



MALAWI JUDICIARY



ANNUAL REPORT 2022



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His Lordship Honourable Chief Justice Rizine R. Mzikamanda, SC

It is once again with great pleasure that I present the Malawi Judiciary 2022 Annual Report. In the year 2022 the Judiciary continued to build on the achievements that been made in the preceding years. The Report therefore outlines the activities undertaken and challenges encountered in 2022. To begin with it pleased His Excellency the State President Dr. Lazarus McCarthy Chakwera to appoint four new Justices of Appeal and eleven new High Court Judges. The appointments increased the number of Supreme Court of Appeal Justices from seven to eleven and from thirty to forty-one High Court Judges. The appointments contributed to increased number of cases heard and concluded by the Judiciary.

Again the year 2023 saw the creation of a new Divi-

sion of the High Court namely, Financial and Economic Crimes Division. The Division will be solely responsible for hearing of cases relating financial crimes. It is my conviction that given requisite resources this Division will significantly contribute to the speedy resolution of cases relating to corruption brought before the Judiciary.

In the year under review the Judiciary in addition to local and international training conducted for judicial officers and members of staff sent representation to a number of conferences and as well hosted a conference. I deliberately engaged the Judiciary on these networking initiatives so that from interaction with other jurisdictions the Malawi Judiciary could broaden its jurisprudence and competencies in judicial service delivery. It is my hope that this objective will in the long run manifest in tangible results.

I reported in the 2021 Malawi Judiciary Annual Report that court rehabilitation and construction works were on-going at a number of sites. I am happy to report that construction and rehabilitation works were concluded at Likoma and Balaka District Magistrate Courts in 2022. The two courts benefited from funding from the European Union's Chilungamo Programme. The courts now offer a conducive environment for the public to access justice.

I am resolute to seeing the Judiciary fully embrace technology in its operations. In that regard more Districts courts were connected to GWAN in 2022. In addition, with assistance from United Nations Development Programme the Judiciary developed Case



Management System for Magistrate Courts. The System will be piloted in the Districts of Nsanje, Machinga, Dowa, Ntchisi, Nkhata-Bay and Mzimba. The plan is to gradually roll the System to all District Magistrate Courts and link the System to the Supreme Court of Appeal and High Court Case Management System. The Case Management System will enable the Judiciary and court users track status of cases.

Lack of adequate resources including human, finance and physical infrastructure continued to impede effective and efficient delivery of service by the Judiciary. It is my sincere hope that with continued support from all stakeholders most of the challenges faced by the Judiciary will gradually be minimized if not completely eliminated.

Let me at this juncture extend my appreciation to all

our stakeholders and partners for the support rendered to the Judiciary in 2022 without which support the Judiciary could not have achieved some of the developments highlighted in the report. The Judiciary is not yet where it envisions itself to be. Therefore, the call for continued collaboration and support from the stakeholders stands. Together we can create a better Judiciary that is responsive to the needs of all court users.

I hope going through this Annual Report one may have an appreciation of the operations of the Judiciary in 2022. I wish everyone a pleasant reading of the Report.

Rizine R. Mzikamanda, SC

CHIEF JUSTICE

2023



Preface

The 2022 state of the judiciary report is a sequel to the 2021 report. It continues on the trajectory set earlier in 2021. It reinforces the strategic agenda of producing annual reports into a continuous tradition that sets out its main purpose as the keeping track of the institution's performance on the delivery of its Constitutional mandate as well as implementation of its strategic plan. Further, the publication of the report enables vital information about the institution to be easily accessible to stakeholders. This is done in the spirit of transparency and accountability as basic tenets of public service delivery on which the Judiciary is grounded.

In this just ended year, the Judiciary yet again implemented a number of programs and activities in line with its Constitutional mandate and strategic plan. The report therefore spells out the mission, vision, values and strategic goals, which guide administration of justice across all cadres and the structure and composition of the Judiciary. Moreover, the report gives profiles of all the Judges currently on the Supreme Court of Appeal bench and the High Court bench. Again, the report, further gives a list of all the judicial officers in the subordinate courts. The profiles and list demonstrate the depth and wealth of knowledge and expertise available on the bench for the delivery of justice.

Embedded within the confines of the judiciary's fabric, are members of staff that work hand in hand with Judicial officers in ensuring that provision of all the necessities for proper conduct of judicial business as well as welfare of the workforce are well managed. It is in this regard that the report also contains a corresponding list of senior members of staff of the Judiciary, as its absence would entail an incomplete picture of the institutions structure.

As it were, of vital interest and importance is the report's highlights of the achievements and challenges experienced in the course of the year. Notable on the achievements are the case statistics from across the tiers of the courts. As the Judiciary symbolizes the epitome of the rule of law and good governance, these statistics speak as to how much the Judiciary has worked to sustain the rule of law, which is its Constitutional obligation. Additionally, the report goes beyond the statistics to focus on selected judgments, which have shaped the jurisprudence of this country.

In a bid to guarantee proper coordination in ensuring that set objectives are effectively achieved within set periods, the judiciary has also set up committees with an all-encompassing composition based on competencies and abilities from within the institution. The same has been included in this report.

It is believed that this annual report will not only be a useful resource in affording the Judiciary an opportunity for reflection on its policy and strategic direction but also provide a base to various stakeholders who may be interested in the work of the Judiciary.



His Honour Kondwani Banda

Registrar of the High Court and Supreme Court of Appeal



MISSION, VISION, VALUES AND STRATEGIC GOALS OF THE JUDICIARY

Mission

To interpret, protect and enforce the Constitution and all laws in an independent and impartial manner.

Vision

Expeditious and impartial justice for all.

Core Values

Integrity: Being honest, corrupt-free and morally upright

Transparency: Providing necessary access to relevant information by the public and other relevant stakeholders

Accountability: Being responsible for and justifying our actions and decisions

Responsiveness: Responding to changing circumstances and environment while upholding justice

Teamwork: Working harmoniously together towards common goals

Professionalism: Executing our mandate with consistent competence, fairness, dependability and responsibility

Overarching Goal

To provide expanded, inclusive, accessible and speedy justice for all.

Strategic Goals

- a) Strengthened service delivery;
- b) Adequately resourced and fiscally responsible Judiciary;
- c) Increased public confidence in the Judiciary; and
- d) Strengthened institutional framework and capacity of the Judiciary.



Strengthening capacity: Facilitators and Court Clerks training in core competencies for child justice which was held from 5th to the 7th of April, 2022 at Thope Lodge in Mponela.



COMPOSITION, POWERS AND MANDATE OF THE MALAWI JUDICIARY

The Judiciary is one of the three branches of Government. The two other branches are the Executive and the Legislature, also known as Parliament. The separate status, function and duty of the Judiciary are expressed in section 9 of the Constitution where the Judiciary has been entrusted with the responsibility of interpreting, protecting and enforcing the Constitution and all laws in accordance with the Constitution in an independent and impartial manner with regard only to legally relevant facts and the prescriptions of law.

Chapter IX of the Constitution establishes courts at various levels, and outlines the composition and powers of each court. The Supreme Court of Appeal Act provides for the structure and powers of the Supreme Court of Appeal while the Courts Act provides for the powers and functions of the High Court and subordinate courts. In addition, the Labour Relations Act provides for the composition, powers and functions of the Industrial Relations Court.

The Supreme Court of Appeal

The Supreme Court of Appeal is the superior court of record, established under section 104 of the Constitution. Its jurisdiction and powers are conferred on it by the Constitution or any other law. It is the highest appellate court which hears appeals from the High Court and tribunals as an Act of Parliament may prescribe. As such, no court can be established of superior or concurrent jurisdiction with the Supreme Court of Appeal.

The Justices of the Supreme Court of Appeal comprise the Chief Justice and such number of other Justices not being less than three as may be prescribed by an Act of Parliament. The Chief Justice is appointed by the President and confirmed by the National Assembly by a majority of two thirds of members present and voting. Justices of Appeal are appointed by the President on the recommendation of the Judicial Service Commission. A Judge of the High Court may be appointed by the President on recommendation of the Judicial Service Commission to serve as an Acting Justice of Appeal where, for example, there are less than three serving Justices of Appeal. The Supreme Court of Appeal Act further provides for the jurisdiction and the constitution of the court when dealing with a particular matter.

High Court

The High Court is established under section 108 of the Constitution. It has unlimited original jurisdiction to hear and determine any civil or criminal proceedings under any law which includes reviewing any law and any action and decision of the Government for conformity with the Constitution. The Courts Act provides for its structure and additional powers. Apart from the Supreme Court of Appeal, there cannot be established a court of superior or concurrent jurisdiction with the High Court.



Swearing in ceremony of Justices of Appeal at Kamuzu Palace in Lilongwe on 1st July, 2022

Besides the Principal Registry based in Blantyre, the Chief Justice, in exercise of his powers under section 7A of the Courts Act, established three district registries of the High Court. These are Lilongwe District Registry, Mzuzu District Registry and Zomba District Registry. In an effort to enhance access to justice and improve service delivery, there has also been established six specialized divisions of the High Court. The divisions include Civil Division, Commercial Division, Criminal Division, Family and Probate Division, Revenue Division and Financial Crimes Division. The Act creating the Financial Crimes Division was assented to by the President on 12th November, 2022.



Members of the Taskforce on the Establishment of the Financial Crimes Division and other stakeholders at a meeting held from 29th to 30th June, 2022 at Sunbird Lilongwe Hotel.



Chapter 2

Judges of the High Court are appointed by the President on the recommendation of the Judicial Service Commission. In 2022, the President appointed eleven judges of the High Court.



Newly appointed judges of the High Court posing with the Chief Justice (fourth from right) after the swearing in ceremony at Kamuzu Palace in Lilongwe on 9th April 2022.



Newly appointed judges of the High Court posing with the State President, the Chief Justice and the Secretary to the Cabinet after the swearing in ceremony at Kamuzu Palace in Lilongwe on 8th December, 2022.



Subordinate Courts

Subordinate courts are established under section 110 of the Constitution and are below the High Court. These courts are: the Industrial Relations Court presided over by the Chairperson or Deputy Chairperson with original jurisdiction over labour disputes and such other issues relating to employment under the Labour Relations Act; subordinate courts under the Courts Acts and the Child Care, Protection and Justice Act which are presided over by magistrates; and Local Courts with the jurisdiction limited exclusively to civil cases at customary law and such minor common law and statutory offences as prescribed by the Local Courts Act which are presided over by lay persons.



Honourable the Chief Justice conducts court inspections periodically, in the above pictures, he visited Salima (Top) and Ntchisi (Bottom) Magistrate Courts



Chapter 3

JUSTICES OF THE SUPREME COURT OF APPEAL

Honourable Chief Justice Rizine Robert Mzikamanda, SC
Chief Justice of the Republic of Malawi



The State President appointed Honourable Justice Rizine R. Mzikamanda, SC as the Chief Justice on 7th January 2022 and Parliament confirmed his appointment on 14th March 2022 and was sworn in on 9th April 2022.

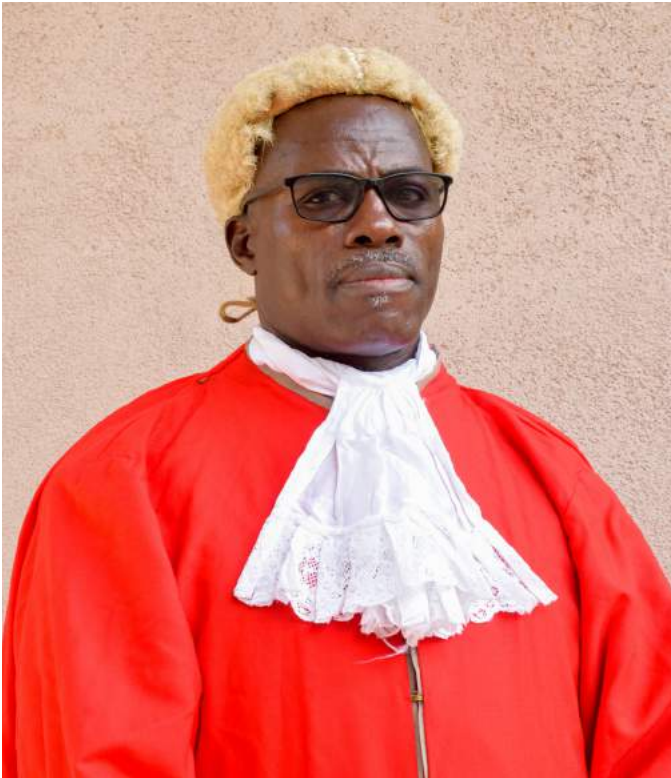
He was born on 30th November, 1958. He is married and has six children. He holds a Bachelor of Laws (Hons) from the University of Malawi (1983) and a Master of Laws from Hull University, England (1992).

He started his career in the Judiciary in 1983 as a Resident Magistrate and rose to the ranks of Principal Resident Magistrate and Chief Resident Magistrate before he was appointed Deputy Registrar and later Senior Deputy Registrar of the High Court and Supreme Court of Appeal. He was appointed Judge of the High Court in 1997 and Justice of Appeal in 2012.



JUSTICES OF THE SUPREME COURT OF APPEAL

Honourable Lord Justice Lovemore Paul Chikopa, SC



The Honourable Justice Lovemore P. Chikopa, SC was born on 9th August, 1965. He is married and has children. He holds a Bachelor of Laws (Hons) from the University of Malawi (1987) and a Master of Business Administration degree from the University of Zambia (2021).

He started his career in the Ministry of Justice as State Advocate. He then worked in the private sector with Small Enterprises Development of Malawi (SEDOM) and in private legal practice before joining the Office of the Ombudsman as Principal Investigations Officer/Acting Chief Legal Officer.

He joined the Judiciary in 1998 as Principal Resident Magistrate where he rose to the rank of Chief Resident Magistrate. He was appointed Judge of the High Court in 2000 and Justice of Appeal in 2012.



Chapter 3

JUSTICES OF THE SUPREME COURT OF APPEAL

Honourable Lord Justice Frank Edgar Kapanda, SC



The Honourable Justice Frank E. Kapanda, SC was born on 24th June, 1963. He is married and has two children. He holds a Bachelor of Laws (Hons) degree from the University of Malawi (1990) and a Master of Laws degree from the University of Cape Town (2014).

He started his career in the Ministry of Lands as Lands Officer. He then joined private legal practice and later worked as an in-house lawyer in the Department of Customs and Excise.

He joined the Judiciary in 1998 as Principal Resident Magistrate where he rose to the rank of Chief Resident Magistrate. He was appointed Judge of the High Court in 2000 and Justice of Appeal in 2013.



JUSTICES OF THE SUPREME COURT OF APPEAL

Honourable Lord Justice Healey Stuart Burrows Potani



The Honourable Justice Healey S.B. Potani was born on 30th July, 1964. He is married and has children. He holds a Bachelor of Laws (Hons) degree from the University of Malawi (1989).

He joined the Judiciary on 12th June, 1989 as a Resident Magistrate and rose to the rank of Principal Resident Magistrate before he was appointed Deputy Registrar and later Registrar of the High Court and Supreme Court of Appeal. He was appointed Judge of the High Court on 20th March, 2003 and Justice of Appeal on 20th October, 2020.



Chapter 3

JUSTICES OF THE SUPREME COURT OF APPEAL

Honourable Lord Justice John Nelson Katsala



The Honourable Justice John N. Katsala was born on 14th November, 1964. He is married and has three children. He holds a Bachelor of Laws (Hons) degree from the University of Malawi (1989) and a Master of Laws degree in International Economic Law from University of Warwick, England (2007).

He first joined the Judiciary on 12th June, 1989 as a Resident Magistrate and later went on to work as a State Advocate and Legal Aid Advocate in the Ministry of Justice before going into private legal practice. He was appointed Judge of the High Court on 20th March, 2003 and Justice of Appeal on 20th October, 2020.



JUSTICES OF THE SUPREME COURT OF APPEAL

Honourable Lady Justice Ivy Chatha Kamanga



The Honourable Justice Ivy C. Kamanga was born on 10th October, 1968. She is married and has children. She holds a Bachelor of Laws (Hons) degree from the University of Malawi (1992) and a Master of Laws degree from University of London, England (2009).

She started her career in 1992 as a Legal Aid Advocate and later worked as a State Advocate in the Ministry of Justice. In 1995, she joined the Judiciary as Senior Resident Magistrate and rose to the ranks of Principal Resident Magistrate and Chief Resident Magistrate before being appointed Deputy Registrar, Senior Deputy Registrar and Registrar of the High Court and Supreme Court of Appeal. She was appointed Judge of the High Court in 2004 and Justice of Appeal on 20th October, 2020.

She is a Judge of the Southern African Development Community Administrative Tribunal (SADCAT), an independent institution of SADC that sits in Gaborone, Botswana.



Chapter 3

JUSTICES OF THE SUPREME COURT OF APPEAL

Honourable Lord Justice Mankhambira Charles Ching'anyi Mkandawire



The Honourable Justice Mankhambira C.C. Mkandawire was born on 1st January 1961. He is married and has four children. He holds a Bachelor of Laws (Hons) degree from the University of Malawi (1986).

He joined the Judiciary in 1986 as a Resident Magistrate and rose to the ranks of Senior Resident Magistrate, Principal Resident Magistrate and Chief Resident Magistrate. He was later appointed Senior Deputy Registrar of the High Court and Supreme Court of Appeal and then Chairperson of the Industrial Relations Court. He was appointed Judge of the High Court in 2004 and Justice of Appeal on 20th October, 2020.



JUSTICES OF THE SUPREME COURT OF APPEAL

Honourable Lord Justice Sylvester Augustino Kalembera



The Honourable Justice Sylvester A. Kalembera was born on 6th October, 1970. He is married and has three children. He holds a Bachelor of Laws (Hons) degree from the University of Malawi (1995) and a Master of Laws degree from the University of the Western Cape, South Africa (2010).

He joined public service as a Legal Aid Advocate on 21st August, 1995 and became Principal Legal Aid Advocate before he moved to the Department of Customs and Exercise as Principal Assistant Controller (Law) in 1998. He later became Principal Legal Officer at the Malawi Revenue Authority in 2000.

He joined the Judiciary as Principal Resident Magistrate on 17th August, 2000 and rose to the rank of Chief Resident Magistrate before he was appointed Deputy Registrar and later Registrar of the High Court and Supreme Court of Appeal. He was appointed Judge of the High Court on 13th June, 2008 and Justice of Appeal on 13th June, 2022.



