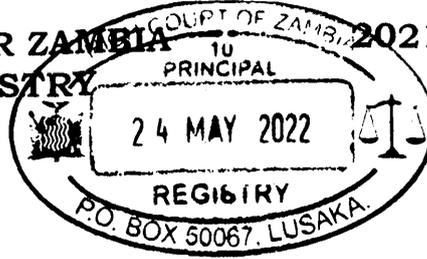


IN THE HIGH COURT FOR ZAMBIA
AT THE PRINCIPAL REGISTRY
HOLDEN AT LUSAKA
(Civil Jurisdiction)



IN THE MATTER OF: THE LEGAL PRACTITIONERS ACT CHAPTER 30
OF THE LAWS OF ZAMBIA

AND

IN THE MATTER OF: SECTION 22 (3) (b)

AND

IN A MATTER OF: A REPORT OF THE DISCIPLINARY COMMITTEE

AND

IN THE MATTER OF: COMPLAINT AGAINST A LEGAL PRACTITIONER

B E T W E E N:

THE LAW ASSOCIATION OF ZAMBIA

APPLICANT

AND

ARNOLD CHIKOLI

RESPONDENT

Before the Honourable Lady Justices M. Mapani-Kawimbe and R.
Chibbabbuka in Chambers on the 24th day of May 2022

For the Applicant: Mr. S.M Lungu S.C, Messrs Shamwana & Company;
Mrs A. Ononju Director, ZIALE & Ms. S. Nyambe,
Law Association of Zambia

For the Respondent: In Person

J U D G M E N T

KAWIMBE J delivered the judgment of the Court.

Cases referred to:

1. *Chimanga Changa Limited v Stephen Chipango Ng'ombe SCZ Judgment No. 5 of 2010*
2. *Khalid Muhammed v The Attorney General (1982) Z.R 49.*
3. *Sablehand Zambia Limited v Zambia Revenue Authority (2005) Z.R 109.*
4. *Law Association of Zambia v Gideon 2007/HP/2002*

Legislation referred to:

1. *High Court Act, Chapter 27*
2. *Legal Practitioners Act Chapter 30*
3. *Law Association of Zambia Act Chapter 31*

Introduction

- 1) The legal profession is one of the oldest in the world. In our context, a person who has completed legal training may be entered on the Roll of Practitioners and consequently admitted to the Bar. Contemporaneously, new legal practitioners are admitted as members of the Law Association of Zambia (LAZ), which is a regulated body. The association requires all its members to adhere to professional ethics and rules. They are underpinned by principles of integrity, honesty, dignity, probity, loyalty and diligence. These we must say have a great bearing as a whole on how the public perceives or places trust in the legal profession. There is a further duty imposed at law for advocates at all times to *inter alia* be accountable to their clients, court's and their association.

- 2) Be that as it may, there have been instances, where clients have been aggrieved by the conduct of their advocates, such as in the case before us. Herein the respondent's client lodged a complaint to LAZ against him alleging that he failed to account for the client's company funds. As expected, the respondent denied the allegations averring that he diligently acted on his client's instructions.
- 3) The complaint was initially heard by the Legal Practitioner's Committee (LPC) of LAZ, which suspended the respondent from practise. It then referred his case to the LAZ Disciplinary Committee (LDC). The committee heard the parties and delivered a ruling on 1st September 2020 where it decided that the respondent had acted dishonestly and without integrity in handling his client's funds. Thereafter, LAZ filed a notice of motion pursuant to **Order 30 Rule 15 of the High Court Act**, into court dated 28th October 2021, seeking an order to strike out the respondent's name from the Roll of Practitioners. This is the issue before court.

Summary of evidence

- 4) The parties filed competing affidavits in respect of their positions. On behalf of the applicant, **Mr. Martin Muyayi Lukwesa**, Secretary of the LDC in his affidavit dated 28th

October 2021, averred that Mr. Steve Malama, on behalf of Steven B Carriers, lodged a written complaint against the respondent before the LPC. At the material time, the respondent was plying his trade at Messrs. A. Chikoli & Partners and was the dealing advocate.

