged to serve with diligence, efficiency and integrity, emphasising timely delivery of judgments without compromising quality.

"My strength is that I am a hard worker. I will be delivering judgments in the shortest possible time without compromising quality," he said, adding that delayed judgments amount to delayed justice.

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Mapping Progress and Challenges in Judicial Autonomy

By Champemba Chileshe

The recent Southern and Eastern Africa Chief Justices' Forum in Gaborone provided a fertile ground for dissecting the intricate balance between judicial independence and accountability. Among the most compelling contributions was a presentation by Mr. Justice Charles Zulu, who mapped the arduous and often turbulent evolution of judicial autonomy within Zambia. His analysis offered a candid look at the dichotomy between progressive legislation and the stubborn realities of fiscal control.

A Legacy of Entanglement

For nearly three decades following independence in 1964, the Zambian Judiciary existed merely as a peripheral department of the Executive, tethered firmly to the Ministry of Justice. During this era, particularly under the One-Party State established in 1973, autonomy was viewed as an ideological misfit, supposedly incompatible with the heavy-handed objectives of the regime. The Executive held the purse strings and even dictated the professional movements of judges, who required explicit permission from the Cabinet Office just to attend international work-related conferences.

The tide began to turn with the 1991 move toward multiparty democracy. This shift birthed the first constitutional recognition of judicial autonomy and the subsequent creation of the Office of the Chief Administrator in 1994. This new role was designed to handle day-to-day management, effectively stripping the Permanent Secretary in the Ministry of Justice of their administrative grip over the courts.

The 2016 Paradigm Shift

The enactment of the 2016 Constitution marked a significant legislative milestone in this journey. It explicitly shields the Judiciary from the direction or control of any external authority, theoretically granting it full functional, administrative, and financial independence. Under Article 123, the Judiciary is designated as a self-accounting entity meant to engage directly with the Minister responsible for finance rather than through intermediary government departments.

The Fiscal Friction

Despite these robust legal guarantees, Justice Zulu noted that reality remains a work in progress. A pervasive "cap in hand" culture persists where the Judiciary remains reliant on the Treasury for budget approvals and fund disbursements. This reliance often results in erratic funding and chronic budget deficits that hamper the optimal performance of the courts. Remarkably, over the last decade, the Judiciary has received less than 1% of the total national budget.

The budgeting process remains fundamentally constrained, as estimates are often predetermined by the Treasury before the Judiciary can even present its specific needs. Furthermore, the power to determine the salaries and conditions of service for judges resides with an external Emoluments Commission, which adds another layer of complexity to the ideal of total institutional sovereignty.

The Sangwa Intervention

A pivotal moment in this struggle arrived with the landmark Constitutional Court case of John Sangwa v The Attorney General (2021). The Court ruled that the Executive had failed its constitutional duty to respect and actualise judicial financial autonomy. It was a bold declaration that the existing arrangement was in direct contravention of the supreme law of the land.

In a rare and pragmatic move, the Court issued what is known as a structural interdict. This is a mechanism for ongoing judicial oversight that requires the Minister of Finance to submit detailed reports to Parliament every six months. These reports must outline the specific milestones achieved and the roadmap being followed to make true financial autonomy a tangible reality for the Zambian courts.

Looking Ahead

Justice Zulu concluded that while the legislative framework is undeniably progressive, the journey to dissolve the remnants of the "government department" perception is ongoing. The Sangwa judgment provides a dual roadmap for the future. It offers an extrajudicial path for administrative engagement among the three branches of government, but it also ensures the doors of justice remain open for further oversight if the mandated milestones are not met. The goal remains a Judiciary that is not only independent in spirit but entirely self-governing in practice.

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By Sangwani Nyimbiri

The Chief Justice Engages Beyond the Bench:
Reflections from Recent Local and International Engagements

The Office of the Chief Justice is often called upon to participate in a variety of national and international events that go beyond the courtroom. As the year draws to a close, it is important to reflect on some of the key events which range from academic discussions to community development initiatives. These engagements underscore the Judiciary's ongoing commitment to supporting education, civic values and moral leadership in Zambia.

Hon. Chief Justice Dr. Mumba Malila, SC, participated in several noteworthy engagements during 2025 that reflected both the breadth of Office of Chief Justice and the Judiciary's role in both national and international development.