Chapter 3

JUSTICES OF THE SUPREME COURT OF APPEAL

Honourable Lord Justice Dingswayo Madise



The Honourable Justice Dingswayo Madise was born on 30th August, 1970. He is married and has children. He holds a Bachelor of Laws (Hons) degree from the University of Malawi (1998) and a Master of Laws from Queens University of Belfast (2004).

He joined the Judiciary as a Senior Resident Magistrate on 26th January, 1998. He rose to the ranks of Principal Resident Magistrate and Chief Resident Magistrate. He was appointed Judge of the High Court on 13th June, 2008 and Justice of Appeal on 13th June, 2022.



JUSTICES OF THE SUPREME COURT OF APPEAL

Honourable Lord Justice Rowland Sextus Mbvundula



The Honourable Justice Rowland S. Mbvundula was born on 14th December, 1964. He is married and has children. He holds a Bachelor of Laws (Hons) degree from the University of Malawi (1989).

He initially joined the Judiciary as a Resident Magistrate on 12th June, 1989 before joining the Lilongwe City Council as Town Clerk (Legal). In 1994, he joined the New Building Society (now NBS Bank) as in-house Legal Counsel, where he worked until 2003 before going into private legal practice. He was appointed Judge of the High Court on 13th June, 2008 and Justice of Appeal on 13th June, 2022.



Chapter 3

JUSTICES OF THE SUPREME COURT OF APPEAL

Honourable Lady Justice Dorothy nyaKaunda Kamanga



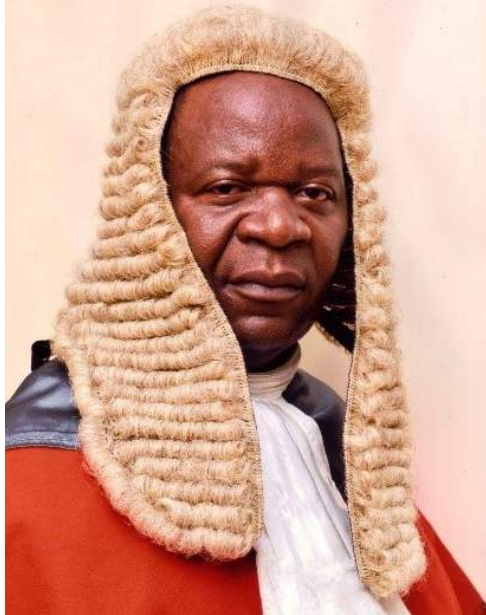
The Honourable Justice Dorothy Kamanga was born on 6th October, 1970. She is married and has children. She holds a Bachelor of Laws (Hons) degree from the University of Malawi (1995) and a Master of Laws degree from University of Cape Town, South Africa (2013).

She started her career in 1995 in private legal practice before joining the public service as a Legal Aid Advocate. In the year 2000, she joined Women and Law in Southern Africa as a Research Associate. She joined the Judiciary as a Principal Resident Magistrate in 2003 before being appointed Deputy Registrar and later Registrar of the High Court and Supreme Court of Appeal in 2008. She was appointed Judge of the High Court on 3rd October, 2012 and Justice of Appeal on 13th June, 2022.



JUDGES OF THE HIGH COURT OF MALAWI

**Honourable Lord
Justice Dr. Michael Charles Mtambo**



The Honourable Justice Dr. Michael C. Mtambo was born on 6th September, 1957. He is married and has children. He holds a Bachelor of Laws (Hons) Degree from the University of Malawi (1980). He has two Master of Laws degrees, from the Universities of London (1985) and Pennsylvania (1991). He has a PhD from North Eastern University, United States of America (1995). He is also a Fellow of Chartered Institute of Arbitrators, (FCIArb) London.

He was appointed Judge of the High Court on 2nd April, 2007. Before joining the Malawi Judiciary, he was a legal practitioner in private practice.

In June, 2015, he was appointed as a Judge of the Common Market for Eastern and Southern Africa (COMESA) Court, Appellate Division.

He retired from service on 6th September, 2022.

**Honourable Lord
Justice John Mashikizo Chirwa**



The Honourable Justice John M. Chirwa was born on 17th December, 1958. He is married and has children. He holds a Bachelor of Laws (Hons) degree from the University of Malawi (1982).

He was appointed Judge of the High Court on 12th September, 2009. Before joining the Malawi Judiciary, he was a legal practitioner in private practice.



Chapter 4

JUDGES OF THE HIGH COURT OF MALAWI

**Honourable Lord
Justice Kenan Tilombe Manda**



The Honourable Justice Kenan T. Manda was born on 25th August, 1974. He holds a Bachelor of Laws (Hons) degree from the University of Malawi (1998) and a Master of Laws degree in International Development Law and Human Rights from the University of Warwick (2008).

He joined the Judiciary as a Senior Resident Magistrate on 26th January, 1998. He rose to the ranks of Principal Resident Magistrate and Chief Resident Magistrate before he was appointed Senior Deputy Registrar of the High Court and Supreme Court of Appeal. He was appointed Judge of the High Court on 12th September, 2009.

**Honourable Lord
Justice Dr. Chifundo Jairus Kachale**



The Honourable Justice Dr. Chifundo J. Kachale was born on 4th January, 1975. He is married and has three children. He holds a Bachelor of Laws (Hons) degree from the University of Malawi (2000), a Master of Laws degree in Law and Development from Queen Mary University of London (2005), and a PhD in Constitutionalism and Judicial Theory from the School of Oriental and African Studies, University of London (2013).

He joined the Judiciary in March 2000 as Senior Resident Magistrate. He rose to the ranks of Principal Resident Magistrate and Chief Resident Magistrate. He was appointed Judge of the High Court in 4th July, 2011.

He is also the Chairperson of the Electoral Commission since June 2020.



JUDGES OF THE HIGH COURT OF MALAWI

**Honourable Lady
Justice Rachel Sophie Sikwese**



The Honourable Justice Racheal S. Sikwese was born on 9th February, 1970. She holds a Bachelor of Laws (Hons) degree from the University of Malawi (1997) and a Master of Laws degree from Indiana University Bloomington, United States of America (2000).

She joined Judiciary in 1998 as Senior Resident Magistrate and was appointed Chairperson of the Industrial Relations Court in 2004. She was appointed Judge of the High Court on 3rd October, 2012. She was appointed half-time Judge of the United Nations Dispute Tribunal in July 2019 for a seven-year term.

She has authored and published books on labour law in Malawi and a monograph on Malawi Labour Law and Industrial Relations which is published in the *International Encyclopedia for Labour Law and Industrial Relations* (Kluwer Law International).

**Honourable Lord
Justice Kenyatta Nyirenda**



The Honourable Justice Kenyatta Nyirenda was born on 4th May, 1962. He is married and has children. He holds a Bachelor of Laws (Hons) degree from the University of Malawi (1986) and a Master of Laws degree from University of Malta (1995). He holds an advanced Diploma in Legislative Drafting from the University of West Indies (1992).

Before joining the Judiciary, He held various positions in the Ministry of Justice and also served as Senior Legal Counsel at the SADC Secretariat. He was appointed Judge of the High Court on 3rd October, 2012.



Chapter 4

JUDGES OF THE HIGH COURT OF MALAWI

**Honourable Lady
Justice Fiona Atupele Mwale**

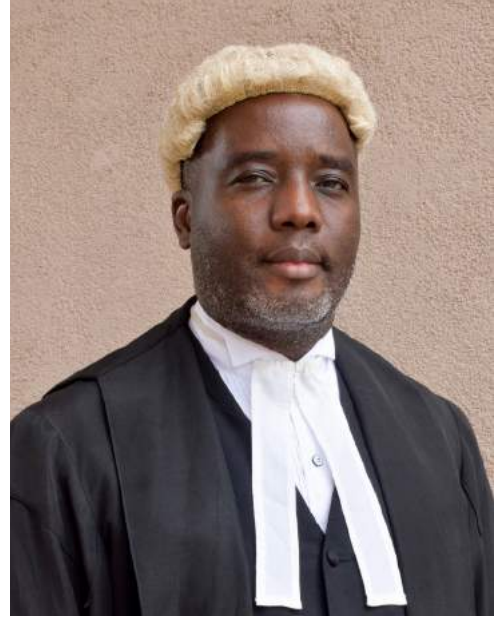


The Honourable Justice Fiona A. Mwale was born on 30th October, 1974. She is married and has children. She holds a Bachelor of Laws (Hons) degree from the University of Leeds (1997) and a Master of Laws degree in Law and Development from the University of Warwick (2002) and was admitted to practice as a Barrister-at-Law by the Honorable Society of Gray's Inn in London.

Before joining the Judiciary, she held the positions of Deputy Chief Law Reforms Officer at the Malawi Law Commission; Deputy Assistant Chief State Advocate at the Ministry of Justice and Constitutional Affairs; and Principal Legal Officer in the Malawi Human Rights Commission. She was appointed Judge of the High Court on 3rd October, 2012.

She has authored a monograph on Family and Succession Law in Malawi which is published in the *International Encyclopedia of Laws: Family and Succession*, (Kluwer Law International).

**Honourable Lord
Justice Michael Atanzio Tembo**



The Honourable Justice Michael A. Tembo was born on 30th July, 1977. He is married and has three children. He holds a Bachelor of Laws (Hons) degree from the University of Malawi (2001) and a Master of Laws degree from the University of Melbourne, Australia (2007).

He joined the Judiciary as a Senior Resident Magistrate in June 2001. He rose to the ranks of Principal Resident Magistrate and Chief Resident Magistrate. He also worked in the Industrial Relations Court as Deputy Chairperson before he was appointed Deputy Registrar and later Acting Registrar of the High Court and Supreme Court of Appeal. He was appointed Judge of the High Court on 19th June, 2013.



JUDGES OF THE HIGH COURT OF MALAWI

**Honourable Lady
Justice Annabel Mtalimanja**



The Honourable Justice Annabel Mtalimanja was born on 26th July, 1976. She is married and has children. She holds a Bachelor of Laws (Hons) degree from the University of Malawi (1999) and a Master of Laws degree from the University of Melbourne, Australia (2005). She is a Fellow of Chartered Institute of Arbitrators, (FCIArb) London (2021).

Before joining the Judiciary, she worked in the Ministry of Justice and Constitutional Affairs as Senior State Advocate, Senior Assistant Chief State Advocate, Legislative Draftsperson, and Administrator General. She was appointed Judge of the High Court on 19th June, 2013.

**Honourable Lord
Justice Professor Redson Edward Kapindu**



The Honourable Justice Prof. Redson E. Kapindu was born on 10th April, 1974. He is married and has children. He holds a Bachelor of Laws (Hons) degree from the University of Malawi (1999); a Diploma in Human Rights from Lund University, Sweden, (2002); a Master of Laws degree from the University of Pretoria (2004); and a Doctorate (PhD) from the University of the Witwatersrand, Johannesburg (2014).

Before joining the Judiciary, he worked as in-house Legal Counsel for the Reserve Bank of Malawi, Director of Legal Services in the Malawi Human Rights Commission and served as Deputy Director for South African Institute for Advanced Constitutional, Public, Human Rights and International Law (SAIFAC). He was appointed Judge of the High Court on 19th June, 2013.

He has published widely in numerous academic Journals and other publications.



Chapter 4

JUDGES OF THE HIGH COURT OF MALAWI

**Honourable Lady
Justice Zione Jane Veronica Ntaba**



The Honourable Justice Zione J.V. Ntaba was born on 11th April, 1978. She holds a Bachelor of Laws (Hons) degree from the University of Malawi (2002) and a Master of Arts in Advanced Legislative Drafting from the University of London, Institute of Advanced Legal Studies, United Kingdom (2007).

She served in the Ministry of Justice and Constitutional Affairs as Senior State Advocate, Principal State Advocate and Legislative Counsel. She also worked as Director of Legal Affairs and Board Secretary for Malawi Energy and Regulatory Authority. She was appointed Judge of the High Court on 19th June, 2013.

**Honourable Lord
Justice Lloyd Muhara**



The Honourable Justice Lloyd Muhara was born on 8th October, 1957. He is married and has children. He holds a Bachelor of Laws (Hons) degree from the University of Malawi (1981) and a Master of Laws degree from the University of London, Queen Mary College (1988).

Before joining the Judiciary, he worked as Assistant Town Clerk for the Lilongwe City Council and Town Clerk for the Mzuzu City Council. He also worked as Legal Counsel and Company Secretary for Limbe Leaf Tobacco Company Limited and was later appointed Commissioner General for the Malawi Revenue Authority. He was appointed Judge of the High Court in March 2014. While serving as a Judge, he was appointed Deputy Chief Secretary to Government in 2016 and was later appointed Chief Secretary to Government in which capacity he served until 2020.

He retired from service on 6th October 2022.



JUDGES OF THE HIGH COURT OF MALAWI

**Honourable Lord
Justice Joseph Chigona**



The Honourable Justice Joseph Chigona was born on 13th May, 1977. He is married and has children. He holds a Bachelor of Laws (Hons) degree from the University of Malawi (2002) and a postgraduate Diploma in Alternative Dispute Resolution (ADR) from the University of Pretoria and Arbitration Foundation of Southern Africa (AFSA), South Africa (2008).

He joined the Judiciary as Senior Resident Magistrate. He rose to the ranks of Principal Resident Magistrate, Assistant Registrar and Chief Resident Magistrate before being appointed Registrar of the High Court and Supreme Court of Appeal. He was appointed Judge of the High Court on 14th October, 2016.

**Honourable Lady
Justice Dorothy Alethea DeGabriele**



The Honourable Justice Dorothy A. DeGabriele was born on 18th January, 1973. She is married and has children. She holds a Bachelor of Laws (Hons) degree from the University of Malawi (1999) and a Master of Laws degree in Law and Development from the University of London (2010). She is studying for a Doctor of Laws (LLD) in Governance and Electoral Justice.

She first joined the Judiciary as a Resident Magistrate and later went on to work with Department for International Development (DFID). She re-joined the Judiciary as Chief Resident Magistrate, and moved on to become Deputy Chairperson. She was later appointed Chairperson of the Industrial Relations Court. She was appointed Judge of the High Court on 14th October, 2016.



Chapter 4

JUDGES OF THE HIGH COURT OF MALAWI

**Honourable Lady
Justice Ruth Fletcher Chinangwa**



The Honourable Justice Ruth F. Chinangwa was born on 6th April, 1980. She is married and has children. She holds a Bachelor of Laws (Hons) degree from the University of Malawi (2003) and a Master's degree in Women's Law from the University of Zimbabwe (2006).

She joined the Judiciary as a Senior Resident Magistrate and rose to the ranks of Principal Resident Magistrate, Assistant Registrar and Chief Resident Magistrate. She was appointed Judge of the High Court on 14th October, 2016.

**Honourable Lord
Justice Jack N'riva**



The Honourable Justice Jack N'riva was born on 10th October, 1975. He is married and has children. He holds a Bachelor of Laws (Hons) degree from the University of Malawi (2002) and a Master's degree in Women's Law from the University of Zimbabwe (2016).

He joined the Judiciary as Senior Resident Magistrate on 2nd September, 2002 and rose through the ranks of Principal Resident Magistrate and Deputy Chairperson of the Industrial Relations Court before he was appointed Registrar of the High Court and Supreme Court of Appeal. He was appointed Judge of the High Court on 15th August, 2017.



JUDGES OF THE HIGH COURT OF MALAWI

**Honourable Lord
Justice Thomson Robert Ligowe**



The Honourable Justice Thomson R. Ligowe was born on 23rd March, 1979. He is married and has children. He holds a Bachelor of Laws (Hons) degree from the University of Malawi (2002) and a Master of Laws degree in International Development Law and Human Rights from the University of Warwick (2011).

He joined the Judiciary as a Senior Resident Magistrate on 2nd September, 2002. He was promoted to the position of Assistant Registrar in August, 2003 before he became Chief Resident Magistrate in 2012. In March 2017, he was appointed Chairperson of the Industrial Relations Court. He was appointed Judge of the High Court on 15th August, 2017.

**Honourable Lady
Justice Chimwemwe Kamowa**



The Honourable Justice Chimwemwe Kamowa was born on 13th December, 1975. She holds a Bachelor of Laws (Hons) degree from the University of Malawi (2005), Bachelor of Education degree (1999), and a Master's degree in Women's Law from the University of Zimbabwe (2008).

She joined the Judiciary as Senior Resident Magistrate in 2004 and rose to the ranks of Deputy Chairperson and Chairperson of the Industrial Relations Court. She was appointed Judge of the High Court on 9th March, 2020.

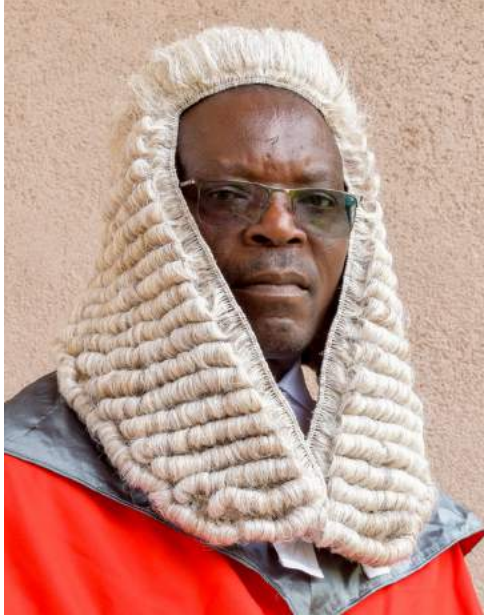
Before joining the Judiciary, she worked in the Ministry of Education.



Chapter 4

JUDGES OF THE HIGH COURT OF MALAWI

**Honourable Lord
Justice Texious Shadreck Masoamphambe**



The Honourable Justice Texious S. Masoamphambe was born on 24th September, 1972. He is married and has children. He holds a Bachelor of Laws (Hons) degree from the University of Malawi (2006) and also holds a Bachelor of Education (Humanities) degree from the University of Malawi (1997) and a Certificate of Lay Magistracy from Staff Development Institute (SDI) (2000).

He joined the Judiciary in August 2000 as a First Grade Magistrate. Between 2007 and 2017, he served in the positions of Senior Resident Magistrate, Assistant Registrar and Chief Resident Magistrate before he was appointed Deputy Registrar of High Court and Supreme Court of Appeal. He was appointed Judge of the High Court on 9th March, 2020.

