



REPUBLIC OF ZAMBIA
THE SUPREME COURT OF ZAMBIA

P O BOX 50067
RIDGEWAY
LUSAKA , ZAMBIA

SC/GEN/2

10th August, 2017

DEPUTY CHIEF JUSTICE'S CIRCULAR NO. 2 OF 2017

TO ALL LAWYERS:

SUBJECT: SUPREME COURT SESSIONS

In July 2017, the Supreme Court started hearing ordinary civil appeals filed in 2015. The cause list for September 2017, at Ndola has been issued. As at September 2017, Ndola, hearing of ordinary civil appeals will reach Appeal No. 43 of 2015. As for criminal and commercial appeals, the Supreme Court is up to date. It is hearing appeals filed in 2017.

However, in October 2017, the Supreme Court has to halt and go back. There are 22 appeals that were adjourned at several previous sessions, *"to dates to be communicated"*. All these appeals will, shortly, be cause-listed for hearing, in October at Lusaka.

Advocates and litigants who failed to do what needed to be done, in those appeals, are advised to do so now. For appeals filed

before May 2012, failure by Advocates to file heads of argument was the main cause of adjournments. In October 2017 the Court will not grant an adjournment unless there is an exceptionally good reason.

Henceforth, appeals will be adjourned to specific sessions, and not to dates later to be communicated. This will ensure easy tracking of adjourned appeals.

At this stage, I wish to comment on an article that appeared on page 20 of **the Daily Nation** of Wednesday, 19th July 2017. It is entitled: "**POLITICAL BULLYING - A WEAK JUDICIARY CAN CAUSE CHAOS IN A COUNTRY**".

Mr. Expendito Chipasha Chipalo, the author of the article, makes a number of allegations about the Judiciary and delivery of justice in Zambia. There are two main allegations. One is that there is corruption in the Judiciary. Second is that there is failure by Courts to enforce Court Rules and that such failure has resulted into delays in disposal of cases. In this regard, he says: -

"I recently met prominent Zambians who expressed worry over the recent performance of the Judiciary in some recent high profile cases. They particularly mentioned the lack of consistency in rulings by our courts and failure to enforce court rules....."

....."Our prominent Zambians worries are not without foundation or evidence. My own personal experience with the Judiciary is that there is a serious disregard of the court rules