Selected Local Engagements

Opening of the 2025 Criminal Sessions of the High Court

In January, 2025, the Hon. Chief Justice marked a historic first by inviting a fellow Head of a judiciary, Chief Justice Alfonse Owiny-Dollo of Uganda, to officiate at the opening of the High Court Criminal Sessions. This underscored a growing spirit of regional judicial collaboration. The occasion was held under a forward-looking theme that examined how Alternative Dispute Resolution (ADR) mechanisms can be integrated into the criminal justice system. In his remarks, the Chief Justice noted that while ADR has traditionally been associated with civil disputes, there is increasing scope for its application in appropriate criminal matters, particularly in restorative justice, victim–offender reconciliation and diversionary processes. He emphasized that the engagement with the Chief Justice of Uganda provided valuable comparative insights and reinforced the importance of cross-jurisdictional learning as courts respond to evolving justice needs.

The Launch of the Ndola Subordinate Court – Chifubu Annex

The Chief Justice officially launched the Ndola Subordinate Court – Chifubu Annex, marking a significant milestone in the Judiciary's efforts to expand access to justice. Originally conceived as a replacement for a fire-damaged administrative block, the project, initiated in March 2025, evolved into a fully-fledged subordinate court facility.

The annex is equipped with a courtroom, magistrates' chambers, offices, holding cells and other essential amenities. It will operate as an extension of the Ndola Subordinate Court, with resident magistrates and support staff now stationed in Chifubu. In his remarks, the Chief Justice underscored that the development gives practical effect to Article 120(4) of the Constitution, which mandates the devolution of courts to provinces and districts. He noted that Ndola has become the first district in the Copperbelt Province to establish a subordinate court annex, a development that is expected to significantly reduce barriers to justice and enhance service delivery to the local community.

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The Inaugural Launch and Public Lecture of The Harry Mwaanga Nkumbula Foundation

The Chief Justice delivered a keynote address at the inaugural Harry Mwaanga Nkumbula Public Lecture, an event that also marked the official launch of the Harry Mwaanga Nkumbula Foundation. In his address, the Chief Justice reflected on the enduring legacy of Harry Mwaanga Nkumbula, whom he described as a distinguished freedom fighter, educator, organiser, national unifier and statesman whose contributions to Zambia's independence and political development remain profound. He commended the establishment of the Foundation and the Public Lecture series as a timely initiative to preserve and promote the values of leadership, courage and national unity exemplified by Nkumbula who is fondly remembered as the "Old Lion of Zambia." The Chief Justice further observed that such platforms provide an important space for public reflection on Zambia's constitutional history and the ideals that continue to shape the nation's democratic journey.

Opening of the 2025 SAIPAR Law Workshop

On 10th July 2025, the Chief Justice gave the opening address at the SAIPAR Law Workshop on International Trade and Commercial Transactions.

In his remarks, he provided thoughtful reflections on the intersection between law and commerce, noting that while economists and policymakers may view trade through the lens of profit and regulation, the Judiciary often sees the human and contractual dimensions of such transactions. He noted that"

"Where others may see a promising trade agreement," he observed, "we as judges tend to see terms, conditions, obligations and, hopefully not, a potential cause of action. We are, in a sense, the guardians of commercial trust called upon when that trust breaks down."

Chief Justice Malila's comments highlighted the Judiciary's vital role in safeguarding fairness and accountability in commercial relations.

Boys to Men Conference: Guiding the Next Generation

On 23rd August 2025, the Chief Justice was Guest of Honor at the Boys to Men Conference organised by Dr. Rozious Siatwambo Foundation under the theme "Building the Men of Tomorrow." While such community engagements may not fall squarely within the conventional expectations of judicial office, they reflect an understanding that justice is deeply linked to the moral fabric of society.

Speaking to a gathering of young boys, the Chief Justice shared his own journey, noting that he had a humble upbringing in Matero Township and encouraged the participants to believe in their potential.

"I too was a young boy like many of you," he said. "This [the conference] is a pilgrimage of renewal, a chance [for me] to connect with one of the most critical groups in our society; our young boys. You too can achieve your dreams with focus and determination."

Chief Justice Malila underscored the need for the country to nurture men and women of integrity and strong character who will contribute meaningfully to Zambia's future.