**Honourable Lord
Justice Jabbar Alide**



The Honourable Justice Jabbar Alide was born on 22nd June, 1968. He is married and has children. He holds a Bachelor of Laws (Hons) degree from the University of Malawi (1995) and a Masters' degree in Business Administration from the University of Salford, Manchester, United Kingdom (2002).

Before joining the Judiciary, he worked both in private legal practice and various public institutions where he held senior positions. He was appointed Judge of the High Court on 9th March, 2020.



JUDGES OF THE HIGH COURT OF MALAWI

**Honourable Lady
Justice Agnes Thokozani Patemba**



The Honourable Justice Agnes T. Patemba was born on 13th January, 1975. She is married and has children. She holds a Bachelor of Laws (Hons) degree from the University of Malawi (2004) and a Master's degree in Women's Law from the University of Zimbabwe (2014).

She joined the Judiciary as a Senior Resident Magistrate on 29th December, 2004. She rose through the ranks of Assistant Registrar, Chief Resident Magistrate and Deputy Registrar before being appointed Registrar of the High Court and Supreme Court of Appeal. She was appointed Judge of the High Court on the 20th October, 2020.

She is serving as Deputy High Commissioner to the Malawi Mission in London on assignment.

**Honourable Lord
Justice Justus Asante Kishindo**



The Honourable Justice Justus A. Kishindo was born on 24th January, 1978. He holds a Bachelor of Laws (Hons) degree from the University of Malawi (2002) and a Master's degree in Women's Law from the University of Zimbabwe (2012).

He joined the Judiciary as Senior Resident Magistrate and rose through the ranks of Principal Resident Magistrate and Senior Deputy Registrar of the High Court and the Supreme Court of Appeal. He was appointed Judge of the High Court on 20th October, 2020.



Chapter 4

JUDGES OF THE HIGH COURT OF MALAWI

**Honourable Lady
Justice Violet Palikena Chipao**



The Honourable Justice Violet P. Chipao was born on 7th May, 1981. She is married and has children. She holds a Bachelor of Laws (Hons) degree from the University of Malawi (2006) and a Master's degree in Women's Law from the University of Zimbabwe (2014).

She joined the Judiciary as a Senior Resident Magistrate in 2006. She rose through the ranks of Assistant Registrar and Chief Resident Magistrate before she was appointed as Judge of the High Court on 20th October, 2020.

**Honourable Lady
Justice Anneline Kanthambi**



The Honourable Justice Anneline Kanthambi was born on 21st July, 1974. She holds a Bachelor of Laws (Hons) degree from the University of Malawi (2006), Bachelor of Education (Humanities) degree (1997) and a Master's degree in Women's Law from the University of Zimbabwe (2010).

She joined the Judiciary as Senior Resident Magistrate in 2006. She rose through the ranks of Assistant Registrar and Deputy Chairperson of the Industrial Relations Court. She was appointed Judge of the High Court on 20th October, 2020.

Before joining the Judiciary, she worked in the Ministry of Education.



JUDGES OF THE HIGH COURT OF MALAWI

**Honourable Lady
Justice Vikochi Ndovi Chima**



The Honourable Justice Vikochi N. Chima was born on 7th February, 1981. She is married and has children. She holds a Bachelor of Laws (Hons) degree from the University of Malawi (2004) and a Master of Laws degree in Criminal Justice from the University of Cape Town (2011).

She joined the Judiciary as Senior Resident Magistrate in 2005 and rose to the ranks of Assistant Registrar and Deputy Chairperson of the Industrial Relations Court. She was appointed Judge of the High Court on 20th October, 2020.

**Honourable Lord
Justice Simeon Saisi Mdeza**



The Honourable Justice Simeon S. Mdeza was born on 20th March, 1981. He is married and has children. He holds a Bachelor of Laws (Hons) degree from the University of Malawi (2007).

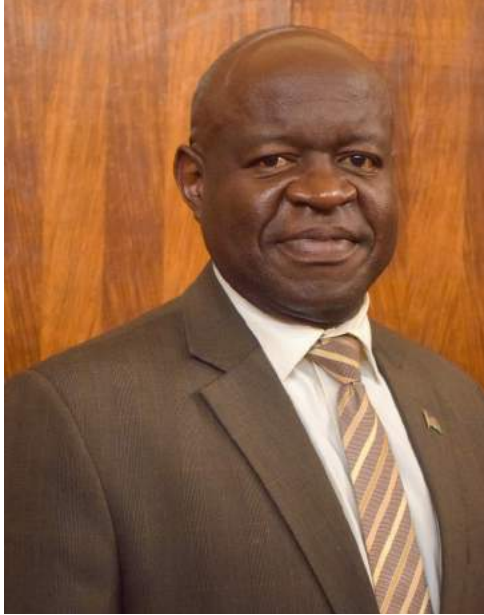
He joined the Judiciary as a Senior Resident Magistrate on 13th June, 2008. He rose to the rank of Assistant Registrar and later became Chief Resident Magistrate. He was appointed Judge of the High Court on 20th October, 2020.



Chapter 4

JUDGES OF THE HIGH COURT OF MALAWI

**Honourable Lord
Justice Mzonde Eric Geoffrey Mvula**



The Honourable Justice Mzonde E.G. Mvula was born on 20th November, 1980. He is married and has children. He holds a Bachelor of Arts (Humanities) from the University of Malawi (1999), a Bachelor of Laws (Hons) degree from the University of Malawi (2005), and a Master of Laws degree in Corporate and Commercial Law from the University of Dar es Salaam (2018).

He joined the Judiciary as Senior Resident Magistrate on 29th December, 2004. He rose through the ranks of Principal Resident Magistrate and Assistant Registrar and later Chief Resident Magistrate. He was appointed Judge of the High Court on 20th October, 2020.

**Honourable Lord
Justice Masauko Timothy Msungama**



The Honourable Justice Masauko T. Msungama was born on 12th April, 1963. He is married and has children. He holds a Bachelor of Laws (Hons) degree from the University of Malawi (1988) and a Master of Laws degree in Commercial Law from the University of Malawi (2014).

He initially joined the Judiciary as a Resident Magistrate in 1988 and worked for Blantyre City Council and Indefund Limited before going into private legal practice. He was appointed Judge of the High Court on 20th October, 2020.



JUDGES OF THE HIGH COURT OF MALAWI

**Honourable Lord
Justice William Yakuwawa Msiska**



The Honourable Justice William Y. Msiska was born on 21st August, 1970. He is married and has children. He holds a Bachelor of Laws (Hons) degree from the University of Malawi (1996). He also holds a Post Graduate Certificate in Legislative Drafting from Royal Institute of Public Administration London (2005), and a Master of Laws in International Criminal Law and Security from the University of Northampton (2009).

Before joining the Judiciary, he worked in private legal practice and later joined the Law Commission where he served as a Law Reform Officer and rose through the ranks and became Chief Law Reform Officer. He was appointed Judge of the High Court on 20th October, 2020.

**Honourable Lady
Justice Maureen Kondowe**



The Honourable Justice Maureen Kondowe was born on 1st April, 1973. She is married and has children. She holds a Bachelor of Laws (Hons) degree from the University of Malawi (1996) and a Master of Laws degree in International Trade Law from University of Essex, United Kingdom (2000)

She has worked as Assistant Law Lecturer in the Faculty of Law, University of Malawi, Law Reform Officer in the Law Commission, and a legal practitioner in private practice. She was appointed Judge of the High Court on 20th October, 2020.

She has co-authored two books: *An Analysis of the Electoral Legal Environment for the 2013 Zimbabwean Harmonized Elections*(2013); and *In Search of Justice: Women and the Administration of Law in Malawi* (2000).



Chapter 4

JUDGES OF THE HIGH COURT OF MALAWI

**Honourable Lord
Justice Mandala Dick Mambulasa**



The Honourable Justice Mandala D. Mambulasa was born on 7th February, 1977. He is married and has children. He holds a Bachelor of Laws (Hons) degree from the University of Malawi (2002) and a Master of Laws degree from the University of Pretoria, South Africa (2010).

He has worked as Executive Director for the Malawi Law Society and a legal practitioner in private practice. He was appointed Judge of the High Court on 20th October, 2020.

**Honourable Lady
Justice Charlotte Wezzi Mesikano Malonda**



The Honourable Justice Charlotte W.M. Malonda was born on 2nd December, 1979. She is married and has children. She holds a Bachelor of Laws (Hons) degree from the University of Malawi (2002); a Master of Laws degree in Global Competition Law from Loyola University, Chicago (2017); a Master's degree in Women's Law from University of Zimbabwe (2006); Postgraduate Diploma in Women and Children's Rights from University of Lund (2004); and a Postgraduate Diploma in European Union Competition Law from University of London, Kings College (2013).

She has served in the Ministry of Justice and Constitutional Affairs as a Legal Aid Advocate and a Principal Administrator General. She has worked as Chief Legal Officer in the Office of Ombudsman and as Director of Enforcement and Executive Director for the Competition and Fair-Trading Commission. She was appointed Judge of the High Court on 20th October, 2020.



JUDGES OF THE HIGH COURT OF MALAWI

**Honourable Lady
Justice Gladys Assima Gondwe**



The Honourable Justice Gladys A. Gondwe was born on 31st January, 1984. She is married and has three children. She holds a Bachelor of Laws (Hons) Degree from the University of Malawi (2008).

She joined the Judiciary in June 2008 as Senior Resident Magistrate. She rose to the ranks of Principal Resident Magistrate, Chief Resident Magistrate and Registrar of the High Court and Supreme Court of Appeal. She was appointed Judge of the High Court on 28th February, 2022.

**Honourable Lord
Justice Chimbizgani Matapa Kacheche**



The Honourable Justice Chimbizgani M. Kacheche was born on 8th December, 1982. He is married and has three Children. He holds a Bachelor of Laws Degree from the University of Malawi (2007). Prior to joining the Judiciary, he served as a Senior Legal Aid Advocate for two years.

He joined the Judiciary as a Senior Resident Magistrate in 2008. He rose to the ranks of Assistant Registrar and Deputy Registrar of the High Court and Supreme Court of Appeal.

He was appointed Judge of the High Court on 28th February, 2022.



Chapter 4

JUDGES OF THE HIGH COURT OF MALAWI

**Honourable Lord
Justice Dick Harry Sankhulani**



The Honourable Justice Dick H. Sankhulani was born on 28th February, 1977. He is married and has children. He holds a Bachelor of Laws (Hons) Degree from the University of Malawi (2007).

He started his career at the Department of Registrar General in the Ministry of Justice as an Assistant Registrar General in 2007.

He joined the Judiciary as a Senior Resident Magistrate in 2009. He rose through the ranks of Assistant Registrar and Chief Resident Magistrate.

He was appointed Judge of the High Court on 28th February, 2022.

**Honourable Lord
Justice Patrick Chirunga Chirwa**



The Honourable Justice Patrick C. Chirwa was born on 27th February 1985. He is married and has a daughter. He holds a Bachelor of Laws (Hons) Degree from the University of Malawi (2011) and a Master of Laws in Dispute Resolution from the University of Cape Town (2021).

He joined the Judiciary as Senior Resident Magistrate in January 2011 and rose through the ranks of Principal Resident Magistrate, Assistant Registrar and Chief Resident Magistrate.

He was appointed Judge of the High Court on 28th February, 2022.



JUDGES OF THE HIGH COURT OF MALAWI

**Honourable Lady
Justice Jean Rosemary Kayira**



The Honourable Justice Jean R. Kayira was born on 6th September, 1986. She is married and has two Children. She holds a Bachelor of Laws (Hons) Degree from the University of Malawi (2010), a Master of Laws Degree in Democratic Governance and Rule of Law from the Ohio Northern University (2018).

She joined the Judiciary on 5th January, 2011 as Senior Resident Magistrate. She rose to the ranks of Assistant Registrar and Chief Resident Magistrate.

She was appointed Judge of the High Court on 28th February, 2022.

**Honourable Lord
Justice Bruno McDonald Kalembe**



The Honourable Justice Bruno M. Kalembe was born on 6th October 1969. He is married and has two children. He holds a Bachelor of Laws (Hons) Degree from the University of Malawi (1995).

He started his career in the Ministry of Justice as a State Advocate in 1995. In 1996, he was posted to Legal Aid Department as a Legal Aid Advocate where he rose through ranks eventually becoming Chief Legal Aid Advocate in 2007. In 2012, he was appointed Director of Public Prosecutions. He also served as Executive Director of the Malawi Institute of Legal Education and Secretary to the Malawi Council of Legal Education.

He was appointed Judge of the High Court on 28th February, 2022.



Chapter 4

JUDGES OF THE HIGH COURT OF MALAWI

**Honourable Lady
Justice Gloria Alinafe Namonde**



The Honourable Lady Justice Gloria A. Namonde was born on 30th March, 1979. She is married and has two children. She holds a Bachelor of Laws (Hons) Degree from the University of Malawi (2007), a Bachelor of Arts (Humanities) Degree from the University of Malawi (2002), and a Master of Laws Degree from the University of Pretoria, South Africa (2015).

She started her career in the Ministry of Justice in 2007 and later worked for the Office of the Ombudsman. She was appointed Judge of the High Court on 28th February, 2022.

**Honourable Lord
Justice Howard Brighton Pemba**



The Honourable Justice Howard B. Pemba was born on 17th February 1982. He is married and has three children. He holds a Bachelor of Laws (Hons) Degree from the University of Malawi (2010), a Bachelor's Degree in Education Language from the University of Malawi (2005); and a Master of Laws in Commercial Law from the University of Malawi (2017).

He joined the Judiciary as a Senior Resident Magistrate on 21st December 2011. He rose to the ranks of Assistant Registrar and Deputy Chairperson of the Industrial Relations Court.

He was appointed Judge of the High Court on 24th October 2022.

Before joining the Judiciary, he worked in the Ministry of Education.



JUDGES OF THE HIGH COURT OF MALAWI

**Honourable Lady
Justice Etness Chanza**



The Honourable Lady Justice Etness Chanza was born on 10th February, 1971. She is married and has two children. She holds a Bachelor of Laws (Hons) Degree from the University of Malawi (1994), and a Master of Science Degree in Finance and Financial Law from the University of London (2012). She is also an Associate of the Chartered Governance Institute in the United Kingdom (2007).

She started her career as a State Advocate in the Ministry of Justice in 1994. In October 1995, she joined Brown and Clapperton Limited as an Internal Legal advisor. Thereafter, in June 1996 she joined Commercial Bank of Malawi (now Standard Bank PLC) as a Legal Officer and rose to the position of Head of Legal, Compliance and Company Secretary. She has also worked as a Lecturer in the Faculty of Law at the University of Malawi, Malawi Institute of Legal Education (MILE) and Catholic University of Malawi.

She was appointed Judge of the High Court on 24th October 2022.

**Honourable Lady
Justice Eddah Eddai Ngwira**



The Honourable Justice Eddah E. Ngwira was born on 28th March, 1979. She has two children. She holds a Bachelor of Laws (Hons) degree from the University of Malawi (2005), Master of Laws in Intellectual Property and Competition Law (LLM) from University of Augsburg, Germany (2018); Masters in Women's Law from the University of Zimbabwe (2016) and Post-Graduate Certificate of Proficiency in Legislative Drafting from Ghana School of Law (2010).

She initially joined the Judiciary as Senior Resident Magistrate on 28th December, 2004 before joining the Society for the Advancement of Women (now defunct) as a Legal Officer. She later joined the Law Commission as Assistant Law Reform Officer and rose to the ranks of Law Reform Officer and Deputy Director of Law Reform.

She was appointed Judge of the High Court on 24th October, 2022.



Chapter 4

JUDGES OF THE HIGH COURT OF MALAWI

Honourable Lord Justice Allan Hans Muhome



The Honourable Justice Allan H. Muhome was born on 29th September, 1980. He is married and has three children. He holds a Bachelor of Laws (Hons) degree from the University of Malawi (2006) and a Master's Degree in Business Administration from the University of Malawi (2016).

He started his career as a State Advocate in the Ministry of Justice in 2006 before going into private legal practice. He later worked as Company Secretary for Indebank Limited and Sunbird Tourism plc. He is an adjunct Lecturer in Law at Malawi School of Government and Malawi Institute of Legal Education and he is a published author. He was appointed Judge of the High Court on 24th October 2022.



OFFICE OF THE REGISTRAR

The Office of the Registrar of the High Court and Supreme Court of Appeal (the Registrar) is established under section 7 of the Courts Act. Under the Constitution, the power to appoint a Registrar is given to the Chief Justice on the recommendation of the Judicial Service Commission.

The Registrar is the Controlling Officer for the Judiciary and bears the responsibilities as provided for under the Public Finance Management Act and the Public Service Act. The office is responsible for the day to day running of the Judiciary at all levels including handling of complaints, and public relations. The Registrar reports directly to the Chief Justice.

The Registrar is accountable to Parliament on all issues related to the usage of financial resources appropriated to the Judiciary.

The office of the Registrar is also responsible for case management in the High Court and Supreme Court of Appeal. This entails registration, allocation of resources and, in consultation with Judges, allocation of dates of hearing of cases. Additionally, the Registrar performs judicial functions.

The Registrar is assisted by the Senior Deputy Registrar, the Deputy Registrar and Assistant Registrars. Under the new Establishment of the Judiciary, the office of the Registrar has been renamed as Chief Registrar, with Deputy Chief Registrars to be placed at the Supreme Court and the yet to be established Court of Appeal. There shall be a Registrar (assisted by Assistant Registrars) responsible for each of the High Court Divisions and Registries.

