

**IN THE HIGH COURT FOR ZAMBIA
AT THE PRINCIPLE REGISTRY
HOLDEN AT LUSAKA**
(Criminal Jurisdiction)

HP/167/2017



**THE PEOPLE
VS
EZEKIEL KALABO**

Before the Honourable Mr. Justice C. Chanda in Open Court on the 15th day of May, 2017.

For The People: Mrs S. M. Besa, State Advocate National
Prosecutions Authority.

For The Accused: Ms Zulu, Legal Aid Counsel

SENTENCE

EZEKIEL KALABO, the Accused person herein stands charged with and pleads guilty to one count of Manslaughter contrary to Section 199 of the Penal Code Chapter 87 of the Laws of Zambia.

Particulars of the offence alleged that, **EZEKIEL KALABO** on the 29th day of May, 2015, at Lusaka in the Lusaka District of the Lusaka Province of the Republic of Zambia, did unlawfully cause the death of **ELIZABETH CHIPO MATABILE**.

In mitigation, Learned Defence Counsel submitted that the Convict was youthful with a chance at reformation and was remorseful for

having committed the offence. That he was a first offender who had readily pleaded guilty without wasting Court's time thus deserving the Court's leniency and a second chance at life.

I have taken into account what had been passionately pleaded in mitigation that you are a first offender who readily admitted the charge and you are remorseful and have been fortunate enough to find God from these acts of lawlessness.

I am mindful that youths, first offenders and especially those who admit the charge at the earliest opportunity deserve maximum lenience however grave the crime may be.

Even then, I find that the Convict at his very youthful age succumbed to the curse of alcohol drinking such that it robbed him of his sense of reason. I am sure immaturity coupled with lack of respect for elders especially women, the Convict reacted with such unexplained rage and ferociously attacked the deceased.

According to exhibit P1 the Postmortem examination Report, the deceased was aged 33 years which means she was almost if not 10 years older than the Convict. But because the Convict had no such respect for elders and especially women, he lifted his youthful fingers and flexed his muscles on the deceased.


Since the convict feels he is very powerful and strong, I will send him to a place where he can go and utilize his strength productively.

Violence of any form and especially violence against women and girls have no place in this country and shall not be tolerated.

In exercising my maximum lenience on you, I sentence you **EZEKIEL KALABO** to three (3) years imprisonment with hard labour with effect from 29th May, 2015 the date of your arrest.

Convict reserves the right of appeal to the Court of Appeal within 14 days from today.

Delivered in Open Court this 15th day of August, 2017.


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C. CHANDA
JUDGE