- 5) After hearing the complaint, the LPC suspended the respondent from practise and on 24th July 2015 referred his case to the LDC. It consequently heard the matter, and rendered a ruling on 1st September 2020. Therein, it decided that the respondent had acted dishonestly and without integrity. It went on to recommend for Mr. Chikoli's name to be struck off from the Roll of Practitioners. The report of the proceedings, evidence and relevant documents were produced in the exhibits marked "**MML 1 - 31**" of the supporting affidavit.
- 6) In responding to this application, Mr. Chikoli filed an opposing affidavit into court on 1st February 2022. He conceded that Mr. Steve Malama lodged a complaint against him before the LPC in February 2015. Therein, it was alleged that he had failed to account for two (2) post-dated cheques and cash of ZMW40,000 altogether valued at

ZMW111,000, which was paid to the law firm. The money was to be transmitted to Finance Bank Zambia Limited to partially settle the complainant's loan. According to the deponent, the parties settled the matter ex curia in February 2015 and since then, there was nothing left of the complaint.

- 7) Be that as it were, the LPC summoned Mr. Chikoli to hearings, which he never attended alleging that he did not receive notice. He claimed the notices were served on the administrative secretary of a law firm, which he was not associated with. Hence, he was not aware of his disciplinary case nor that he had been suspended from practice on 24th July 2015; because he never received any notice.
- 8) Mr. Chikoli contended that the minutes of the official record of the LPC proceedings were highly questionable. They were neither signed nor certified and in any event, a case had not been established against him. Mr. Chikoli averred that, he complied with the LPC order of 24th July 2015, which required him to render an account of his client's funds within 60 days. He also requested Finance Bank Zambia Limited for a reconciliation of the loan account before he deposited the money. He emphasised that the LPC did not

order him to pay back his clients' funds. Thus, after the matter was amicably settled and the police investigation instituted against him dropped by the complainant, LAZ should not have proceeded with its disciplinary proceedings.

- 9) The respondent was aggrieved that the LPC refused to reinstate his practicing certificate/licence and instead, recommended his case for further action to the LDC. It also ignored the fact that the complainant appeared before the LDC on 18th September 2018 stating that he had withdrawn his complaint vide his letter dated 13th April 2018. As far as the respondent was concerned, the LDC's proceeding was illegal and its decision that the respondent had failed to render an account of his client's funds defied the evidence that was presented to it.
- 10) In the respondent's view, the LDC further failed to determine all the issues that were in dispute. However, in the event that the court agreed with its decision, the respondent asked it to consider in mitigation, that he had spent six (6) years on suspension and had essentially served his punishment. In concluding, Mr. Chikoli urged the court

to dismiss the application because it would cause him hardship.

Skeleton arguments

11) The respondent was the only party who filed skeleton arguments into court. They were dated 1st February 2022 and were prefaced with an assertion that the LPC was a quasi-judicial tribunal. Accordingly, it had a legal duty to personally serve notice on him. If it was unable to locate the respondent, there was a further duty to use the post or electronic means. By not serving him notice, the respondent averred that the LPC hearings were illegal because he was denied the right to a fair hearing. For his assertion, the respondent cited the case of **Chimanga Changa Limited v Stephen Chipango Ng'ombe**¹ where the Supreme Court opined that proof of service of notice at a hearing was cardinal before a court or judicial tribunal could hear a case.

12) The respondent next submitted that the LPC decision was further proscribed by **section 7** of the **Law Association of Zambia Act** which reads:

No member shall be expelled or suspended unless he has been afforded a reasonable opportunity of answering any allegations made against him.

- 13) He went on to emphasise that the LPC orders made in his absence, and without proof of service of the notice of complaint, or notices of hearings were illegal. In any case, the LPC order of 24th July 2015, suspending him from practise was conditional and not absolute. Thus, it was only supposed to take effect if he failed to comply with it. In any case, he rendered an account to the complainant, and for those reasons, Mr. Chikoli argued the LPC had no legal basis for suspending him from practise. In addition, the LDC had no authority to determine that Mr. Chikoli's refund of his client's money did not exonerate him from the complaint.
- 14) It was the respondent's further argument that, the minutes of the LDC hearing were unsigned and therefore unreliable. Additionally that, it had no jurisdiction to hear his case without any official record from the LPC given that it had somewhat an appellant status. Mr. Chikoli asserted that if the court were to find that the LDC minutes were properly executed, they would still be inadequate because the complainant never testified against him. For his assertion, he relied on the case of **Khalid Muhammed v The Attorney General**².