Celebrating Education at Unicaf University

On 17th October, 2025, at the Unicaf University Graduation Ceremony, where 651 graduates were conferred their degrees, the Chief Justice served as Guest of Honour. In his address, he emphasised the importance of education as a foundation for democratic governance and respect for the rule of law. He noted that:

"A well-educated leadership and electorate help ensure informed debate, sound policy, and respect for the rule of law. When citizens understand their rights and duties, the wheels of justice turn more smoothly." He reminded the graduates of Abraham Lincoln's enduring wisdom when he stated that "the philosophy of the school room in one generation will be the philosophy of government in the next."

These local engagements collectively reflect how the Judiciary, through the Office of the Chief Justice, remains connected to the broader national conversation whether in the academy, the community, or among the youth. They serve as a reminder that the administration of justice is not confined to the courts alone but extends into the moral, intellectual, and civic spaces that shape the nation's values.

Selected International Engagements

Highlights from Recent International Engagements by the Office of the Chief Justice

The Judiciary of Zambia continues to take part in key international and regional platforms that promote cooperation and the strengthening of judicial systems. Such engagements reflect the growing recognition of the Zambian Judiciary as an active and valued participant in continental and global judicial conversations.

Judiciary of Zambia Wins Global Award for Innovations in Electoral Justice

The Hon. Chief Justice received the Global Network on Electoral Justice (GNEJ) Award on behalf of the Judiciary of Zambia, which emerged as the winner in Category 1 under the theme "Judicial Electoral Integrity and Independence." The award was announced during the Sixth Plenary Assembly of the Global Network on Electoral Justice, held in Medellín, Colombia, from 14th to 17th May 2025. This prestigious international recognition affirmed the Judiciary's steadfast commitment to upholding electoral integrity, judicial independence and innovative approaches to electoral dispute resolution. As Zambia prepares for the next electoral cycle, the award not only celebrates the progress achieved but also serves as a source of inspiration to further strengthen judicial preparedness, the rule of law and public confidence in electoral governance.

Recognition at the SEACJF Conference in Botswana

At the Southern and Eastern Africa Chief Justices' Forum (SEACJF) Conference held in Gaborone, Botswana, under the theme "Judicial Independence and Accountability in Safeguarding the Rule of Law," the Chief Justice of Zambia, Hon. Dr. Mumba Malila, SC, was honoured with a special award for his steadfast commitment and contribution to the Forum.

The recognition came during the official proceedings of the conference, attended by Heads of Judiciaries, judges and partners in justice sector from across the region. In his vote of thanks, Chief Justice Malila acknowledged the presence of the President of Botswana, Advocate Gideon Duma Boko, at the official opening of the conference remarking:

"We are acutely aware that the Office of the President carries with it immense responsibilities and countless demands on your time. Yet, Mr. President, you have demonstrated, by being here this morning, that you are never too busy for the cause of justice and for those who are entrusted with its administration. This singular gesture speaks volumes about the value you attach to the rule of law and the independence of the judiciary."

At the SEACJF Annual General Meeting, Chief Justice Malila, was also re-elected to the SEACJF Management Committee for a second term, having first been elected in October 2023. The Committee plays a crucial role in implementing the Forum's policies and providing oversight to the Secretariat. Zambia's continued representation at this level enhances the country's contribution to regional judicial cooperation.

Leadership at the Africa Chief Justices Forum on ADR

Later in the same month, the Chief Justice participated in the Africa Chief Justices Arbitration Summit held at Pepperdine University's Château d'Hauteville campus in Switzerland. The week-long Summit brought together representatives from 25 African judiciaries to discuss developments in alternative dispute resolution (ADR), particularly arbitration.

The programme focused on the legal, regulatory and administrative frameworks governing arbitration across the continent. Delegates also held strategic meetings with the with the Geneva-based Court of Arbitration for Sport and the International Olympic Museum. They explored ways to benchmark best practices and to advance the establishment of an Africa Sports Arbitration Tribunal.

At the conclusion of the Summit, member Chief Justices elected Chief Justice Malila as the new Chairperson of the Africa Chief Justices Forum on ADR, succeeding Chief Justice Alfonse Chigamoy Owiny – Dollo of Uganda. His election marks Zambia's growing influence in promoting dialogue and innovation in dispute resolution mechanisms on the continent.

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The Integration of Sustainable Finance and ESG Principles In Zambia

By Musonda Nkole

Sustainable finance is the process of incorporating Environmental, Social and Governance (ESG) considerations into financial decisions with the goal of achieving long-term returns while also supporting sustainable economic activities, environmental protection and social well-being. This essentially aligns money flows with a sustainable future. It looks beyond profit and considers risks and possibilities associated to climate change, inequality and good governance for the benefit of investors and society.