The holders of the offices within the Office of the Registrar were:

1. His Honour Kondwani Banda –Registrar
2. His Honour Kingsley Mulungu – Senior Deputy Registrar
3. His Honour Innocent Nebi – Deputy Registrar
4. His Honour Tamanda Nyimba –Assistant Registrar – (On paid leave)
5. Her Honour Anne Gumulira - Assistant Registrar – (Acting DCP) Industrial Relations Court (Centre)
6. Her Honour Chikondi Mandala - Assistant Registrar - Civil Division, Lilongwe (currently on study leave)
7. Her Honour Edna Bodole – Assistant Registrar – Acting DCP Industrial Relations Court, (South)
8. His Honour Anthony Kapaswiche – Assistant Registrar - Acting DCP – Industrial Relations Court (North)
9. His Honour Paul Chiotcha – Assistant Registrar - Acting Chief Resident Magistrate (North)
10. His Honour Viva Nyimba –Assistant Registrar - Acting DCP, Industrial Relations Court (Centre)
11. His Honour Wyson C. Nkhata - Assistant Registrar – Criminal Division, Principal Registry
12. His Honour Rev. Peter Kandulu - Assistant Registrar – Industrial Relations Court (South)
13. Her Honour Thokozani Soko - Assistant Registrar – Civil Division, Lilongwe
14. Her Honour Ellen Chapita Banda – Assistant Registrar – Supreme Court of Appeal
15. His Honour Lawrence Mtchera – (Principal Judicial Research Officer), Acting Assistant Registrar – Industrial Relations Court, Mzuzu
16. Her Honour Shyreen Yona Chirwa – (PRM)-Acting as Assistant Registrar – Civil Division, Lilongwe (currently on paid Leave)
17. His Honour Brian Sambo – PRM-Acting as Assistant Registrar - Civil Division, Lilongwe
18. Her honour Emelia Zidule – PRM-Acting as Assistant Registrar – Commercial Division, Blantyre
19. Her Honour Hellen Kachala – PRM-Acting as Assistant Registrar – Civil Division Zomba District Registry



Chapter 5

20. His Honour Ibrahim Hussein – PRM-Acting as Assistant Registrar - Revenue Division, Blantyre
21. Her Honour Msekandiwana – PRM-Acting as Assistant Registrar- High Court Commercial Division, Lilongwe
22. His Honour Patrick Kamisa – (SRM) Acting Assistant Registrar – Attached to the Office of the Chief Justice
23. Her Honour Cecilia Onsewa – (SRM) Acting Assistant Registrar – Industrial Relations Court, Lilongwe
24. Her Honour Joanna Kwatiwani - SRM-Acting Assistant Registrar - Financial and Economic Crimes
25. Her Honour Lisa Chingoli – (SRM) Acting Assistant Registrar – Zomba District Registry
26. His Honour Biar Kamanga – (SRM) Acting Assistant Registrar – Criminal Division, Lilongwe
27. His Honour Elijah Daniels – (SRM) Acting Assistant Registrar – Civil Division, Blantyre.
28. Her Honour Angella Dossi – (SRM) Acting Assistant Registrar - Malawi Institute of Legal Education.



His Honour Kondwani Banda
Registrar of the High Court and Supreme Court of Appeal



His Honour Kingsley Mlungu
Senior Deputy Registrar



His Honour Innocent Nebi
Deputy Registrar



SUBORDINATE COURTS
INDUSTRIAL RELATIONS COURT

The management of the Industrial Relations Court (IRC) is the responsibility of the Chairperson. In the performance of the administrative functions and duties, the Chairperson acts in accordance with policies of the Judiciary and reports to the Registrar of the High Court and Supreme Court of Appeal. The Chairperson is based at the Principal Registry in Blantyre and is assisted by Deputy Chairpersons and Assistant Registrars positioned in the registries of the Court.

In the period under review, the IRC had four registries. The Principal Registry in Blantyre, Lilongwe Registry, Mzuzu Registry and Zomba Registry. This means that under the new Establishment, there are two registries which are yet to be operationalized. These are Kasungu Registry and Luchenza Registry.



His Honour Austin B.B. Mswoya
Chairperson, Industrial Relations Court



Her Honour Edna Bodole



Her Honour
Annie Gumulira



His Honour Viva Nyimba



His Honour
Anthony Kapaswiche

Deputy Chairpersons of Industrial Relations Court



Chapter 6

COURTS OF MAGISTRATES

The courts of magistrates are presided over by professional (trained as lawyers) and lay magistrates. The majority of cases in Malawi are handled by the magistrates.

There are four judicial administrative regions, each headed by a Chief Resident Magistrate, namely South, Centre, North and East. Under the new Establishment, there are two additional judicial regions, which are South East (Luchenza) and Central East (Kasungu). Below the Chief Resident Magistrate is the office of Principal Resident Magistrate, Senior Resident Magistrate, and lay magistrates who are graded as follows: First Grade; Second Grade; and Third Grade Magistrates.

MAGISTRATES AND THEIR DUTY STATIONS

EASTERN REGION



His Worship Austin Banda
Chief Resident Magistrate – East

	NAME OF OFFICER	POST	GRADE	DUTY STATION
1	Austine Banda	CRM	E	CRM
2	Yohane Munthali	SRM	H	CRM
3	Martin Chipofya	SRM	H	
4	Mercy Bonongwe	SRM	H	CRM
5	Christopher Makumba	SRM	H	Mulunguzi
6	Joshua Nkhono	SRM	H	Ntcheu SRM
7	Muhammad Chande	SRM	H	Liwonde SRM
8	Eneth Banda	FGM	I	CRM
9	Lawlence Mangani	FGM	I	Ntcheu SRM
10	Maxwel Boazi	FGM	I	Ntcheu SRM
11	Augustin Miziah	FGM	I	Ntcheu SRM



12	Philiph Chibwana	FGM	I	Balakaa
13	Leonard Mtosa	FGM	I	Phalombe
14	Mtunduwatha Mpasu	FGM	I	Monkeybay
15	Roy Kakutu	FGM	I	Mangochi
16	Baxton Chikalimba	SGM	J	Mangochi SGM
17	Enock Malula	SGM	J	Tsangano
18	Maxwel Boasi	SGM	J	Nselema
19	Peter Mkuzi	SGM	J	Balaka
20	Chrispin Chauluka	SGM	J	Liwonde SRM
21	Steve Samati	SGM	J	Chilinga
22	Bathlowmew Makina	TGM	K	CRM
23	Tenyson Kamtokoma	TGM	K	Mdinde
24	Lackson Beni	TGM	K	Malombe
25	Joshua Chirambo	TGM	K	Mvumba
26	Issa Salanje	TGM	K	Chilipa
27	Malikebu Misomali	TGM	K	Makanjira
28	Jones Chikonde	TGM	K	Mbonechera
29	John Kamphani	TGM	K	Ndumundu
30	Mtunduwatha Mpasu	FGM	K	Monkeybay
31	Josen Katsekera	TGM	K	Monkeybay
32	Innocent Kondwani	TGM	K	Namwera
33	Jennifer Kalinde	TGM	K	Mulunguzi
34	Meya Kanyumbu	TGM	K	Chingale
35	Ereckson Mchosa	TGM	K	Domasi
36	Lloyd Banda	TGM	K	Ntonya
37	Loveness Afuwa	TGM	K	Likangala
38	Pleasant Sichali	TGM	K	Ntcheu SRM
39	Stanford Majoni	TGM	K	Ntcheu SRM
40	Chidima Phiri	TGM	K	Ntcheu SRM
41	Rodrick Mthinda	TGM	K	Banda
42	Austine Kamanga	TGM	K	Machinga TGM
43	Richard Kambanje	TGM	K	Nselema
44	Lucy Mukawa	TGM	K	Ulongwe
45	Caroline Ndalama	TGM	K	Chinani
46	Topsy Mpinga	TGM	K	Chitekesa



CENTRAL REGION



**Her Worship Madalitso Chimwaza
Chief Resident Magistrate – Centre**

NO	NAME	POST	GRADE	DUTY STATION
1	H/W Madalitso Chimwaza	CRM	E	CRM
2	H/W Montfort Misunje	SRM	H	Mkukula
3	H/W Joana Kwatiwani	SRM	H	Salima
4	H/W Biar Kamanga	SRM	H	Kasungu
5	H/W Eliya Zawanda	SRM	H	Mchinji
6	H/W Clemence Chamwenda	SRM	H	Dedza
7	H/W Shukran Kumbani	SRM	H	CRM
8	H/W Wanangwa Nyirenda	SRM	H	Lilongwe
9	H/W James Mankhwazi	SRM	H	CRM
10	H/W T. Chakaka Nyirenda	FGM	I	Lilongwe
11	H/W Fred Chilowetsa	FGM	I	Child Justice, Lilongwe
12	H/W Diana Mangwana (Mrs.)	FGM	I	Child Justice, Lilongwe
13	H/W Talakanji Mdala	FGM	I	Mponela
14	H/W Dorothy Kalua (MRS.)	FGM	I	Ntchisi
15	H/W Kingsley Buleya	FGM	I	Nkhunga
16	H/W Thomson Midiasi	FGM	I	Mkukula
17	H/W Robert Botha	FGM	I	Dowa
18	H/W Simeon Mwambo	FGM	I	Dedza
19	H/W Yohane Nkhata	FGM	I	Mchinji
20	H/W Arthur Mtalimanja	FGM	I	Mpenu
21	H/W C.Amurani Phiri	FGM	I	CRM
22	H/W Mervis Sulumba (Mrs.)	FGM	I	Chilobwe



23	H/W Jones Masula	FGM	I	Chigodi
24	H/W Anthony Banda	FGM	I	Salima
25	H/W Felix Phaiya	FGM	I	Nkhota Kota
26	H/W Damiano Banda	FGM	I	Kasungu
27	H/W Davie Mpakani	SGM	J	Mponela
28	H/W Rose Chirwa	SGM	J	Chiseka
29	H/W Sakali Malovu	SGM	J	Ntchisi
30	H/W Tawonga Muwalo	SGM	J	Lilongwe
31	H/W Andrew Chikhodzole	SGM	J	Mikundi
32	H/W Lily Munyenembe	SGM	J	Mapuyu
33	H/W Agnes Chirambo	SGM	J	Salima
34	H/W Christopher Kampaliro	SGM	J	Nkhaza
35	H/W Clara Makwangwala	TGM	K	Lilongwe
36	H/W Hagra Chinkhumba	TGM	K	Lilongwe
37	H/W Angela Tchongwe	TGM	K	Mpenu
38	H/W Kilenji Zulu	TGM	K	Chiwenga
39	H/W Mercy Lukongolo	TGM	K	Demera
40	H/W Chifundo Matchaya	TGM	K	Dowa
41	H/W Charity Simwaka	TGM	K	Msongandeu
42	H/W Jollans Munkhondiya	TGM	K	Kaufa
43	H/W Christina Nthenda	TGM	K	Thindi
44	H/W Mathews Malunga	TGM	K	Mnema
45	H/W Tabu Kalako	TGM	K	Dedza
46	H/W Felix Madukani	TGM	K	Dedza
47	H/W Peter Chinkhuti	TGM	K	Mtakataka
48	H/W Chisomo Z. Madise	TGM	K	Katewe
49	H/W Nancy Mtonda	TGM	K	Maonde
50	H/W Stonard Nkhata	TGM	K	Nkhota Kota
51	H/W Violet Dzimbiri	TGM	K	Nkhota Kota
52	H/W S. Nthala	TGM	K	Nkhota Kota
53	H/W Owen Nyimbo	TGM	K	Nkhunga
54	H/W Dumisani Katundu	TGM	K	Mtosa
55	H/W Hastings Mkuka	TGM	K	Mbomba
56	H/W Godfrey Nkhudzule	TGM	K	Kasakula
57	H/W Mike Chabvuta	TGM	K	Msonzi
58	H/W Samuel Chakudza	TGM	K	Mchinji
59	H/W Annie Simwaka	TGM	K	Mchinji
60	H/W Maxwell Luhanga	TGM	K	Mchemani



61	H/W Frank Njirayafa	TGM	K	Kapiri
62	H/W Chisomo Selemani	TGM	K	Kasungu
63	H/W Michael Banda	TGM	K	Nthembwe
64	H/W David Mumbuwa	TGM	K	Matenje
65	H/W William Kavwenje	TGM	K	Chigodi
66	H/W Chimwemwe Mtenje	TGM	K	Kachokolo

SOUTHERN REGION



**His Worship Chisomo Msokera
Chief Resident Magistrate – South**

	NAME	POST	GRADE	DUTY STATION
1	H/W Chisomo Msokera	CRM	E	CRM
2	H/W Balaka Godfrey	PRM	G	CRM
3	H/W Muwalo Assunta	SRM	H	Thyolo
4	H/W Bakili Shaheeda	SRM	H	Mulanje
5	H/W Masonga Byson	SRM	H	Limbe
6	H/W Mmanga Andrew	SRM	H	Chiradzulu
7	H/W Mchilima Lawrence	SRM	H	Midima
8	H/W Nazombe Euphrazia	SRM	H	Blantyre- Central
9	H/W Akyo Mwanyongo	SRM	H	CRM
10	H/W Sajda Maiden	SRM	H	Mwanza
11	H/W Aisha Itimu	SRM	H	CRM
12	H/W Tizifa Joyce	FGM	I	Child Justice Court (Soche)



13	H/W Chinangwa Kondwani	FGM	I	Thyolo
14	H/W Nkhono Kitty	FGM	I	Child Justice Court (Soche)
15	H/W Chirundu Gladson	FGM	I	Chikwawa
16	H/W Chikhadzula Annie	FGM	I	Ntonda
17	H/W Mkwapatila Lameck	FGM	I	CRM
18	H/W Maruwasa Smart	FGM	I	Mwanza
19	H/W Banda Soka	FGM	I	Limbe
20	H/W Mankhanamba Watson	FGM	I	Nsanje
21	H/W Mwamale Patrick	FGM	I	Chiradzulu
22	H/W Khobiri Magret	FGM	I	Neno
23	H/W Magugu Veronica	FGM	I	Midima
24	H/W Nsomba John	FGM	I	Nchalo
25	H/W Chimombo George	FGM	I	Chisenjere
26	H/W Mphalulo Fatch	FGM	I	Blantyre - Central
27	H/W Phiri Chiyembekezo	FGM	I	Makande
28	H/W Zebron Joram	FGM	I	Nchalo
29	H/W Chimphamba Charles	SGM	J	Mbulumbuzi
30	H/W Machila Rodgers	SGM	J	Lisungwi
31	H/W Chiwanda Linda	SGM	J	Bangula
32	H/W Katunga Mercy	SGM	J	Blantyre - Central
33	H/W Shaba Emelia	SGM	J	Chibisa
34	H/W Chingana Naomi	SGM	J	Chikwembere
35	H/W Chinkudzu Mifa	SGM	J	Namitambo
36	H/W Mbewe Mike Chakwana	SGM	J	Ngwengwe
37	H/W Nkhoma Violet	SGM	J	Chisombezi
38	H/W Daudi Catherine	TGM	K	Midima
39	H/W Kachingwe Chrissie	TGM	K	Limbe
40	H/W Kuseka Dorah	TGM	K	Thambani on interdiction
41	H/W Magwira Catherine	TGM	K	Namphungo
42	H/W Zanera Charles	TGM	K	Lalanje
43	H/W Mataka Rose Ndekha	TGM	K	Nchalo
44	H/W Baluwa Christopher	TGM	K	Thuchila
45	H/W Mowe Hygine	TGM	K	Thyolo Thava
46	H/W Balakasi James	TGM	K	Masenjere Thyolo
47	H/W Kamuloni Jane	TGM	K	Thuchila
48	H/W Sikweya Thomson	TGM	K	Mangunda
49	H/W Kachingwe Patrick	TGM	K	Chiradzulu
50	H/W Ndekete Mcdonald	TGM	K	Muloza
51	H/W Olivia Sama	TGM	K	Chisombezi



Chapter 6

52	H/W Ng'ambi Aaron	TGM	K	Mulanje
53	H/W Chakuma Jameson	TGM	K	Mwanza
54	H/W Joseph Bester	TGM	K	Chikwembere
55	H/W Chirundu Mphatso	TGM	K	Limbe
56	H/W Nyirongo Andrew	TGM	K	Nchalo
57	H/W Mwatiwamba Gloria	TGM	K	CRM
58	H/W Chapotela John	TGM	K	Mbulumbuzi
59	H/W Gomani Mary Ndagomera	TGM	K	Blantyre - Central
60	H/W Mphwitiko Jimmy	TGM	K	Chisenjere
61	H/W Mtawali Patricia	TGM	K	Midima
62	H/W Bulla Ellen	TGM	K	Mphande
63	H/W Nambiri Steven	TGM	K	Chibisa
64	H/W Ngundende Haneef	TGM	K	Nyachilenda
65	H/W Chirwa Nikita	TGM	K	Ntonda
66	H/W Tchukambiri Janet	TGM	K	Bangula

NORTHERN REGION



His Worship Paul Chiotcha
Chief Resident Magistrate – North

NO	NAME	POST	GRADE	DUTY STATION
1	H/W Paul Chiotcha	Ag CRM	E	Mzuzu
2	H/W Godfrey Nyirenda	SRM	H	Mzuzu
3	H/W Felix P. Kamtsalira	SRM	H	Child Justice Court (Mzuzu)
4	H/W Mateo F. Chitha	SRM	H	Karonga
5	H/W Abdul R. Maulidi	SRM	H	Mzuzu
6	H/W Ashford Harawa	SRM	H	Mzimba North



7	H/W Robert Makaika	FGM	I	Child Justice Court (Mzuzu)
8	H/W Cuthbert Phiri	FGM	I	Rumphi
9	H/W Rabson Gamaliel	FGM	I	Mzimba
10	H/W Billy W.W. Ngosi	FGM	I	Chitipa
11	H/W Mastone Phiri	FGM	I	Chitipa
12	H/W Julius Kalambo	FGM	I	Karonga
13	H/W Wongani Kumwenda	SGM	J	Mzimba (S)
14	H/W Alex Mailosi	SGM	J	Chintheche
15	H/W Harrison Sitiki	SGM	J	Euthini
16	H/W Chikumbutso Ngulube	SGM	J	Rumphi
17	H/W Ezekiel Kantikana	TGM	K	Nkhatabay
18	H/W Loveness Gumbo	TGM	K	Mzimba (S)
19	H/W Innocent Chakudza	TGM	K	Emfeni
20	H/W Fordwatch Mkandawire	TGM	K	Likoma
21	H/W Agness Nyondo	TGM	K	Ngerenge
22	H/W Maria B. Mkandawire	TGM	K	Karonga
23	H/W Blackfield Kalobekamo	TGM	K	Katowo
24	H/W Ronald Kalobekamo	TGM	K	Misuku
25	H/W Flyson Mulungu	TGM	K	Nthalire
26	H/W Pauline Nthala	TGM	K	Mlowe
27	H/W Themba Kaunda	TGM	K	Bolero
28	H/W Mike Lungu	TGM	K	Ezondweni
29	H/W Moses Chaputula	TGM	K	Nkhatabay
30	H/W Blessings Lembe	TGM	K	Ephangweni
31	H/W Joseph Muweta	TGM	K	Edingeni
32	H/W Elicy Nyirongo	TGM	K	Tukombo
33	H/W Lumbani Chanza	TGM	K	Usisya
34	H/W Phidess Kathumba	TGM	K	Henga
35	H/W Richard Ngwaru	TGM	K	Ilengo
36	H/W Ngwachi Kalua	TGM	K	Eswazini
37	H/W Violet Machika	TGM	K	Chinunkha