- 15) Mr. Chikoli went on to contend that, the allegations against him appeared to be underpinned by fraud. In such instance, the standard of proof that was required against him was much higher than the ordinary one in civil matters. He called in aid the case of **Sablehand Zambia Limited vs Zambia Revenue Authority**³ on the threshold of proving fraud and argued that, since a *prima facie* case had not established against him; he was exonerated from any wrongdoing. Mr. Chikoli then resorted to the principle of *stare decisis vis a vis* the LDC ruling citing the case of **Belington Mosha (Legal Practitioner) v Disciplinary Committee**, which he said was binding on the LDC. It involved a legal practitioner Mr. Mosha who had been suspended from practise for 4 years. According to the respondent, LAZ held that the period of suspension served as sufficient punishment. As such, the respondent was entitled to similar treatment.
- 16) Mr. Chikoli then stated that recommending his name to be struck off the Roll of Practitioners was severe punishment. By this action, the LDC had discriminated against him, because he was entitled to alternative punishment under **section 22 sub-section 3 (c) (ii) of the Legal Practitioners**

Act. He concluded by stating that, since the complainant had withdrawn his case, the court could consider unconditionally restoring his practising licence instead of striking his name off the Roll of Legal Practitioners.

Hearing

- 17) When the matter came up for hearing on 1st April 2022, learned counsel for the applicant Mr. S.M. Lungu S.C told the court that he would rely on the affidavit that had been filed in support of his client's case. He then went on to submit that the legal profession was guided by the principle of integrity and all practitioners were expected to perform their duties at the highest level of that ethic. As such, practitioners were expected to be honest in their dealings with their clients and fellow peers.
- 18) Mr. Lungu, then submitted that the issue before court was *whether the respondent had acted with honesty and integrity in dealing with his client's funds?* He responded to the issue by stating that the respondent had acted dishonestly by withholding and not accounting for his client's funds. According to counsel, the respondent conceded this fact because he offered no rebuttal in his opposing affidavit. Thus, the only conclusion that could be drawn from the

evidence was that, the respondent had acted dishonestly and without integrity.

- 19) Mr. Lungu went on to submit that the respondent's opposing affidavit mostly contained issues about his suspension. No explanation was given on whether or not he had withheld his client's funds without permission. As far as State counsel was concerned, the respondent only tried to justify his dishonesty by arguing that the LDC had no power to hear his case because the complaint had been withdrawn. He added that, the withdrawal of complaint did not exonerate the respondent from the allegations and cited the case of **Law Association of Zambia v Gideon Mwewa**⁴, where the court held that notwithstanding that the complainant had been paid by the practitioner, the issue for consideration in the circumstances was whether the practitioner had misconducted himself.
- 20) Counsel further relied on the case of **Law Association of Zambia case (supra)**, where it was stated that no mitigation could dilute a serious offence of misconduct committed by a legal practitioner, since honesty and integrity were at the heart of the legal profession.

- 21) It was Mr. Lungu's further submission that the applicant had great responsibility in ensuring that legal practitioners conducted themselves professionally; because misconduct by advocates, had the effect of tainting the image of the legal profession. Thus, practitioners such as the respondent who had fallen out of grace had no place in the profession. In concluding, State counsel reiterated the applicant's prayer to strike off the respondent's name from the Roll of Practitioners.

- 22) In response, Mr. Chikoli told the court that he would rely on his affidavit in opposition and skeleton arguments. He contended that the applicant's decision of striking his name off the Roll of Practitioners was tainted with illegality and procedural impropriety. He denied that he failed to render an account of his client's funds nor failed the test of integrity. Instead, his case was not subjected to the due process of law and the decisions made by the applicant's committees were null and void. He further argued that since the allegation against him was underpinned by fraud, it should have been subjected to the elaborate standard of proof. Since this was not done, the allegations against him were unsustainable.

- 23) Mr. Chikoli further, contended that the LPC breached the law, by failing to serve him the notice of complaint, the notices of hearing of 24th July 2015, and the order in which, he was suspended from practice. Through no fault of his own, he continued to work contrary to **section 7** of the **Legal Practitioners Act** and **Rule 9** of the **Disciplinary Procedure Rules** because he had been kept out of the decision. Mr. Chikoli asserted that the applicant's failure in serving him notices was so fatal that it violated **section 7** of the **Law Association of Zambia Act** and **Rules 9** and **27** of the **Disciplinary Procedure Code**. The consequence was that, he was denied a fair hearing and in return no claim of dishonesty or lack of integrity could be fetched on him.
- 24) Mr. Chikoli insisted that since the complaint against him had been withdrawn, the LDC should not have proceeded to hear his case because it had no basis. The withdrawal had the effect of rendering any subsequent proceedings an academic exercise. He averred that, there was no law that prevented a person from withdrawing a complaint before LAZ. Thus, the LDC ruling against him was null and void.