Zambia's sustainable finance is increasingly being driven by ESG principles, with new frameworks such as the Green Finance Taxonomy and ESG reporting standards, creating an atmosphere for responsible investment. While Zambia does not have a single comprehensive ESG law, regulators and businesses are integrating ESG into finance and corporate governance to match global sustainability goals.

Unlike traditional finance which focuses on fast returns, sustainable finance considers the larger picture and long-term goals. It recognizes that issues like environmental degradation, climate change, social injustice and bad governance are more than just ethical concerns; they are also financial threats. Floods, droughts, inadequate resources, labor disputes, or ineffective leadership may easily disrupt businesses, ruin assets and destabilise the economy. Sustainable finance protects investors' interests while creating stronger, more robust and more responsible economic systems that can withstand the test of time.

Overall, Zambia's sustainable finance journey demonstrates a dynamic attitude. By embracing ESG principles through specific frameworks like the Green Finance Taxonomy and improved reporting standards, the country is laying a foundation for responsible investment and long-term economic success. As global sustainability standards shift, Zambia's continuing commitment to ESG integration will be vital to maintaining its competitiveness and resilience in the international financial system.

When we talk about environmental considerations, the focus is on the impact that businesses and investments have on the land, water, forests and climate. If we cut down too many trees, overuse charcoal, or pollute rivers, we harm the very resources we depend on.

Sustainable finance requires that money is injected into projects which protect nature whilst promoting economic growth. The focus is choosing investments that help Zambia move forward without destroying the environment. Banks, pension funds and even government financing can push this change by supporting eco-friendly projects. By doing so, financial institutions are not just making profits they helping Zambia.

The social dimension of sustainable finance emphasizes human well-being, equality, and inclusion. This includes labor rights, community development, access to essential services, and respect for human rights. Financial decisions that account for social impact help reduce inequality and promote shared prosperity. Investments in education, healthcare, affordable housing and small and medium-sized enterprises contribute to stronger, more inclusive economies.

The social aspect of sustainable financing is concerned with people's lives. The financial decisions are intended to ensure that

Zambians live better and have more dignified lives. The concern should not only be about profits but also ensure that employees are treated fairly, communities grow stronger and everyone has access to public goods.

The third limb is governance, which deals with how organizations are managed and held accountable. Strong governance frameworks promote transparency, ethical leadership, effective risk management and compliance with laws and regulations which boosts investor confidence. There is also need to ensure that Boards and Executives act with integrity, transparency and accountability. In the long-run, the prevalence of corruption, financial misconduct and mismanagement are minimised.

In a nutshell, sustainable finance benefits both investors and the society. For investors, it offers a more comprehensive assessment of the risks and opportunities, leading to more stable and resilient returns over time. For society, it channels financial resources towards activities that foster environmental sustainability, social progress, and good governance. By looking beyond profit alone, sustainable finance represents a powerful tool for building a more equitable, resilient and sustainable global economy.

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Technology and The Law in Zambia

Can the Judiciary Keep Pace?

Zambia is moving steadily into a digital society. Mobile money platforms, online businesses, electronic government services and social media now shape daily life and economic activity. While these developments create new opportunities, they also expose a growing strain between fast-moving technology and a legal system that was largely designed for a pre-digital era. At the heart of this tension lies a critical institution: the judiciary. Whether Zambia can successfully manage the impact of technology on law depends largely on how well its courts adapt.

The Uneven Race Between Innovation and Law

Technology advances quickly, often without regard for national borders or legal traditions. New digital tools and platforms can be adopted in weeks, while laws require careful drafting, consultation, and parliamentary approval. This gap creates uncertainty. Individuals, businesses, and even state institutions may operate in digital spaces where legal guidance is limited or unclear.

Zambia has taken important steps to respond to this reality through legislation addressing cybercrime, electronic communications, and data protection. However, the existence of laws alone does not guarantee justice. The true test lies in how these laws are interpreted, applied, and enforced by the courts.

The Judiciary in a Digital Age

The courts today, are increasingly confronted with disputes that involve technology at their core. These range from online fraud and mobile money theft to data privacy violations, digital contracts, and social media–related defamation. In such cases, judicial officers must understand not only legal principles but also the technological context in which disputes arise.