Chapter 7

CASE LOAD AND CASE DISPOSAL

Case Load and Case Disposal at All Court Levels

SUPREME COURT OF APPEAL

	CASES B/F	CASES REGISTERED	CASES CONCLUDED	CASES PENDING	COMPLETION PERCENTAGE
JAN		6	6	0	
FEB		0	0	0	
MAR		6	6	0	
APRIL		18	14	4	
MAY		16	13	3	
JUN		10	6	4	
JULY		16	13	3	
AUG		7	7	0	
SEP		9	5	4	
OCT		3	2	1	
NOV					
DEC					
TOTAL		91	72	19	79.12088

HIGH COURT- CIVIL DIVISION - BLANTYRE

	CASES B/F	CASES REGISTERED	CASES CONCLUDED	CASES PENDING	COMPLETION PERCENTAGE
	CIVIL	CIVIL	CIVIL	CIVIL	
JAN		0	0	0	
FEB		0	0	0	
MAR		223	136	87	
APRIL		155	42	113	
MAY		134	58	76	
JUNE		176	114	62	
JULY		176	114	62	
AUG		152	55	97	
SEPT		152	0	152	
OCT				0	
NOV		136	87	49	
DEC				0	
TOTAL		1304	606	698	46.47239



HIGH COURT- CIVIL DIVISION - LILONGWE

	CASES B/F	CASES REGISTERED	CASES CONCLUDED	CASES PENDING	COMPLETION PERCENTAGE
	CIVIL	CIVIL	CIVIL	CIVIL	
JAN		62	21	41	
FEB		89	60	29	
MAR		110	91	19	
APRIL		0	0	0	
MAY		114	57	57	
JUNE		80	53	27	
JULY		122	29	93	
AUG		138	49	89	
SEPT		142	129	13	
OCT		3	2	1	
NOV		120	84	36	
DEC					
TOTAL		980	575	405	58.67347

HIGH COURT- CIVIL DIVISION - MZUZU

	CASES B/F	CASES REGISTERED	CASES CONCLUDED	CASES PENDING	COMPLETION PERCENTAGE
	CIVIL	CIVIL	CIVIL	CIVIL	
JAN		24	7	17	
FEB		38	21	17	
MAR		47	15	32	
APRIL		57	22	35	
MAY		36	17	19	
JUNE		63	19	44	
JULY		57	19	38	
AUG		48	5	43	
SEPT		43	3	40	
OCT		29	14	15	
NOV					
DEC					
TOTAL		442	142	300	32.1267



Chapter 7

HIGH COURT- CIVIL DIVISION - ZOMBA

	CASES B/F	CASES REGISTERED	CASES CONCLUDED	CASES PENDING	COMPLETION PERCENTAGE
	CIVIL	CIVIL	CIVIL	CIVIL	
JAN		54	51	3	
FEB		57	40	17	
MAR		63	55	8	
APRIL		76	37	39	
MAY		62	36	26	
JUNE		63	19	44	
JULY		56	39	17	
AUG		87	57	30	
SEPT		67	23	44	
OCT		39	37	2	
NOV		58	58	0	
DEC					
TOTAL		682	452	230	66.27566

HIGH COURT -CRIMINAL DIVISION - BLANTYRE

	CASES B/F	CASES REGISTERED	CASES CONCLUDED	CASES PENDING	COMPLETION PERCENTAGE
JAN		126	67	59	
FEB		180	54	126	
MAR		53	18	35	
APRIL		226	193	33	
MAY		249	80	169	
JUNE		57	20	37	
JULY		165	20	145	
AUG		32	13	19	
SEPT		19	8	11	
OCT		243	15	228	
NOV		63	57	6	
DEC	994	64	60	4	
TOTAL	994	1477	605	872	40.96141



HIGH COURT - CRIMINAL DIVISION - LILONGWE

	CASE B/F	CASES REGISTERED	CASES CONCLUDED	CASES PENDING	COMPLETION PERCENTAGE
JAN		72	54	18	
FEB		0	0	0	
MARCH		50	48	2	
APRIL		249	80	169	
MAY		114	70	44	
JUNE		80	53	27	
JULY		37	19	18	
AUG		42	42	0	
SEPT		48	37	11	
OCT		70	60	10	
NOV		165	95	70	
DEC				0	
TOTAL		927	558	369	60.19417

HIGH COURT CRIMINAL DIVISION - MZUZU

	CASES B/F	CASES REGISTERED	CASES CONCLUDED	CASES PENDING	COMPLETION PERCENTAGE
	CRIMINAL	CRIMINAL	CRIMINAL	CRIMINAL	
JAN		58	27	31	
FEB		118	19	99	
MAR		12	6	6	
APRIL		7	0	7	
MAY		36	17	19	
JUNE		63	19	44	
JULY		16	12	4	
AUG		7	6	1	
SEPT		7	6	1	
OCT		47	12	35	
NOV		38	28	10	
DEC	102	7	0	7	
TOTAL	102	416	152	264	36.53846



Chapter 7

HIGH COURT- CRIMINAL DIVISION - ZOMBA

	CASES B/F	CASES REGISTERED	CASES CONCLUDED	PENDING	COMPLETION PERCENTAGE
	CRIMINAL	CRIMINAL	CRIMINAL		
JAN		94	37	57	
FEB		70	43	27	
MAR		71	57	14	
APRIL		28	22	6	
MAY		57	29	28	
JUNE		56	34	22	
JULY		49	25	24	
AUG		46	39	7	
SEPT		3	3	0	
OCT		8	8	0	
NOV		13	8	5	
DEC					
TOTAL		495	305	190	61.61616

HIGH COURT- REVENUE DIVISION

	CASES B/F	CASES REGISTERED	CASES CONCLUDED	CASES PENDING	COMPLETION PERCENTAGE
JAN		3	0	3	
FEB		0	0	0	
MARCH		2	2	0	
APRIL		2	1	1	
MAY		2	0	2	
JUNE		12	5	7	
JULY		1	1	0	
AUG		3	2	1	
SEPT		2	1	1	
OCT		4	1	3	
NOV		3	3	0	
DEC	50	3	3	0	
TOTAL	50	37	19	18	51.35135



COMMERCIAL COURT DIVISION - BLANTYRE

	CASES B/F	CASES REGISTERED	CASES CONCLUDED	CASES PENDING	COMPLETION PERCENTAGE
		CIVIL	CIVIL	CIVIL	
JAN		31	3	28	
FEB		35	10	25	
MARCH		30	8	22	
APRIL		46	12	34	
MAY		41	12	29	
JUNE		54	10	44	
JULY		56	10	46	
AUG		61	9	52	
SEPT		34	9	25	
OCT		24	7	17	
NOV		48	6	42	
DEC	382	23	5	18	
TOTAL	382	483	101	382	20.91097

COMMERCIAL COURT DIVISION - LILONGWE

	CASES B/F	CASES REGISTERED	CASES CONCLUDED	CASES PENDING	COMPLETION PERCENTAGE
		CIVIL	CIVIL	CIVIL	
JAN		27	1	26	
FEB		43	5	38	
MARCH		26	4	22	
APRIL		42	3	39	
MAY		52	8	44	
JUNE		74	3	71	
JULY		46	7	39	
AUG		49	6	43	
SEPT		43	6	37	
OCT		46	7	39	
NOV		40	0	40	
DEC	461	23	0	23	
TOTAL	461	511	50	461	9.784736



Chapter 7

COMMERCIAL COURT DIVISION - MZUZU

	CASES B/F	CASES REGISTERED	CASES CONCLUDED	CASES PENDING	COMPLETION PERCENTAGE
		CIVIL	CIVIL	CIVIL	
JAN		0	0	0	
FEB		0	0	0	
MARCH		0	0	0	
APRIL		0	0	0	
MAY		0	0	0	
JUNE		0	0	0	
JULY		0	0	0	
AUG		0	0	0	
SEPT		0	0	0	
OCT		60	6	54	
NOV		5	0	5	
DEC		5	0	5	
TOTAL		70	6	64	8.571429

FAMILY AND PROBATE DIVISION

	CASES B/F	CASES REGISTERED	CASES CONCLUDED	CASES PENDING	COMPLETION PERCENTAGE
		CIVIL	CIVIL	CIVIL	
JAN		32	0	32	
FEB		0	0	0	
MARCH		52	42	10	
APRIL		27	23	4	
MAY		43	23	20	
JUNE		58	30	28	
JULY		42	18	24	
AUG		46	29	17	
SEPT		43	36	7	
OCT		44	23	21	
NOV		52	27	25	
DEC		27	14	13	
TOTAL		466	265	201	56.86695



INDUSTRIAL RELATIONS COURT

	CASES B/F	CASES REGISTERED	CASES CONCLUDED	CASES PENDING	COMPLETION PERCENTAGE
		CIVIL	CIVIL	CIVIL	
JAN		146	47	99	
FEB		181	67	114	
MARCH		49	0	49	
APRIL		189	25	164	
MAY		189	55	134	
JUNE		230	59	171	
JULY		200	85	115	
AUG		56	21	35	
SEPT		191	79	112	
OCT		180	68	112	
NOV				0	
DEC				0	
TOTAL		1611	506	1105	31.40906

CHIEF RESIDENT MAGISTRATE COURT - SOUTH

C R M (S)	CASE B/F		REGISTERED		CONCLUDED		PENDING		COMPLETION PERCENTAGE	
	CRIM	CIVIL	CRIM	CIVIL	CRIM	CIVIL	CRIM	CIVIL	CRIM	CIVIL
JAN			577	1047	496	711	81	336		
FEB			710	989	473	749	237	240		
MAR			798	1440	525	750	273	690		
APRIL			626	57	572	95	54	-38		
MAY			657	980	457	636	200	344		
JUNE			671	965	442	664	229	301		
JULY			606	1906	440	618	166	1288		
AUG			680	1301	503	800	177	501		
SEPT			688	1512	600	778	88	734		
OCT			722	1061	513	874	209	187		
NOV			680	967	399	865	281	102		
DEC	18214	31704	539	689	258	277	281	412		
TOTAL	18214	31704	7954	12914	5678	7817	2276	5097	71.38	60.53



Chapter 7

CHIEF RESIDENT MAGISTRATE COURT - NORTH

C R M (N)	CASES B/F		REGISTERED		CONCLUDED		PENDING		COMPLETION PERCENTAGE	
	CRIM	CIVIL	CRIM	CIVIL	CRIM	CIVIL	CRIM	CIVIL	CRIM	CIVIL
JAN			291	695	205	466	86	229		
FEB			279	618	178	599	101	19		
MAR			379	601	281	493	98	108		
APRIL			256	484	166	347	90	137		
MAY			320	665	226	509	94	156		
JUNE			364	681	269	474	95	207		
JULY			408	698	230	471	178	227		
AUG			334	947	243	616	91	331		
SEPT			348	863	234	571	114	292		
OCT			416	918	222	624	194	294		
NOV			388	960	212	653	176	307		
DEC							0	0		
TOTAL			3783	8130	2466	5823	1317	2307	65.18	71.62

CHIEF RESIDENT MAGISTRATE COURT - EAST

C R M (E)	CASES B/F		REGISTERED		CONCLUDED		PENDING		COMPLETION PERCENTAGE	
	CRIM	CIVIL	CRIM	CIVIL	CRIM	CIVIL	CRIM	CIVIL	CRIM	CIVIL
JAN			310	466	156	241	154	225		
FEB			0	0	0	0	0	0		
MAR			324	429	254	328	70	101		
APRIL			437	526	207	304	230	222		
MAY			387	497	211	276	176	221		
JUNE			403	552	187	265	216	287		
JULY			338	550	185	213	153	337		
AUG			422	668	252	307	170	361		
SEPT			388	630	190	311	198	319		
OCT			354	614	200	405	154	209		
NOV			406	681	196	336	210	345		
DEC	2013	3097	287	447	184	255	103	192		
TOTAL	2013	3097	4056	6060	2222	3241	1834	2819	54.78	53.48



CHIEF RESIDENT MAGISTRATE COURT - CENTRE

C R M (C)	CASES B/F		REGISTERED		CONCLUDED		PENDING		COMPLETION PERCENTAGE	
	CRIM	CIVIL	CRIM	CIVIL	CRIM	CIVIL	CRIM	CIVIL	CRIM	CIVIL
JAN			610	550	414	415	196	135		
FEB							0	0		
MAR			667	652	407	412	260	240		
APRIL			587	520	368	376	219	144		
MAY			636	596	461	388	175	208		
JUNE			666	798	495	518	171	280		
JULY			658	810	456	521	202	289		
AUG			806	1013	565	582	241	431		
SEPT			757	889	526	548	231	341		
OCT			725	959	514	634	211	325		
NOV			709	974	520	676	189	298		
DEC	266	411	346	431	165	294	181	137		
TOTAL	266	411	7167	8192	4891	5364	2276	2828	68.24	65.47

CHILD JUSTICE

CHILD J U S - T I C E	CASES B/F		REGISTERED		CONCLUDED		PENDING		COMPLETION PERCENTAGE	
	CRIM	CIVIL	CRIM	CIVIL	CRIM	CIVIL	CRIM	CIVIL	CRIM	CIVIL
JAN							0	0		
FEB			0	0	0	0	0	0		
MAR			227	355	118	258	109	97		
APRIL			106	353	98	318	8	35		
MAY			144	337	134	277	10	60		
JUNE			127	78	118	26	9	52		
JULY			97	336	71	101	26	235		
AUG			112	212	102	114	10	98		
SEPT			103	275	58	203	45	72		
OCT			100	412	73	167	27	245		
NOV										
DEC										
TOTAL			1016	2358	772	1464	244	894	75.98	62.08



**ADMISSIONS & RENEWAL OF LICENCES
BEFORE HONOURABLE THE CHIEF JUSTICE**

YEAR	ADMISSIONS REG'D.	ADMITTED	NOT ADMITTED	NO. OF RENEWAL REGISTERED	RENEWED	NOT RENEWED
2022						
JAN	22	21	1	-	-	
FEB	-	-	-	2	-	
MAR	7	-	-	4	5	
APR	-	-	-	1	-	
MAY	9	7	-	1	3	
JUNE	1	-	-	1	-	
JULY	1	10	-	3	4	
AUG	-	-	-	2	-	
SEPT	54	-	-	-	-	
OCT	-	-	-	1	3	
NOV	-	54	1	1	1	
DEC	-	-	-	-	-	
TOTAL	94	92	2	16	16	



PRECEDENTS

Summaries of some of the judgments of the Supreme Court of Appeal and the High Court delivered in 2021

Registered Trustees of Medical Society of Malawi v Makandia t/a Oracare Dental Clinic

SUPREME COURT OF APPEAL

(Being High Court, Zomba District Registry, Personal Injury Case No. 645/2013)

NYIRENDA SC CJ, TWEA SC, ANSAH SC, MZIKAMANDA SC, CHIPETA SC, CHIKOPA SC, KAPAN-DA SC, MWAUNGULU SC, KAMANGASC, JJA

Date of Judgment: 26 April 2022

MSCA Civil Appeal No. 58/2017

Summary

The appellant was a long-established health insurance service provider and the respondent was a professional dentist of years of experience with dental clinics in some major cities in the country. Since as far back as 1991, the appellant and the respondent engaged in contractual agreements where the respondent provided dental services to the appellant's members for which the appellant would periodically pay the respondent upon the respondent submitting to the appellant relevant invoices. On several occasions the agreements were terminated on account of misunderstandings between the parties but subsequently re-entered. In 2010, the appellant terminated the agreement again with effect from the date of the letter, citing as reasons, unsustainable claiming pattern by the respondent. It is this termination and events around it that resulted into the respondent suing – seeking damages for defamation and embarrassment, on account of the negative publicity of the termination of the agreement by the appellant. He also sought damages for loss of business. The appellant admitted liability and pursuant to that, damages in respect of defamation and embarrassment were settled. The matter then proceeded before the Assistant Registrar for assessment of damages for loss of business. The Assistant Registrar awarded the respondent K1,519,916,200.65. The appellant considered the award excessively and unreasonably high, hence the appeal. Held – Allowing the appeal and reducing the assessment of loss of business payable by the appellant to K4 200 000.00.

- (1) That damages for loss of business are multi-dimensional. They could be general damages, for example, where the claimant asserts that as a result of the defendant's conduct, his business reputation and good will has been tarnished. The actual consequences of loss of business reputation and loss of good will on the business will invariably not be easy to determine and would much depend on the nature of the business and the extent to which the impugned actions will have affected the business.
- (2) That loss of business profits are quantifiable losses which must be in the knowledge of the claimant and therefore should not be kept away from the defendant as well as the court. These are what are referred to as special damages.
- (3) That where a clear and precise amount of a particular item which is being claimed has crystallized or it can be measured with complete accuracy in monetary terms, the plaintiff must plead this loss as special damages in order to warn the other party. Moreover, it is cardinal that the actual quantum sought must also be specified with particularity since it is already available to the plaintiff.
- (4) That general damages will, by their nature be generally pleaded and where proven, generally awarded at the discretion of the court. Special damages, on the other hand, must be specifically pleaded and where proven



they will be specifically awarded.

(5) That when a matter is referred for damages to be assessed, the assessment must follow the path of and be within what has been claimed in the pleadings. An assessment of damages could never be without context. In other words, what was to be assessed and probably payable, if so found, as loss of business was to be within what had been claimed in the pleadings.

(6) That where an agreement between parties has been reduced to writing and the document containing the agreement has been signed by one or both of them, the party signing will ordinarily be bound by the terms of the written agreement.

(7) That there was nothing in the respondent's pleadings to direct the court to any special damage or damages beyond what was provided for in the contract agreement between the parties. It was therefore to that extent only that the appellant was liable to the respondent for loss of business for termination of the agreement.