- 25) He went on to contend that since **section 68 Rules (3), (4)** and **(5)** of the **Legal Practitioners Act**, on firms accounts was not followed, the applicant's decision against him was defective. Since Mr. Chikoli was alleged to have misappropriated funds, an accountant's report was required. He argued that in the absence of the report, the applicant had no right to proceed against him. In concluding, Mr. Chikoli reiterated that he never failed to render an account of his client's funds nor acted dishonestly.
- 26) In reply, Mr. Lungu argued that **section 68** of the **Legal Practitioners Act** did not apply to Mr. Chikoli's case because it did not concern his client's account. Rather, it involved an act of misconduct in the manner in which he handled his client's funds. Counsel averred that Mr. Chikoli was given a fair hearing because he appeared before the LDC on notice and defended himself. He clarified that the LDC hearing was held *de novo* and it was not an appellate body of the LPC.
- 27) State counsel reiterated that the withdrawal of complaint did not unburden Mr. Chikoli from the allegation of

misconduct. In any event, the applicant had a duty to enquire into or investigate the allegation and the only means by which, this could be done was through the LDC hearing. It went on to establish that, Mr. Chikoli misconducted himself because funds given to his firm for a particular purpose, and with instructions from his client, were not followed. He concluded by asserting that Mr. Chikoli had no place in the legal profession and striking his name off the Roll of Practitioners was inevitable.

Analysis and determination

28) We have considered the application, the affidavits filed herein, the skeleton arguments of the respondent, the submissions of the parties and authorities cited therein. The facts of this dispute are hardly in contest and disclose that the respondent is an advocate who was plying his trade under the law firm, Messrs. A. Chikoli & Partners. On 20th February 2015, Mr. Steve Bwembya lodged a complaint against him to the LPC alleging that he made several payments to his firm, with instructions to pay Finance Bank Zambia Limited, which were not honoured.

29) He made the first payment to the law firm on 16th December 2013 vide cheque no. 000009 in the sum of ZMW33,000 and

the second followed on 19th December 2013 through a cheque of ZMW38,000. The complainant then deposited ZMW40,000 into the law firm's account and the total amount paid came to ZMW111,000. According to the complaint, the funds were meant to clear off a loan that the complainant's company owed Finance Bank Zambia Limited through the law firm.

- 30) The complainant further alleged that, the money was never remitted to the Bank and Mr. Chikoli instead provided him a copy of a letter, which the firm wrote, indicating that he had executed his duty. The complainant made enquiries at the Bank and discovered that the money was never paid. As a result, the loan accumulated interest and alarmed by the situation; Mr. Bwembya lodged a complaint with the LPC and simultaneously reported the matter to the Zambia police.
- 31) After receiving the complaint, the LPC convened a hearing on 22nd May 2015, which the respondent did not attend. It heard the complaint and suspended Mr. Chikoli from practice. It then referred his case to the LDC. In the intervening period, Mr. Steve Bwembya in a letter dated 13th April 2018 to the LPC, withdrew his complaint. He stated that the matter had been amicably resolved with Mr. Chikoli.

32) Notwithstanding, the LDC tabled the complaint for hearing on 16th November 2018. The letter of withdrawal was presented but it did not halt the proceedings. The parties' adduced their evidence and on 1st September 2020, the LDC delivered a ruling. It recommended the respondent's name to be struck off the Roll of Practitioners, a decision which did not sit well with Mr. Chikoli. From the foregoing, what we discern for determination are the following issues:

- i) Whether the respondent was given an opportunity to be heard by the LPC and LDC?**
- ii) Whether the disciplinary process under the Legal Practitioners Act may be used when a complaint has been withdrawn?**
- iii) Whether the court should grant the order striking off the respondent's name from the Roll of Practitioners?**

Whether the respondent was given an opportunity to be heard by the LPC and LDC?

33) On the right to fair hearing, the respondent contended that he was not given an opportunity to present his case before the LPC. Its notices of hearing were never served on him,

including the notice suspending him from practice. As far as the respondent was concerned, the LPC could have resorted to other means of service such as the post or electronic mail prescribed under **Order VII Rule 1** of the **High Court Rules**. The respondent also contended that, since the LPC minutes were not signed, they could not be relied on. Further, there was no evidence that the official record of the LPC hearing was sent to the LDC before it heard his case.