A judiciary that lacks digital competence risks slow proceedings, inconsistent decisions, or overdependence on expert witnesses. Conversely, a judiciary equipped with practical digital knowledge is better positioned to protect rights, resolve disputes fairly, and maintain public confidence in the justice system.

Digital Skills as a Foundation for Effective Justice

Investment in digital skills for the judiciary is essential. This does not mean turning judges into ICT specialists, but rather ensuring they have sufficient familiarity with how digital systems work. Understanding concepts such as electronic records, metadata, cybersecurity threats, and online platforms enables judicial officers to critically assess evidence and arguments presented before them.

Digital evidence is now common in both civil and criminal matters. Courts must be able to determine whether electronic material is authentic, reliable, and lawfully obtained. Without proper training, critical evidence may be mishandled, undermining justice and due process.

Responding to Cybercrime and Data-Driven Disputes

As digital transactions increase, so do technology-enabled crimes. Cybercrime cases are often complex, technical, and sometimes cross-border in nature. Judicial officers must be able to grasp how such crimes are committed in order to apply the law meaningfully and impose appropriate remedies or penalties.

Similarly, disputes involving personal data and privacy are likely to grow as more services rely on digital information e.g we are all familiar with the phrase "Accept all cookies," which we willingly do to get past what seems like an obstacle between ourselves and a random website with the information we need, unlike when we were younger and knew better than to take cookies from strangers. Courts will increasingly be called upon to balance individual rights against commercial interests and state powers. A judiciary that understands data ecosystems and digital risks is better equipped to safeguard constitutional protections.

Technology in the Administration of Justice

It is safe to say that digital competence also improves how courts function internally. The Kenyan Judiciary is an example of how the use of electronic filing systems, virtual hearings, and digital case management can significantly reduce delays and increase access to justice, especially for those in remote areas. However, these systems are only effective if judicial officers are confident and competent in using them.

Continuous training is therefore crucial. Technology does not stand still, and judicial education must reflect this reality through ongoing professional development.

Looking Ahead

The question of whether Zambia can keep up with technological change is ultimately a question of preparedness. Laws must be forward-looking, the Judiciary ought to be adaptable empowered with the skills needed to operate in a digital environment. Investing in judicial digital literacy strengthens not only court efficiency, but also the rule of law itself.

As Zambia's digital transformation continues, a capable and technologically aware judiciary will be essential in ensuring that innovation serves justice rather than undermines it.

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Researchers and Their Role in The Judicial System

By Lucy Mwale

I know, I know, you've never heard of me. Yes, I am not a Judge, neither I am a Magistrate. Allow me to introduce myself, my name is Lucy Mwale, and I am a Judge's Researcher or Research Advocate. Whether or not I am part of the Bench or Bar, is still a grey area that may need to be explored moving forward.

The day was June 30th, 2025, when I received a call from one of the members of staff at the Judiciary. The voice on the line had one task, and one task only; to inform me of my letter of appointment from the Judicial Service Commission, to serve in the role of a Research Advocate with the Judiciary of Zambia. The voice on the other end of the call, diligently delivered this task.

Oh! What joy filled my heart. I remember the day vividly, and in that instant, everything felt worthwhile. All the years spent in Law School, the sleepless and tedious nights spent as a student at the Zambian Institute of Advanced Legal Education (ZIALE), the assiduous job hunting, the wondering if you will ever amount to anything despite having a law Degree and a Practicing Certificate; all that boiled down to this moment, to my dream role.

Who is a Research Advocate you may ask; are we considered part of the Bar or part of the Bench. Well, I am not here to bore you with legal jargon or the complexities of the legal profession or indeed its rules and regulations, but simply to shed some light on what our role as Research Advocates entails. The position of Research Advocate is created under section 13 of the Judiciary Administration Act No. 23 of 2016 which provides that, "a judge of a superior court shall have a Research advocate who shall be a practitioner, with at least two years post qualification experience, who shall be appointed by the Judicial Service Commission."

The above provision was amended in 2018 by Act No. 5 of 2018 to provide as follows in Section 13(1): "A judge of a superior court shall have a research advocate, who is a practitioner".

Our activities and roles are not cast in black and white and are executed in the background. they revolve around the research that goes into a Ruling on an application, the Judgment after the trial, the review of voluminous documents to find the thread that either ties the case together or clefts it apart, the consideration of precedents that have been previously set to ensure consistency in the administration of justice.