Chapinga t/a Matechanga Motel & Enterprises v National Bank of Malawi Ltd

SUPREME COURT OF APPEAL

(Being High Court, Principal Registry Commercial Division, Commercial Case No. 314/2016)

**NYIRENDA SC CJ, TWEA SC, ANSAH SC, MZIKAMANDA SC, CHIPETA SC, CHIKOPA SC, KAPAN-
DA SC, MWAUNGULU SC, KAMANGA SC, JJA**

Date of Judgment: 26 April 2022

MSCA Civil Appeal No. 29/2018

Summary

The respondent took out a third-party notice against the appellant dated April 21, 2017. It wanted the appellant to indemnify it in respect of damages, in the sum of K24 500 000.00, awarded to one Mr. Osman for loss of use of the motor vehicle. This claim was allegedly pursuant to some agreement entered into between the parties hereto in relation to the redemption of the motor vehicle. The third-party notice was after a few hiccups and mutual accommodations set down for hearing on February 6, 2018. The notice of hearing in respect thereof was dated November 17, 2018 and was served on the appellant on November 18, 2018. On February 1, 2018 the appellant's lawyers were served with a notice from the respondent indicating its intention to cross-examine the appellant. On February 5, 2018 the appellant's lawyers wrote the court below informing it and the respondent that they would not be available on the 6th as they would be attending to another matter before the Commercial Court in Lilongwe.

On 6 February, another counsel appeared on behalf of the appellant and sought an adjournment of which the respondent opposed on the basis that the appellant and her counsel were abusing the court process - seeking needless adjournments for no sound reason or at all. The court below dismissed the application for an adjournment and proceeded to enter judgment against the third party in the sum of K24 500 000.00 being the indemnity sought by the respondent in respect of the damages awarded to Mr. Osman.

The appellant was dissatisfied with the decision and appealed to the Supreme Court of Appeal which considered whether the court below properly and correctly exercised its discretion when it refused to adjourn the matter before it on February 6, 2018, whether the judgment was entered in error as alleged or at all, and whether on the evidence before it the court below came to the correct decision.



Held – Setting aside the judgment in that it was made in disregard of due process:

- (1) That parties are entitled to apply for an adjournment. They however have no right to the adjournment itself. Whether or not an adjournment will be granted is in the discretion of the court before whom the application for one is made. And such court will only favourably exercise its discretion to grant an adjournment for good cause.
- (2) That the court below erred in entering the judgment. The business of the court on that day was to first hear an application for an adjournment. Upon its dismissal the Court below should have, in the court's view, then proceeded to deal with the Third Party Notice by way of hearing and thereafter rendering its decision. It did not do so.

**Muluzi V Attorney General
SUPREME COURT OF APPEAL**

(Being Constitutional Case No. 1 of 2011)

**NYIRENDA SC CJ, TWEA SC, MZIKAMANDA SC, CHIPETA SC, CHIKOPA SC, KAPANDA SC,
KAMANGA SC, JJA**

Date of Judgment: 17 May 2022

MSCA Constitutional Appeal No. 25/2018

Summary

In 2009 the Appellant was charged in the High Court with 15 counts of corruption, fraud and theft by public servant under the Corrupt Practices Act and the Penal Code. In the course of the trial, the appellant sought to challenge the constitutionality of section 32 (2) (b) and (c) of the Corrupt Practices Act. The court below determined that the challenge raised a constitutional question and directed the appellant to seek certification from the Chief Justice that the matter be determined as such. The appellant sought and obtained certification to file Originating Summons to resolve the constitutional question. After a full hearing, the High Court, sitting in a constitutional matter, dismissed the appellant's suit, finding section 32(2)(b) and (c) of the Corrupt Practices Act constitutional and declaring that it did not infringe the right to a fair trial or the right to remain silent under section 42 of the Constitution. The court below also found that the provision did not require an accused to disprove an essential element of the offence created. It further declared that the provision was a reasonable limitation of the presumption of innocence and that it imposed an evidential as contrasted with a legal burden on an accused to rebut the reverse burden of proof on balance of probabilities. The appeal derives from that determination.

Held – Declining the appeal and upholding the decision of the lower court and ordering that section 32(2)(b) and (c) of the Corrupt practices Act is not unconstitutional:

- (1) That the matter was brought to the Chief Justice for certification using a wrong procedure and the Chief Justice proceeded to certify it. There was an error on how this constitutional matter came to be, the proper procedure was not followed. However, the Chief Justice having certified the matter as Having been complied with section 9 (2) of the Courts Act, and the Constitutional panel having substantially heard and determined the originating motion, the court could not undo both of these parallel processes. Hence, the court reluctantly proceeded and determined the appeal on its merits.
- (2) That section 32 (b) and (c) of the Corrupt Practices Act must have been enacted pursuant to the fundamental principles of the Constitution and must be understood purposively because it is undeniably linked to the Constitution.
- (3) That section 32(b) and (c) of the Corrupt Practices Act does not take away the duty of the State or the



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burden on the prosecution to prove its case against an accused beyond reasonable Doubt. In any event, under both section 32 (2) (b) and (c) the State has to respectively establish prima facie that the accused is ‘in control or possession of pecuniary resources or property disproportionate to his present or past official emoluments or other known sources of income;’ or ‘in receipt directly or indirectly of the benefit of any services which he may reasonably be suspected of having received corruptly or in circumstances which amount to an offence under the Corrupt Practices Act’.

(4) That section 32 (2) (b) and (c) Of the Corrupt Practices Act does not create a reverse onus provision in respect of legal burden of proof but merely affords an accused a possible defence against conviction after the prosecution establishes the existence of certain facts and circumstances which without a defence being mounted, would still be required to scale the burden of proof beyond reasonable doubt if a conviction is to be secured.

(5) That where the investigation by the Anti-Corruption Bureau leads to a conclusion that a public officer under investigation does disclose the circumstances envisaged in section 32(1)(a) through (c) of the Corrupt Practices Act, such public officer may then be charged with the Offence of “having or having had under his control or in his possession pecuniary resources or property reasonably suspected of having been corruptly acquired” under section 32 (2) (c) of the Said Corrupt Practices Act.

(6) That the first part of section 32 (2) (b) and (c) of the Corrupt Practices Act Creates an offence that is complete in itself without any need for an accused person to prove his Innocence.

(7) That where the prosecution Provides sufficient evidence to establish a prima facie case that an accused has or has had under his control or in his possession pecuniary resources or property reasonably suspected of having been corruptly acquired, a court will call upon an accused to enter a defence.

(8) That the second part of section 32 (2) (c) of the said Corrupt Practices Act then merely allows an accused person to provide evidence that circumstances exist by which he was able to “maintain such a standard of living, or how such pecuniary resources or property came under his control or his possession, or how he came to enjoy the benefits of such services,” and nothing more.

(9) That what the second part of section 32 (2) (c) of the Corrupt Practices Act does is to provide a possible defence to the accused. On being made aware of such possible defence the Prosecution can then negative such a defence.



COURT SERVICES AND GENERAL ADMINISTRATION

Court administration involves the performance of many functions including human resource management, fiscal and financial management, case flow management, information and technology management, jury management, infrastructural or estate development, public relations, intergovernmental liaison, security, procurement, court reporting, court interpretation and advisory services. Some of the managerial functions overlap with judicial functions. This is also reflected in the Judicature Administration Act, Cap. 3:10 of the Laws of Malawi (“the Act”) which vests such responsibility in the offices of the Registrar of the High Court and the Supreme Court of Appeal, and the Chief Courts Administrator.

The Chief Courts Administrator is the most senior member of staff of the Judiciary. Under the Act, he or she is responsible for overseeing the general administration (including security, procurement, information and technology management, infrastructural development, financial and fiscal management, and human resource management) of the Judiciary.

According to section 3 of the Act, the Chief Courts Administrator is subordinate to the Registrar but in the discharge of functions and duties, he or she is subject to the direction of the Chief Justice . The Act also governs the terms and conditions of service for members of staff of the Judiciary who, under the Act, are all non-judicial officers.



Mrs. Edith W. Chikagwa
Chief Courts Administrator



Mr. Albert I. Phikani
Deputy Chief Courts Administrator



Mrs. Mervis Kaphinde
Assistant Chief Courts
Administrator - CRM/South



Mr. Godfrey Kapana
Assistant Chief Courts
Administrator - Headquarters



Mr. Charles Munthali
Assistant Chief Courts
Administrator - CRM/Centre



Mr. Kenneth Isaac
Principal Courts
Administrator - Supreme Court of
Appeal



Mr. Hytone Kadyamo
Regional Courts
Administrator - CRM/North



Mr. Alick Hara
Acting Regional Courts
Administrator - CRM/East



DESIGNATION	NAME
Mrs. Edith W. Chikagwa	Chief Courts Administrator
Mr. Albert I. Phikani	Deputy Chief Courts Administrator
Mrs. Mervis Kaphinde	Assistant Chief Courts Administrator - CRM/South
Mr. Godfrey Kapana	Assistant Chief Courts Administrator - Headquarters
Mr. Charles Munthali	Assistant Chief Courts Administrator – CRM/Centre
Mr. Kenneth Isaac	Principal Courts Administrator - Supreme Court of Appeal
Mr. Phunziro Kwisongole	Principal Administrative Officer – Centre
Mr. Albert Bisalomo	Courts Administrator – Criminal Division (Lilongwe)
Mr. Hytone Kadyamo	Regional Courts Administrator – North
Mrs. Malalanje	Courts Administrator – Centre
Mr. Alick Hara	Acting Regional Courts Administrator - East

FINANCE DIVISION

The Division is responsible for the efficient management of financial resources for the Judiciary.

According to the Establishment Warrant, the Division is headed by a Director of Finance. However, the position is vacant. In the meantime, the duties of that office are being performed by the Chief Accountant.

In the 2022/2023 Financial Year, the Judiciary had an approved budget of K14,449,781,209.00 comprising K6,896,411,589.00 for Personal Emoluments (PE), K7,052,538,770.00 for Other Recurrent Transactions (ORT) and K 500,830,850.00 for Development Part II. At Mid-Year Review the budget was revised to K19,890,406,146.00 of which PE was K11,516,844,055.00, ORT was K7,772,731,241.00 and Development was K 600,830,850.00.

The 2022/2023 budget was allocated to the cost centres as follows –

The Malawi Judiciary Vote 070: Cost Centre 2022/2023 Budget Allocation

Name of Cost Center	2022/2023 APPROVED BUDGET			2022/2023 REVISED BUDGET		
	Other Recur- rent Transac- tions (ORT)	P e r s o n a l Emoluments (PE)	Development Part II	Other Recur- rent Transac- tions (ORT)	P e r s o n a l Emoluments (PE)	Development Part II
001 - Head- quarters: ORT	4,772,727 844			4,999,878,220		
001 - Head- quarters: PE		6,896,411,589			11,516,844,055	
001 - Head- quarters: DEVELOP- MENT PART II			500,830,850			650,415,425



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002 – Chief Resident Magistrate (South)	122,788,698			141,352,628		
003 – Chief Resident Magistrate (Centre)	122,788,699			141,352,629		
004 – Chief Resident Magistrate (North)	114,589,564			131,913,900		
005 – Chief Resident Magistrate (East)	114,589,571			131,913,908		
007 - Lilongwe District Registry	150,006,830			172,685,760		
008 - Mzuzu District Registry	120,865,455			139,138,618		
009 - Zomba District Registry	120,511,033			138,730,612		
010 - Child Justice Court	42,412,466			47 824,636		
011 - Commercial Court Division	90,660,815			104,367,459		
012 - Supreme Court	204,037,787			245,885,440		
013 - Industrial Relations Court Blantyre Headquarters	83,405,446			96,015,180		
014 - Community Services Directorate - Lilongwe Headquarters	36,140,410			41,604,333		



015 - Commercial Court - Lilongwe Registry	59,873,862			68,925,951		
016 - Criminal Division	120,710,671			138,960,433		
017 - Revenue Division	61,873,862			71,228,323		
018 - Malawi Institute of Legal Education	106,710,594			109,843,740		
019 - Criminal Division - Lilongwe Registry	119,802,189			137,914,601		
020 - Industrial Court - Lilongwe Registry	50,492,974			59 126,804		
021 - Industrial Court - Mzuzu Registry	38,583,777			43,417,103		
022 - Civil Division - Blantyre Registry	150,361,252			173,093,766		
023 - Judicial Policy - Blantyre	104,005,754			129,670,598		
025 - Operationalisation of Family and Probate Division	61,987,420			71,359,049		
028- Operationalisation of Commercial Court Division -Mzuzu	43,318,259			46,867,373		



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029 - Operationalisation of industrial Relations Court - Zomba	39,293,538			39,293,538		
030- Financial Crimes Division				150,366,638		
T O T A L O T H E R R E - C U R R E N T T R A N S - A C T I O N S (O R T)	7,052,538,770			7,772,731,241		
T O T A L P E R S O N A L E M O L U - M E N T S (P E)					11,516,844,055	
TOTAL DE- V E L O P - M E N T P A R T I I			500,830,850			650,415,425
TOTAL MALAWI JU- DICIARY VOTE O70: 2022/2023 APPROVED AND REVISED BUDGET		14,449,781,209			19,939,990,721	

Development Part II - Infrastructure development wholly funded by the Government.



Mr. Unusu I. Kamwana
Chief Accountant



INFORMATION COMMUNICATION AND TECHNOLOGY DIVISION

The Division is responsible for the development, management and maintenance of Information and Communication Technology (ICT) infrastructure in the Judiciary. This includes offering support to users of ICT, development and implementation of computer systems, computer network and hardware management.

According to the Establishment Warrant, the Division is headed by the Director of ICT. However, the position is vacant. In the meantime, the duties of that office are being performed by the Chief Systems Analyst.

In the year 2022 the Division successfully implemented the following:

- a. Facilitated the installation of Government Wide Area Network (GWAN) at High Court Principal Registry, High Court Commercial Division Blantyre, and district court centres of Balaka and Likoma;
- b. Currently facilitating installation of fiber at Lilongwe, Mzuzu and Zomba High Courts;
- c. Developed a Case Management System (CMS) for Courts of Magistrates.



Mr. Innocent Mzoma
Chief Systems Analyst



HUMAN RESOURCE MANAGEMENT AND DEVELOPMENT DIVISION

The Division is responsible for recruitment, deployment, promotions, training, management of human resource personal information, facilitating disciplinary procedures, and implementation of conditions of service.

According to the Establishment Warrant, the Division is headed by a Director of Human Resource Management and Development. However, the position is vacant. In the meantime, the duties of that office are being performed by the Chief Human Resource Management Officer.

1. RECRUITMENT

The Division coordinated the recruitment of High Court Judges (11), Registrar (1), Senior Deputy Registrar (1), Deputy Registrar (1), Principal Resident Magistrate (7), Principal Maintenance Officer (1), Principal Court Reporter (1), Principal Internal Auditor (1), Principal Assistant Sheriff (1), Principal ICT Officer (3), Principal Planning & Development Officer (1), Principal Child Justice (1), Senior Court Reporter (8), Senior Judicial Research Officer (2), Judicial Research Officer (6), First Grade Magistrate (2), Human Resource Management Officer (2), Second Grade Magistrate (5), Assistant Procurement Officer (5), Law Clerk (2) and Assistant Accountants (12)

2. ATTRITION

The following members are no longer in the service in the Judiciary on account of:

a. RETIREMENT

In the year 2022, a number of judicial officers and members of staff retired from service.

No.	Name	Date of Retirement	Post/ Rank
1	Konex Kaponda	01.01.22	1st Sergeant
2	Clyton Makhanga	09.01.22	Senior Assistant Court Administrator
3	Dickson Likaka	20.01.22	Driver
4	Glyn Chirwa	26.01.22	Chief Maintenance Officer
5	Effie Nsanja	02.02.22	Senior Court Clerk
6	Benard Kovekisi Mbingwani	03.03.22	Security Guard
7	Morgan Chilenga	12.03.22	Corporal Messenger
8	Emily Nyabanga	30.04.22	Law Clerk
9	Bitu Nkhata	05.06.22	Corporal Messenger
10	Boswell Kamphonda	07.06.22	First Grade Magistrate
11	Singano Liwonde	14.06.22	Security Guard
12	Lawrence Kumbauiye	14.06.22	Corporal Messenger
13	Witness Jenala	07.07.22	2nd Sergeant
14	Samson Musope	17.08.22	2nd Sergeant
15	Elvis Kafotokoza	25.08.22	Senior Law Clerk
16	Rodrick Eliyamu	31.08.22	First Sergeant Messenger
17	Justice Michael Mtambo	06.09.22	High Court Judge
18	Miriam Kachule	18.09.22	Principal Assistant Sherriff
19	Andrew Phiri	05.10.22	Senior Community Service Officer



20	Justice Lloyd Muhara	06.10.22	High Court Judge
21	Lewis Khupula	12.10.22	2nd Sergeant Messenger
22	Nathan Nkanthama	16.10.22	Law Clerk
23	Mary Phiri	30.10.22	Senior Court Clerk
24	Dora Staford	21.12.22	Senior Court Clerk
25	Dyson Thomson	25.11.22	1st Sergeant
26	Lyford Chunga	28.11.22	Corporal Messenger
27	Charles Kadzibwa	21.12.22	1st Sergeant

b. RESIGNATIONS

The following resigned during the year 2022:

No.	Name	Date of Resignation	Post/ Rank
1	Thokozani Thawiha Mlandu	31st January, 2022	Court Marshal
2	Enock Thuchira	28th February, 2022	Driver
3	Davis Magodi	28th February, 2022	Court Marshal
4	Evans Kagwira	30th June, 2022	Systems Analyst
5	Elton Kasila	31st June, 2022	Internal Audit Assistant

c. DISMISSALS

The following officers were dismissed from service during the year 2022:

No.	Name	Date of Dismissal	Post/ Rank
1	William Kasapha	16th August, 2022	Third Grade Magistrate
2	Innocent Kantayeni	24th August, 2022	Senior Court Clerk
3	Mike Ngonda	24th August, 2022	Accounts Assistant
4	Elias Wowo	24th August, 2022	Accounts Assistant
5	Harold Wayekha	24th August, 2022	Court Clerk
6	Confidence Kondowe	24th August, 2022	Court Clerk
7	Vitumbiko Ng'ambi	24th August, 2022	Court Clerk

d. TRANSFER BETWEEN POST

No.	Name	Post in Judiciary	Placement
1	Magaret Chisi	Systems Analyst	Civil Service
2	Thokozani Gremu	Assistant Human Resource Management Officer	Civil Service



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e. DEATHS

The Judiciary lost the following officers during the year 2022:

No.	Name	Date of Death	Post/ Rank
1	Emmanuel Chulu Nyondo	25th January, 2022	Senior Court Clerk
2	Zeliya Mthunzi	12th March, 2022	Principal Court Reporter
3	Kennedy Mbulaje	24th March, 2022	Security Guard
4	Evelyn Uladi	05th April, 2022	Court Marshal
5	Felix Chipwere	04th May, 2022	Senior Court Clerk
6	Isaac Akumala	06th May, 2022	Court Clerk
7	Lyson Douglas Chimwaza	07th May, 2022	Corporal Messenger
8	Stewart Malinga	25th July, 2022	Corporal Messenger
9	Mphatso Videde	29th August, 2022	Court Marshal
10	Tazona Mbachu Munthali	04th November, 2022	First Grade Magistrate

TRAINING

Training in the Judiciary is governed by the Judiciary Training and Development Policy (the Policy) which was developed in 2005 and revised in 2019 to run until 2024. The Policy provides a framework for ensuring that the Judiciary has a highly competent workforce at all levels and in all areas of its operations. It also provides guidelines, procedures and departmental arrangements that ensure systematic coordination and implementation of training activities. The Policy also spells out the roles of various stakeholders in managing training in the Judiciary.