- 34) We have analysed the respondent's position, and do not agree with him that the High Court Rules apply to LAZ. It is a body created by statute and has its own rules of procedure. Thus, the provision of notice should be addressed within those rules if at all there is any contention. Having so stated, we find from the evidence that the respondent continued to work at his law firm after he had been suspended. This is because he was not aware that the LPC had suspended him.
- 35) We are therefore, satisfied from the evidence that the respondent never wound up his office. As such, the LPC could not be faulted for failing to serve notice on the respondent since he was still available at his law firm.

Accordingly, we do not perceive that there was any ill intended motive by the LPC. It is rather our view that the respondent who was available at his law firm did not want to be located. Hence, we hold that the issue of service of notices by the LPC and notice of suspension is immaterial and hereby dismissed.

- 36) That position notwithstanding, we concur with State counsel that, the LDC is not an appellate body or the LPC. What we are concerned with nevertheless is ***whether the respondent was given an opportunity to appear before the LDC furnished with the complaint and supporting evidence?*** From the evidence, it is indisputable that the respondent appeared before the LDC on 28th September and 16th November 2018. He filed an affidavit in opposition to the complaint on 21st October 2018. At the LDC hearing, the applicant and respondent were given an opportunity to present their respective positions.
- 37) In our view, the only reason that the respondent was able to appear before the LDC, was because he was served notice. We find that the respondent's grievance concerning the LPC, minutes and transmission of record to the LDC are inconsequential because the LDC is not an appellate body.

Consequently, we hold that the respondent was given a right to a fair hearing.

Whether the disciplinary process under the Legal Practitioners Act may be used when a complaint has been withdrawn?

- 38) The respondent contended that the LDC had no jurisdiction to hold a hearing against him because Mr. Steve Bwembya, the complainant had withdrawn his case. On the other hand, the applicant argued that the issue before the LDC was not whether the complaint had been withdrawn; but rather if the respondent had misconducted himself.
- 39) In order to aid our decision, we find it necessary to examine the context in which, discipline of advocates is regulated under the **Legal Practitioners Act**. Notably, there are two disciplinary processes provided therein, that is through the LPC and LDC. In the first instance, complaints against advocates and firms may be lodged with the LPC and it is empowered to enquire into such allegations. Where it appears to the LPC after investigation that there is substance in a complaint, and the matter complained of, constitutes or appears to constitute a disciplinary offence, it can refer such complaints to the LDC for appropriate action.

40) The law further provides that the LDC has legal mandate to conduct hearings in disciplinary cases. It does so by hearing witnesses of the complainant and respondent as well as receiving submissions. After the hearing, the LDC may make orders, which, where appropriate can be enforced through court assistance. In casu, the respondent contended that since the complainant had withdrawn his allegation, the LDC had no ground upon, which to conduct its disciplinary hearing. In consequence, its decision was illegal, because the law does not preclude amicable settlements under LAZ.

41) Having set out the contested positions, we find it necessary to reproduce **section 52** of the **Legal Practitioners Act**, which states the grounds of misconduct by advocates as follows:

52. No practitioner shall

- (a) take instructions in any case except from the party on whose behalf he is retained or some person who is the recognised agent of such party, or some servant, relation or friend authorised by the party to give such instructions; or**
- (b) mislead or allow any court to be misled, so that such court makes an order which such practitioner knows to be wrong or improper; or**
- (c) tender, or give or consent to the retention out of any fee paid or payable to him for his services of any gratuity for procuring or having procured the employment in any legal business of himself or any other practitioner; or**
- (d) directly or indirectly procure or attempt to procure the employment of himself or his partner or assistant as a practitioner, through or by the intervention of any person to**

- whom remuneration for obtaining such employment has been given by him, or agreed or promised to be so given; or
- (e) advertise himself in any wise in relation to his profession or business as a practitioner, except so far as may be necessary to mark his office or to give his address to persons having business communications or dealings with him; or
 - (f) directly or indirectly hold himself out or permit himself to be held out, whether by name or otherwise, as being prepared to undertake professional business for any fee or consideration which shall be less than the scale of charges (if any) for the time being prescribed or approved by the Remuneration Committee; or
 - (g) agree with his client either before, during or after the conduct of any non-contentious professional business to undertake such business for any fee or consideration whatsoever that shall be less than that set out in the scale of charges (if any) for the time being prescribed or approved by the Remuneration Committee; or
 - (h) commit any breach of any of the provisions of Part VIII; or
 - (i) deceive or mislead any client or allow him to be deceived or misled in any respect material to such client; or
 - (j) commit any contempt of court; or
 - (k) contravene the provisions of section fifty-five