In terms of Court proceedings, our role entails attending Court proceedings over which the assigned Judge presides to assist with prompt research on points of law and procedures arising during Courtroom proceedings, including providing feedback on judicial pronouncements and parties' submissions.

In the context of the capacious judges' files in various divisions, a Researcher provides assistance to Judges and sometimes Judicial Officers by way of reviewing voluminous files and provides an opinion, in accordance with the procedural rules and substantive law.

The Researcher is also mandated to provide summaries of the parties' cases which involves summarizing all the documents that have been filed by the parties to determine the legal issues so as to help the Judge deal with the real issues in controversy between the parties.

In executing these roles, the Researcher is required to be impartial. During trial, physical cues within view of the parties to the matter may compromise impartiality and unfairly influence the parties. Even during a hearing or trial, avoid movement or expressions that may indicate your reaction to the testimony of witnesses or to the oral arguments of the lawyers, because impartiality and objectivity must always be maintained by everyone officially attached to the Court.

Additionally, utmost professional conduct is expected of Researchers because a Researcher's personal and professional actions reflect on your Judge and ultimately on the Judiciary as a whole. Researchers also hold a position of public trust and must comply with the demanding requirements of that position.

Because Researchers and Judges have a peculiar, complex relationship; student- teacher, protégé-mentor and lawyer-lawyer, it only follows that respect should be paramount in all these scenarios.

Since joining the Judiciary in this role, I would say my experience is indescribable. This is partly because, the position itself is a work in progress and so am I. My observation however is that there is so much research that goes into the delivery of Rulings and Judgments. This role is filled with sleepless nights to beat deadlines, the research is never ending because there are a plethora of authorities that you must acquaint yourself with before you can finally say, done!

Another thing I have observed is, (and I know the Lawyers will come for me on this one laugh out loud), lawyers like to talk and so they like to write. The voluminous skeleton arguments filed in support of interim applications are really not skeletal, they actually have flesh. The submissions after a trial will take up most of your time that you end up submitting to the pressure. Nevertheless, I wouldn't trade it for anything else.

I have had an opportunity to tap into a quintessence of wisdom from some of the Judges that grace the Superior Courts, some Registrars, fellow Researchers as well as other support staff of the Institution.
Every member of this great institution plays a vital role in safeguarding our political, social, financial and economic wellbeing.

For the future, my hope is that the grey area as to whether Research Advocates are part of the Bench or Bar may need to be clarified. This is because there are so many benefits associated with being on either side. Take the Bench for example, the position of Research Advocate could be utilized as a training ground for appointment to judgeship.

This would in turn put Researchers at the same level as other lawyers in private practice who may be considered for appointment to offices of higher ranking. What an honour it is to be a Researcher, what an honour it is to be part of this body, what an honour to be part of the Judiciary.

CRAZ Concludes the Year with Nationwide Team-Building Activities

By Loveness Kabwe

The Court Reporters Association of Zambia (CRAZ) held a successful end-of-year team-building event on 28th November 2025, following a successful Annual General Meeting on 27th November 2025. The event brought together both trainee and practicing court reporters, fostering unity, camaraderie, and professional bonding in a relaxed environment.

The activities followed CRAZ general elections held on 16th July 2025, which ushered in a new Executive Committee led by Mr Kambole K. Ng'andu, who was elected President for the second time after serving as the Association's founding president.

CRAZ reaffirmed its commitment to members' welfare and professional growth, while court reporters outside Lusaka also held team-building activities in their respective towns, making the event a nationwide celebration.

Photo Focus

The Judiciary welcomed the Irish Ambassador to Zambia, Mr. Aidan Fitzpatrick, during a courtesy call

The Master Class Workshop for Strengthening Human Resources Management Practices Within the Judiciary

Magistrates Training on Handling of Matters Commencing by Default Writs of Summons

Call for Articles

Please be reminded that The Adjudicator welcomes article submissions throughout the year from all members of staff. Contributions may address any subject of interest.

Contributors are kindly reminded that all submissions must be accurate, well-researched and must correctly reflect the prevailing legal, institutional or policy position on the issues discussed. Authors bear responsibility for ensuring the factual and substantive integrity of their work.

Articles may be submitted to the Secretary of the Hon. Chief Justice's Advisory Committee on Public Relations and Information, Ms. Kalumba Chisambisha-Slavin, via email at kcslavin@gmail.com. The Editorial Team reserves the right to review, edit and select articles for publication, taking into account relevance, quality, space and editorial policy.