Training Activities for the year 2022

1. Long Term Training

The Judiciary Training Committee facilitated and/or approved enrolment into training programmes for Judicial Officers and Members of Staff within and outside the country.

No.	NAME OF OFFICER	POSITION	P R O - GRAMME/ COURSE	INSTITU- TION	PERIOD OF STUDY	FUNDING
1	Her Worship Violet Nkhoma	Magistrate	Bachelor of Laws	University of Malawi	4 years	Self-spon- sored
2	His Worship Christo- pher Baluwa	Magistrate	Diploma in Law	University of Malawi	2 years	Self-spon- sored
3	Emmanuel Chilimam- punga	Court Clerk	Diploma in Law	University of Malawi	2 years	Self-spon- sored
4	Lovemore Loizios	Court Clerk	Diploma in Law	University of Malawi	2 years	Self-spon- sored



5	Henry Francis Kachingwe	Court Clerk	Diploma in Law	University of Malawi	2 years	Self-sponsored
6	Verdiana Chitawo	Court Clerk	Diploma in Law	University of Malawi	2 years	Self-sponsored
7	Chisomo Solomon	Court Clerk	Diploma in Law	University of Malawi	2 years	Self-sponsored

2. Short Term Training

a) Funded by the Judiciary

COURSE TITLE	PARTICIPANTS	DATES
Induction for newly appointed Judges and Registrar	7 Judges and Registrar	9th to 13th May, 2022
Induction for Human Resource Management Officers	2 Human Resource Management Officers	6th September to 14th October, 2022
Induction for Administrative Officers/ Professional Officers	4 Officers in Administration	26th September to 4th November, 2022
Induction for Accountants	2 Accountants	10th October to 18th November, 2022
Records Management training	2 Senior Clerical Officers	24th October to 4th November, 2022
Orientation for newly appointed District Court Administrators	7 District Court Administrators	29th October, 2022

b) Funded by Development Partners

COURSE TITLE	PARTICIPANTS	DATES	PARTNER
Core Skills for Judges	2 Judges of the High Court	7th February to 11th February, 2022	Judicial Institute for Africa (JIFA)
Training for Magistrates in Handling Workers' Compensation Claims Appeals and Personal Injuries Claims	16 Magistrates	24th to 25th February, 2022	Tea Association of Malawi
Asset Recovery Training of Trainers (TOT)	Judges, Assistant Registrars and Resident Magistrates (20)	17th to 18th March, 2022; 23rd to 24th March, 2022	United Nations Office on Drugs and Crime (UNODC)
Training for Magistrates on Laws Protecting Vulnerable groups	Second Grade Magistrates and Third Grade Magistrates (25)	21st March to 23rd March, 2022.	EU- Chilungamo Programme



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Child Justice Core Competencies Training for Court Clerks	38 Court Clerks	5th to 7th April, 2022.	United Nations Children's Fund (UNICEF).
Training on Human Rights for Judicial Officers	2 Judges of the High Court	9th to 13th May, 2022.	Judicial Institute For Africa (JIFA)
Workshop on use of Torture and Torture-tainted Evidence	Justices of Appeal, Judges of the High Court and the Registrar (21).	23rd to 24th June, 2022.	Irish Rule of Law International (IRLI) and Reprieve
Enhancing capacity of Magistrates in handling of corruption and financial crimes cases	Magistrates	14th July, 2022	Judiciary Anti-Corruption Bureau Financial Intelligence Authority
Asset Recovery Training of Trainers	Justices of Appeal and Judges of the High Court (33).	18th to 19th August, 2022.	United Nations Office on Drugs and Crime(UNODC) and Common Market for Eastern and Southern Africa (COMESA)
Training on Environmental Law for Judicial Officers	2 Justices of Appeal	22nd to 26th August, 2022.	Judicial Institute For Africa(JIFA)
Judicial Leaders' Training	Judge of the High Court	12th to 16th September, 2022	Judicial Institute For Africa(JIFA)
Asset Recovery Regional Workshop	Justices of Appeal, Registrars and Resident Magistrates (39)	7th to 8th November, 2022; 10th to 11th November, 2022	Attorney General Alliance Africa and the Basel Institute of Governance
Training for Magistrates on Laws Protecting Vulnerable groups	Second and Third Grade Magistrates (74)	28th to 30th November, 2022; 5th to 7th December, 2022.	EU- Chilungamo Programme
Currency Management Regional Workshop	72 Magistrates	12th December, 2022; 14th December, 2022;	Reserve Bank of Malawi
Forensic Analysis Training	27 Magistrates	16th to 23rd December, 2022.	United Nations Development Programme (UNDP)
ICT Training for District Courts			United Nations Development Programme (UNDP)



Training Workshop for Magistrates on Handling Claims from Workplace Injuries - 24th to 25th February, 2022 at Linde Motel, Mponela



Enhancing capacity of Magistrates in handling of corruption and financial crimes cases training workshop. - 14th July, 2022 at Ilala Crest Lodge, Mzuzu



Mrs. Naomi Kwerani
Chief Human Resource Management Officer

COURT REPORTING SECTION

This is a section responsible for recording and transcribing court proceedings for purposes of maintaining and producing court records for the High Court and Supreme Court of Appeal which are courts of record.

According to the Establishment Warrant, the section is headed by a Chief Court Reporter. However, the position is vacant. In the meantime, the duties of that office are being performed by the Principal Court Reporter.



Mrs. Ivy Namagonya
Principal Court Reporter



PROCUREMENT SECTION

This Section is responsible for the acquisition and disposal of goods, services and works in the Judiciary. Some of the procurement is centrally done at the headquarters such as procurement of motor vehicle insurance for judges, judges' regalia, procurement of judges' medical cover, consultancy services, and major court rehabilitation works while the procurement of other goods and services and disposal of those goods is decentralized.

According to the Establishment Warrant, the Section is headed by the Chief Procurement Officer. However, the position is vacant. In the meantime, the duties of that office are being performed by an Acting Procurement Officer.

Some of the major procurements in the year 2022:

NO	DETAILS OF THE PROCUREMENT	VALUE (MWK)
1	Procurement of Motor Vehicles	1, 984, 819, 624.99
2	Procurement of Judges Regalia	250, 000, 000.00
3	Procurement of Furniture	46,000,000.00
4	Procurement of Motor Vehicle Insurance for Headquarters	97, 035,694.98
5	Rehabilitation of Road at Chichiri Court premises	48,000,000.00
6	Rehabilitation of Chief Justice's official Residence in Nyambadwe	422,557,738.99
7	Renewal of Health Insurance Services	111,537,960.00
8	Rehabilitation of Supreme Court Building	404,937,291.80
9	Consultancy for the Design and Supervision of the Construction of Judicial Complex	1, 478,117,454.70



Mrs. Linda Mussa
Acting Procurement Officer



SECURITY SERVICES SECTION

The Section is responsible for ensuring the safety and security of personnel and premises of the Judiciary.

In the year 2022 the section carried out a security assessment exercise and an in-house orientation of security guards and troopers

According to the Establishment Warrant, the Section is headed by a Chief Security Officer. However, the position is vacant. In the meantime, the duties of that office are being performed by the Security Officer.



Mr. John Sambakunsi
Security Officer



OFFICE OF THE SHERIFF OF MALAWI

The Office of the Sheriff of Malawi is created under the Sheriffs’ Act, Cap. 3:05 of the Laws of Malawi (“the Act”). It has the responsibility of enforcing judgments and orders of all courts. Enforcement is the last stage of the judicial process after the legal rights of the parties have been determined in a judgment or an order.

During this process, a judgment or an order of the court is made effective in order to enable the successful party reap the fruits of his judgment. Conversely, where there is voluntary compliance with the judgment or order of the court by the losing party, enforcement by sheriffs becomes unnecessary.

The Act empowers the President to appoint a person as Sheriff of Malawi. In the absence of such appointment, the Registrar of the High Court serves as the Sheriff of Malawi. In practice, the day-to-day administration and management of that Office is done by the Office of the Deputy Sheriff which position is vacant. In the meantime, the duties of that Office are being performed by the Principal Assistant Sheriff.

2022 statistics for the Office of the Sheriff of Malawi

REGISTRY	ORDERS ISSUED	EXECUTED	PENDING
Blantyre	1666	1356	310
Lilongwe	531	336	195
Mzuzu	288	266	22
Zomba	124	121	3
TOTAL	2609	2079	530



Mr. Imran Matola
Principal Assistant Sheriff



CHILD JUSTICE SERVICES DIRECTORATE

Child Justice Services Directorate aims at improving service delivery in child justice courts. The mandate of the Directorate is to ensure that the child justice system is fair and humane based on the principle of best interests and welfare of the child as enshrined in the Constitution and further provided for under the Child Care, Protection and Justice Act (CCPJA), Cap. 26:03 of the Laws of Malawi.

The Directorate is also a secretariat of the National Child Justice Forum (the Forum) which was established to ensure that a humane child justice system is available to the children in conflict with the law and those in need of care and protection. The Forum is chaired by Honourable Justice Fiona Mwale.

In the year 2022 the Directorate carried out the following activities:

- a. With funding from United Nations Children’s Fund (UNICEF), the Directorate facilitated training of 50 court clerks from across the country in core child justice competencies and data compilation, processing and transmission.
- b. Distributed reference materials published by the Child Justice Directorate through the National Child Justice Forum.



Mr. Chifundo B. Mbvundula
Acting Coordinator – Child Justice Directorate



MALAWI JUDICIARY DEVELOPMENT PROGRAMME

The Malawi Judiciary Development Programme (MJDP) is the project management unit of the Judiciary and started its operations in 2003. The MJDP coordinates and facilitates the relationship between the Judiciary and development partners in the design and implementation of activities funded by development partners.

In 2022 the major development partners were the European Union (EU) through the Chilungamo Programme, the United Nations Office on Drugs and Crime (UNODC), and the United Nations Development Programme (UNDP).

1. Under the Chilungamo Programme, the European Union committed MK 214,091,387.65 for the implementation of the below outlined activities:
 - a. Training of 87 Judicial Officers on Laws protecting vulnerable groups.
 - b. Publishing of 1000 copies for 2015-2018 Malawi Law Reports.
 - c. Meetings of Criminal Justice Coordinating Committee and Technical Committee to the Criminal Justice Coordinating Committee.
 - d. Reviewing and validating the Subordinate Court Rules.
 - e. Reviewing of the Plea Bargaining Rules.
 - f. Conducting Mobile Courts for the Magistrate Courts and Child Justice Courts.
 - g. Hearing of cases through Camp Courts.
 - h. Rehabilitation of Balaka, Rumphi and Likoma Magistrate Courts.
 - i. Procurement of ICT Equipment and furniture for Balaka, Rumphi, Likoma and Dowa Magistrate Courts.
 - j. Review of the Supreme Court of Appeal Act.
2. The United Nations Office on Drugs and Crime (UNODC) assisted the Judiciary with funding for:
 - a. Training of trainers on Asset Recovery.
 - b. Development of the Asset Recovery Handbook for the Judiciary.
3. The United Nations Development Programme through the National Statistics Office supported the Judiciary to:
 - a. Development and deployment of a Case Management System (CMS) for Courts of Magistrates.
 - b. Training of Magistrates and Clerks from the Spotlight Initiative Programme districts on the use of the Case Management System.

The Chairperson of the program is Honourable Justice Joseph Chigona and Ms Nellie Mchenga is the Acting Coordinator.



Ms Nellie Mchenga
Acting Coordinator, Malawi Judiciary Development Programme



Chapter 11



Likoma Magistrate Court: Constructed under Malawi Judiciary Development with funding from Malawi Government and European Union



Minister of Justice Titus Mvalo (left) the Honourable the Chief Justice (middle) and the Head of EU Delegation to Malawi after symbolically opening Likoma District Magistrate Court



ESTATE DEVELOPMENT

The Judiciary has physical court infrastructure country wide. The court infrastructure is not adequate to meet the demand for office and court accommodation of the Judiciary. Most of it is in dilapidated state. As a result, some court centres are accommodated in rented premises, while others are operating from dilapidated premises and others have been rendered non-functional. This has and continues to negatively affect the efficient and effective delivery of services to the public. Using the existing Infrastructure Development Plan, the Judiciary continued with the rehabilitation and construction of suitable court infrastructure.

Infrastructure development is implemented through funding from Government of Malawi under Public Sector Infrastructure Programme (PSIP) and European Union (EU)-Chilungamo Programme.

Infrastructure development falls under Estates Management Section which is headed by the Chief Maintenance Officer.



Mr. Glyn Chirwa
Chief Maintenance Officer

The Judicial Complex Project

The Project has four components, namely, the Judiciary Headquarters Complex at City Centre opposite Parliament Building; the official residence of the Chief Justice in Area 10; the Warehouse for the Office of the Sheriff in Area 50, Kanengo; and the Judiciary Training Institute proposed to be located in Mponela.

The Judiciary has procured the services of MOD/Norman Dawban Consultants to design and supervise construction works. The consultants have since submitted an Inception Report and sketch scheme designs. It is expected that the final designs will be ready in 2023 and actual construction to commence in the middle of that year.

In relation to the Judiciary Training Institute, the Department of Surveys conducted field cognisance survey to determine the extent of the area of land on which the Judiciary Training Institute shall be constructed.

Commercial Court Construction Project

Discussions are ongoing between the Government side comprising the Judiciary, Ministry of Transport and Public Works, Ministry of Finance, Ministry of Economic Planning and Development, and the Contractor for the project to agree on modalities to finalize the project.

Bolero Magistrate Court

The construction works commenced on 5th August, 2021 and were expected to be completed by 15th April, 2022. Due to a number of reasons the project has stalled.



Chapter 12

Chipoka Magistrate Court

The construction works commenced on 15th November, 2021 and were expected to be completed by 15th May, 2022. Due to a number of reasons the project has stalled.

Balaka Magistrate Court

The rehabilitation works commenced in 2019, despite the numerous challenges works were completed on 28th September, 2022.

Rumphu Magistrate Court

The rehabilitation works commenced in 2020. It is expected that construction works will be completed in the first quarter of 2023.

Likoma Magistrate Court

The construction works commenced in July 2021 and were completed in September, 2022.

Official Residence for the Chief Justice in Blantyre

The building dates back to the colonial era. Most of its fittings are outdated and in serious need of repair and maintenance.

Following all necessary procurement process a contractor was identified to carry out the rehabilitation works. Rehabilitation works are expected to start in the first quarter of 2023.

The Supreme Court of Appeal Building in Blantyre

The building housing the Supreme Court of Appeal in Blantyre was last rehabilitated in 2008. Over the years the building has developed serious leaks and has generally deteriorated. The process of procuring services of a contractor to rehabilitate the building is in progress and works are expected to commence in January, 2023.

Entrance Road to Chichiri Court Premises in Blantyre

The road leading into Chichiri court premises had numerous potholes that necessitated rehabilitation. Part of the road has since been rehabilitated, the remaining part will be rehabilitated in the 2023/24 Financial Year.



The maintained road leading into Chichiri Court Premises



JUDICIARY COMMITTEES

The Office of the Chief Justice from time to time constitutes standing committees and ad hoc committees in order to assist in the implementation of policies within the Judiciary.

In 2022, the Judiciary had the following committees:

PERFORMANCE APPRAISAL COMMITTEE

The mandate of this Committee is to develop tools for assessment of performance of Judicial officers and members of staff.

The Committee is composed of:

- i. Honourable Justice of Appeal Lovemore P. Chikopa, SC – Chairperson
- ii. Honourable Justice Dorothy nyaKaunda Kamanga (now Justice of Appeal)
- iii. Senior Deputy Registrar – His Honour Kondwani Banda (now Registrar)
- iv. Chief Resident Magistrate (N) – His Worship Dick Sankhulani (now Judge)
- v. Assistant Registrar - Her Honour Ellen C. Banda - Secretary
- vi. Deputy Chief Courts Administrator – Mr. Albert Phikani
- vii. Controller of Human Resources – Mrs. Naomi Kwerani (Representative)
- viii. First Grade Magistrate – His Worship Boswell Kamphonda (now retired)
- ix. Chief Law Clerk – Mrs. Caroline Chimtande

DIGITALIZATION COMMITTEE

The mandate of the Committee is to oversee the direction of ICT in the Judiciary.

The Committee is composed of:

- i. Honourable Justice of Appeal Frank E. Kapanda, SC – Chairperson
- ii. Honourable Justice Fiona Mwale
- iii. Honourable Mandala Mambulasa
- iv. His Worship Chisomo Msokera (now CRM)
- v. Her Honour Florence Msekandiwana
- vi. Deputy Chief Courts Administrator – Mr. Albert Phikani
- vii. Chief Systems Analyst – Mr. Innocent Nzoma
- viii. Principal Human Resource Management Officer – Mrs. Bertha Pidini
- ix. Principal Systems Analyst – Mr. Kumbukani Chiwoni

RULES COMMITTEE

The mandate of this Committee is to review and draft rules of procedure under various pieces of legislation dealing with the administration of justice and recommend to the office of the Chief Justice for further action.

The Committee is composed of:

- i. Honourable Justice of Appeal John Katsala - Chairperson



- ii. Honourable Justice Kenyatta Nyirenda
- iii. Honourable Justice William Msiska
- iv. Honourable Justice Mandala Mambulasa
- v. Chief Resident Magistrate (C) – His Worship Patrick Chirwa (now Judge)
- vi. Assistant Registrar – Her Honour Chikondi Mandala - Secretary
- vii. Attorney General
- viii. Representative of the Malawi Law Society
- ix. Principal Judicial Research Officer

FUNCTIONAL REVIEW IMPLEMENTATION COMMITTEE

The mandate of the Committee is to operationalize the recommendations contained in the Functional Review Report on the Malawi Judiciary.