42) **Section 53** of the **Legal Practitioners Act** creates offences of misconduct by practitioners in the following terms:

53. Any practitioner who contravenes any of the provisions of section fifty-two shall be deemed to be guilty of professional misconduct, and the Court may, in its discretion, either admonish such practitioner, or suspend him from practice, or cause his name to be struck off the Roll pursuant to section twenty-eight

Provided that-

- (i) nothing in this section or in section fifty-two contained shall supersede, lessen or interfere with the powers vested in the Court, under or by virtue of section twenty-eight or otherwise, to deal with misconduct or offences by practitioners of whatsoever nature or kind, whether mentioned in section fifty-two or otherwise;
- (ii) nothing in section fifty-two shall restrict the powers of the Disciplinary Committee under section twenty-two to inquire into or deal with misconduct by practitioners of whatsoever nature or kind, whether mentioned in section fifty-two or otherwise.

- 43) It follows from **section 52** of the **Act** that advocates are accountable to high standards of integrity in the legal profession. They are prohibited from engaging in behaviour that would amount to professional misconduct towards their clients, the court and peers. Where they are found liable, they will be subjected to discipline under **section 53** of the **Act**. Overall, the purpose of **sections 52 and 53** of the **Legal Practitioners Act** is to protect members of the public against advocates who may want to take advantage of them or abuse court process without any lawful justification.
- 44) In the case before us, a complaint was made against the respondent that he failed to account for his client's funds, in the sum of ZMW110,000. The money was supposed to have been paid by his law firm to Finance Bank Zambia Limited over a loan that the client owed the Bank. According to the complainant, the respondent represented that he had paid the Bank when he was not living true to his word. The complainant felt hopeless in the situation and instituted criminal proceedings against the respondent. At the same time, he lodged a complaint against the respondent with the applicant.

- 45) According to the letter of complaint, the concerning events occurred between 16th December 2013 and 20th February 2015. In that period, the respondent never accounted for the money that was meant for the loan. However, on 13th April 2018, the complainant withdrew his allegation against the respondent stating that the parties had amicably settled their dispute. On that background, the respondent contended that the LDC should never have heard his case.
- 46) After evaluating the evidence, we find that from the date of the complaint, that is 20th February 2015 and withdrawal on 17th April 2018, a period of over 3 years had elapsed. Thereafter, an amicable settlement was reached between the complainant and the respondent. The respondent's evidence did not in our view provide an explanation on why he withheld his client's funds. In the language of **section 52** of the **Legal Practitioners Act**, we find that the respondent's action amounted to professional misconduct and is prohibited by that section, which is cast in non permissible terms. By this we mean to say, that the respondent's conduct was one that entitled the LDC to take action and the amicable settlement could not have been used to circumvent the process.

47) We are therefore, led to hold that the LDC was on firm ground when it heard the respondent's case. This is the only way it could have decided the complaint and accordingly, we dismiss the respondent's claim.

Whether the court should grant the order striking off the respondent's name from the Roll of Practitioners?

48) We deliberately set out our determination by addressing the issues that were raised by the respondent. This was to ensure that there were no shortcomings in the disciplinary process of the applicant. Thus far, we have established that the evidence adduced yields to the fact that the LDC acted in accordance with the law and subsequently delivered a ruling on 1st September 2020. Therein, it recommended that the respondent's name should be struck off from the Roll of Practitioners.

49) We have not been persuaded by the respondent's contention that the LDC's decision against him was discriminatory neither are we inclined to his argument that there is a precedent for his case. We say so because cases of professional misconduct against advocates are not similar in circumstances and will differ from one to another. Therefore, decisions can never be uniform and will depend

on individual cases. In our view, the LDC ruling serves to instil discipline among advocates, while maintaining the principles of the legal profession that is integrity, honesty, dignity, probity, loyalty and diligence. For this reason, we have no intention whatsoever to interfere with the decision.

Disposition

- 50) In concluding, we order Mr. Arnold Chikoli's name to be struck off from the Roll of Practitioners forthwith.
- 51) The parties shall bear their own costs.
- 52) Leave to appeal is granted.

Dated at Lusaka this 24th day of May 2022


M. Mapani-Kawimbe
HIGH COURT JUDGE


R. Chibbabbuka
HIGH COURT JUDGE