The Committee is composed of:

- i. Honourable Justice of Appeal Charles M. C. Mkandawire – Chairperson
- ii. Honourable Justice Dorothy DeGabriele
- iii. Honourable Justice Texious Masoamphambe
- iv. Chief Judicial Research Officer – His Honour Wahabi Shaibu (Representative)
- v. Deputy Registrar – His Honour C. M. Kacheche – Secretary (now Judge)
- vi. Chief Courts Administrator – Mrs. Edith Chikagwa
- vii. Controller of Human Resources – Mrs. Naomi Kwerani (Representative)
- viii. Senior Resident Magistrate – His Worship Peter Kandulu (Now Assistant Registrar)
- ix. Representative of the Office of The President and Cabinet
- x. Representative of the Department of Human Resource Management and Development
- xi. Representative of the Treasury

CONDITIONS OF SERVICE COMMITTEE

The mandate of this Committee is to determine Conditions of Service including salaries and allowances for both judicial officers and members of staff of the Judiciary.

The Committee is composed of:

- i. Honourable Justice Sylvester A. Kalembera – Chairperson (now Justice of Appeal)
- ii. Honourable Justice Kenan T. Manda
- iii. Honourable Justice Ruth Chinangwa
- iv. Registrar – Her Honour Gladys Gondwe (now Judge)
- v. Deputy Chairperson IRC - His Honour Kingsley Mulungu
- vi. Assistant Registrar - His Honour Wyson Nkhata – Secretary
- vii. Chief Courts Administrator – Mrs. Edith Chikagwa
- viii. Chief Human Resource Management Officer – Mrs. Naomi Kwerani
- ix. Chief Accountant – Mr. Unusu Kamwana
- x. First Grade Magistrate – His Worship Patrick Mwamale
- xi. Member of Staff – Mr. Charles Lizigeni



JUDICIARY COMPLAINTS MANAGEMENT COMMITTEE

The mandate of the Committee is to coordinate and streamline the management of complaints against judicial officers and members of staff.

The Committee is composed of:

- i. Honourable Justice D.K. Madise – Chairperson (now Justice of Appeal)
- ii. Honourable Justice M. Tembo – Vice Chairperson
- iii. The Registrar of Supreme Court of Appeal and High Court of Malawi
- iv. The Chief Courts Administrator
- v. The Chief Human Resource Management Officer
- vi. The Assistant Registrar – Her Honour Soko
- vii. The First Grade Magistrate – Her Honour Loyness Gumbo

INTERNAL PROCUREMENT AND DISPOSAL COMMITTEE

The Committee performs statutory mandates under Section 26 of the Public Procurement and Disposal of Public Assets Act, Act No.27 of 2017.

The Committee is composed of:

- i. Honourable Justice Rowland Mbvundula – Chairperson (now Justice of Appeal)
- ii. Honourable Justice Anneline Kanthambi
- iii. Assistant Registrar - His Honour Wyson Nkhata
- iv. Court Administrator – Mr. James Samuti
- v. Accountant – Mr. Edward Chisanu
- vi. Procurement Officer – Mr. Maziko Chalira - Secretary
- vii. Asst. Human Resource Management and Development Officer - Mr. Leckson P. Huwa

JUDICIARY INTEGRITY COMMITTEE

viii. The mandate of this Committee is to facilitate the prevention and reduction of corrupt behaviour in the Judiciary

The Committee is composed of:

- i. Honourable Justice John Chirwa - Chairperson
- ii. Honourable Justice Zion Ntaba
- iii. Assistant Registrar - Her Honour Edna Bodole (Now Deputy Chairperson - IRC)
- iv. First Grade Magistrate - His Worship Watson Mankhanamba
- v. Principal Courts Administrator - Mr. Isaac Komicho
- vi. Internal Auditor - Mr. Peter Magwanyama
- vii. District Court Administrator - Mrs. Mary Mthunzi

JUDICIAL COMPLEX COMMITTEE

The mandate of this Committee is to oversee the construction of the Judiciary Headquarters Complex in Lilongwe.

The Committee is composed of:

- i. Honourable Justice Professor Redson E. Kapindu – Chairperson



Chapter 13

- ii. Honourable Justice Joseph Chigona
- iii. Honourable Justice Agnes Patemba
- iv. Registrar - Her Honour Gladys Gondwe (now Judge)
- v. Chief Courts Administrator – Mrs. Edith W. Chikagwa
- vi. Chief Human Resource Management Officer – Mrs. Naomi Kwerani
- vii. Chief Maintenance Officer – Mr. Glyn Chirwa (now retired)
- viii. Principal Administrative Officer – Mr. Phunziro Kwisongole - Secretary
- ix. Accountant – Mr. Samuel Manyowa

TRAINING COMMITTEE

The mandate of this Committee is to monitor and advise on matters relating to training.

The Committee is composed of:

- i. Honourable Justice Annabel Mtalimanja – Chairperson
- ii. Honourable Justice Joseph Chigona
- iii. Honourable Justice Thomson Ligowe
- iv. Honourable Justice Violet Chipao
- v. Registrar – Her Honour Gladys Gondwe (now Judge)
- vi. Chairperson – IRC – His Honour Austin Msowoya
- vii. Chief Resident Magistrate (E) – His Worship Austin J. Banda
- viii. Assistant Registrar – Her Honour Thokozani Soko
- ix. First Grade Magistrate – His Worship Julius Kalambo
- x. Chief Courts Administrator – Mrs. Edith Chikagwa
- xi. Controller of Human Resources – Mrs. Naomi Kwerani (Representative)
- xii. Chief Accountant – Mr. Unusu Kamwana
- xiii. Training Officer - Secretary

BUDGET AND FINANCE COMMITTEE

The mandate of the Committee is to provide oversight of the budgeting process and financial accountability in the Judiciary.

The Committee is composed of:

- i. Honourable Justice Joseph Chigona – Chairperson
- ii. Honourable Justice Dr. Michael Mtambo (now retired)
- iii. Honourable Justice Dingiswayo Madise (now Justice of Appeal)
- iv. Registrar – Her Honour Gladys Gondwe (now Judge)
- v. Chairperson – IRC – His Honour Austin B. Msowoya
- vi. Chief Resident Magistrate (S) – Her Worship Jean Kayira (now Judge)
- vii. Chief Courts Administrator – Mrs. Edith Chikagwa
- viii. Chief Accountant – Mr. Unusu Kamwana
- ix. Principal Systems Analyst – Ms. Binart Kachule
- x. Assistant Registrar - His Honour Chisomo Msokera – Secretary (now CRM)



NETWORKING AND INTERNATIONAL COOPERATION

The Judiciary continued to engage in several networking activities that contributed towards capacity development, sharing of information and increasing partnerships with different local and international institutions. In the year under review, the following were the different networking activities that were undertaken.

1. Southern Africa Chief Justices Forum (SACJF) Judicial Symposium on Digitization and Internet Governance

Chief Justice Rizine Mzikamanda, SC was among the 12 Southern African Chief Justices who attended the Symposium on Digitization and Internet Governance held in Nairobi, Kenya from 21st to 22nd April 2022.

The forum gave an ideal opportunity for the Chief Justices and other distinguished Jurists from across the region to share experiences, ideas and perspectives on the administration of justice and the question of Digitisation and Internet Governance.

The symposium was jointly organized by SACJF and the International Commission of Jurists (ICJ) under the theme *Digital Transformation of Judiciaries in Africa and Experiences in the face of the COVID-19 Pandemic in their jurisdictions*.



2. Election Dispute Resolution (EDR) Symposium for Supreme Court Judges

Justice Frank Kapanda, SC represented the Supreme Court of Appeal in a 3-day Election Dispute Resolution (EDR) symposium for Supreme Court Judges of Kenya which was held from 6th to 10th June 2022. The symposium was organized to firm up the preparedness of the Judiciary of Kenya to handle election petitions ahead of the August 9, 2022, General Election.



Justice Kapanda, SC presenting a paper on Evidentiary Issues and Threshold for Nullification of Presidential Election.

3. Electoral Jurisprudence Network Conference (AEJN)

The Judiciary hosted the Africa Electoral Jurisprudence Network conference at the President’s Hotel in Lilongwe. The theme of the conference was “*Judges on the Frontline of African Democracy - Enhancing the Electoral Dispute Adjudication Process.*” The conference offered an opportunity for judges to reflect and exchange professional experiences on contemporary aspects of electoral laws and dispute resolution. Delegates to the conference were drawn from Malawi, Nigeria, France, Ethiopia, Kenya, South Africa, Zimbabwe, Uganda and Zambia. Other delegates attended the conference virtually.



Delegates to the Africa Electoral Jurisprudence Network Conference: 19th to 20th July 2022 President Hotel Lilongwe



4. Commonwealth Magistrates and Judges Association (CMJA) Conference

The Chief Justice led a delegation of judicial officers and members of staff to the CMJA Triennial Conference held in Accra, Ghana. The theme for the conference was *Access to Justice in the Modern World*.



Part of delegates to the CMJA Triennial Conference – 4th to 9th day of September 2022 at Accra, Ghana

5. Cairo Sixth High Level Meeting of Chief Justices of the African Constitutional, Supreme Courts and Constitutional Councils

The Honourable the Chief Justice and Justice of Appeal Dingiswayo Madise attended the Sixth Cairo High-Level Meeting of the Chief Justices and Presidents of the African Constitutional and Supreme Courts and Constitutional Councils in the Arab Republic of Egypt. The meeting was held from 10th to 12th September 2022 under the theme *The Role of Constitutional Control in Developing African People*.

6. Southern African Chief Justices' Forum (SACJF) Conference and Annual General Meeting and Southern African Judicial Administrators' Association (SAJAA) Annual General Meeting

Honourable the Chief Justice accompanied by Honourable Justice of Appeal Rowland Mbvundula and Honourable Justice Jean Kayira attended the SACJF Conference and Annual General Meeting which was held in Maputo, Mozambique under the theme *Judicial Accountability and the Role of the Judiciary in the fight Against Terrorism*.



Chapter 14



Delegates to the SACJF Conference and Annual General Meeting - 23rd to 29th October 2022 in Maputo, Mocambique.

On the sidelines of the SACJF Conference and Annual General Meeting, Southern African Judicial Administrators Association (SAJAA) also held an Annual General Meeting where new office bearers were elected. Malawi was elected Treasurer General.

The Malawi delegation to the SAJAA meeting comprised His Honour Kondwani Banda, the Registrar of the Supreme Court of Appeal and High Court of Malawi, and Mrs. Edith Chikagwa, the Chief Courts Administrator.



Malawi delegation to SACJF and SAJAA Conference and Annual General Meetings posing with the Malawi High Commissioner to Mozambique, Her Excellency Wezi Moyo (in red)



7. The 6th Congress of Conference of Constitutional Jurisdictions of Africa (CCJA)

Honourable Justice of Appeal Frank Kapanda, SC accompanied by the Principal Courts Administrator, Mr. Kenneth Isaac, represented the Chief Justice at the 6th Congress of Conference of Constitutional Jurisdictions of Africa (CCJA) held from 21-24th November, 2022 in Rabat, the Kingdom of Morocco. The conference was held under the theme *The African Constitutional Courts and International Law*.

At this congress the Supreme Court of Appeal was confirmed as the 47th Member.



Malawi delegation to the 6th Congress of Conference of Constitutional Jurisdictions of Africa (CCJA) - 21-24th November, 2022 in Rabat, Kingdom of Morocco

8. Anti-Corruption Awareness March

The Judiciary participated in the Anti-Corruption Awareness Big Walk which was organized by Institutional Integrity Committees (IICs) within Blantyre in collaboration with the Anti-Corruption Bureau (ACB). On the part of the Judiciary, Justice Zione Ntaba, a member of the Judiciary Integrity Committee, led Judicial officers and members of staff in the march which started from Ginnery Corner Roundabout to Limbe Standard Bank and ended at Kamuzu Upper Stadium.



Some of the participants to the Anti-Corruption Awareness Big Walk – 21st November, 2022 in Blantyre



9. 23rd International Conference of Chief Justices of the World

Honourable Justice of Appeal Mankhambira C.C. Mkandawire represented the Chief Justice at the 23rd International Conference of Chief Justices of the World held from 16th -22nd November, 2022 in Lucknow, India. The theme of the conference was Uniting the World for Children through Enforceable World Law and Effective Global Governance.

10. Judicial Conference on Sentencing Guidelines

Honourable Justice of Appeal Healey S.B. Potani represented the Chief Justice at the Judicial Conference on Sentencing Guidelines held from 4th – 8th December, 2022 in Harare, Zimbabwe. The theme of the conference was Towards Consistency in Sentencing.



EMPLOYEE WELLNESS AND WELFARE PROGRAMMES

The Judiciary recognises the importance of the welfare of its employees as an aspect that contributes to the efficient and effective delivery of service. To that effect the Judiciary has put in place various welfare programmes. For instance, the Judiciary engaged in the provision of relief items to its members affected by natural disasters – Cyclone IDAI and Cyclone Anna.

In addition, the Judiciary implemented workplace health and wellness programmes in a bid to stimulate a culture of exercising and maintaining physical as well as mental fitness for its employees.

1. Distribution of relief items to judicial officers and members of staff affected by floods

The Registrar, His Honour Kondwani Banda, led the distribution of relief items to judicial officers and members of staff affected by floods as a result of Cyclone IDAI and Cyclone ANNA. The symbolic ceremony took place at Nchalo Magistrate Court on 17th June 2022.



His Honour Kondwani Banda making a symbolic presentation of the relief items to His Worship John Somba on 17th June 2022 at Nchalo Magistrate Court



Beneficiaries of the relief items of Nchalo Magistrate Court pose for a photograph with the Team led by the Registrar



2. Wellness Programme

The Honourable the Chief Justice introduced work place health and wellness programme for the Judiciary. The programme was officially launched in Blantyre on 25th March 2022 where officials from Blantyre District Health Office gave a talk on the importance of health and wellness. Following the launch, several health and wellness activities have been carried out in all the four judicial administrative regions.



The Chief Justice, Judicial Officers and members of staff at one of health and wellness programs for the Southern Region which took place in Blantyre



The Chief Justice, Judicial Officers and members of staff at the launch of health and wellness program for the Central Region which took place in Lilongwe



Judicial Officers and members of staff at the launch of health and wellness program for the Northern Region which took place in Mzuzu



Judicial Officers and members of staff at one of health and wellness programs for the Eastern Region which took place in Zomba



CHALLENGES

Despite the positive strides made in the year 2022, the Judiciary faced various challenges. The major ones included:

- a. Inadequate funding – the funding allocated to the Judiciary is inadequate to cater for both operations and implementation of activities. This continues to negatively affect the operations of the Judiciary.
- b. Shortage of staff – even though the Judiciary has a new Establishment Warrant which creates both new and additional positions, the vacancy rate remains high because most of the positions have not been filled. As a result, service delivery has been compromised.
- c. Inadequate and dilapidated infrastructure—apart from being inadequate, most of the court infrastructure is in a dilapidated state. As a result, some court centres are accommodated in rented premises, while others are operating from dilapidated premises and others have been rendered non-functional. This has negatively affected the efficient and effective delivery of services to the public.
- d. Capacity gaps – even though the Judiciary has a training policy, lack of funds has constrained it to regularly facilitate training of judicial officers and members of staff. This has resulted in skills and knowledge gaps which have in turn negatively affected the delivery of services to the public.
- e. Shortage of motor vehicles –the fleet the Judiciary has, is both old and inadequate. As a result, some crucial operations and services such as court inspections and court circuits are not adequately carried out, thereby, negatively affecting both access to justice and the administration of justice.
- f. Inadequate and obsolete furniture and office equipment - most courts do not have adequate and suitable furniture and other office equipment.
- g. Lack of proper storage facilities for court records and exhibits – most court centres do not have enough space to store large volumes of court files and court exhibits.



APPENDICES

APPENDIX 1

MALAWI JUDICIARY CALENDAR 2023

The Judicial year for the High Court and Supreme Court of Appeal begins in October and ends in July. The sittings of the Courts are divided in four sessions in every year as shown below:

SESSION	DATES
Lewis Chatsika	13rd October, 2023 to 21st December, 2023
Friday Makuta	10th January, 2023 to 5th April, 2023
Richard Banda	18th April, 2023 to 26th May, 2023
Leonard Unyolo	13th June, 2023 to 27th July, 2023

APPENDIX II

RECORD OF CHIEF JUSTICES OF THE REPUBLIC OF MALAWI

1. Sir Frederick Southworth	1964-1965
2. Honourable the Chief Justice Peter W. Williams	1969-1970
3. Honourable the Chief Justice James J. Skinner	1970-1985
4. Honourable the Chief Justice Friday Makuta, SC	1985-1992
5. Honourable the Chief Justice Richard A. Banda, SC	1992-2002
6. Honourable the Chief Justice Leonard Unyolo	2003-2007
7. Honourable the Chief Justice Lovemore G. Munlo, SC	2007-2013
8. Honourable the Chief Justice Anastasia Msosa, SC	2013-2015
9. Honourable the Chief Justice Andrew K. C. Nyirenda, SC	2015-2021
10. Honourable the Chief Justice Rizine R. Mzikamanda, SC	2022 to date



APPENDIX III

RECORD OF REGISTRARS

1. His Honour Truwa	
2. His Honour Rodger Topping	
3. His Honour Leonard E. Unyolo	
4. His Honour Maxon P. Mkandawire	1984 - 1989
5. His Honour Dustain F. Mwaungulu	1990 - 1994
6. His Honour Edward B. Twea	1994 - 1997
7. His Honour Winter W.B. Qoto	1998 - 1999
8. His Honour Healey S.B. Potani	2000 - 2003
9. Her Honour Ivy C. Kamanga	2003 - 2004
10. His Honour Sylvester A. Kalembere	2004 – 2008
11. Her Honour Dorothy NyaKaunda Kamanga	2008-2012
12. His Honour Michael A. Tembo	2012-2013
13. His Honour Joseph Chigona	2013-2016
14. His Honour Jack N’riva	2016- 2017
15. Her Honour Agnes T. Patemba	2017 - 2020
16. Her Honour Gladys A. Gondwe	2020-2022
17. His Honour Kondwani Banda	2022 to date

APPENDIX IV

RECORD OF CHIEF COURTS ADMINISTRATORS

1. Mr. Rodrick B.C. Moyo	2002 - 2017
2. Mrs. Edith W. Chikagwa	2017 to date

The Registrar
Malawi Judiciary
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Email: highcourt@judiciary.mw
Website: www.judiciary.mw