

Justice Delayed in Malawi's Criminal Justice System Paralegals vs. Lawyers

Hillery Anderson¹
University of Wales, Bangor
North Wales, UK

Abstract

This article is aimed to show, in spite of the equality that people are entitled to before the law; in practice access to justice does not work exactly as the theory says it should. While the legal aid department aims to provide legal assistance to the poor, it has failed to deliver such services to all those who need them. The exposure of conditions in the criminal justice system in Africa is largely initiated by Penal Reform International (PRI). PRI examined and analyzed the conditions in Malawi's criminal justice system and discovered gross human rights abuses. The Human Rights Commission of Malawi has described the country's criminal justice system as weak, citing justice is compromised because of the too many archaic laws on the statute books and denial of justice due to lack of legal representation for the indigent. For instance, fifty percent of the prisoners were on remand awaiting trial. Some of them have stayed more than seven years in prison without having their cases heard in court.

Keywords: Malawi; Lawyers; Paralegals; Human Rights Abuse; Prisoners; NGO's

Introduction

In this research article, I will talk about the international NGO Penal Reform International and two locally-based legal aid NGOs: Eye of the Child and Centre for Advice, Research and Education on Rights: CARER. The term 'Malawi CARER' will be used throughout this text. The most essential functions performed by these NGOs are in the area of human rights work, legal aid, and penal reform. Penal Reform International was invited to Malawi by Malawi CARER to look at human rights abuses in the prisons, extended remands and lack of legal representation. The Paralegal Advisory Service work programme was created to remedy the gross miscarriage of human rights in Malawi's prisons and to provide legal assistance for indigent prisoners.

Malawi's Legal Aid Department

The Legal Aid Department in Malawi operates under the Ministry of Justice (Gama, 2004; Mwale, 2004). The criteria for evaluating legal aid eligibility involves the magistrate assessing the economic means of the person and determining whether the person can afford commercial legal services or legal aid (Gama, 2004). Nonetheless, some people bypass the

¹ PhD Candidate, School of Social Sciences, University of Wales, Bangor, Centre for Comparative Criminology & Criminal Justice, College Road, Bangor, Gwynedd, LL57 2DG, North Wales, United Kingdom [Email:sopc09@bangor.ac.uk](mailto:sopc09@bangor.ac.uk) Or hilandreason@yahoo.co.uk

magistrate criteria and go to the legal aid offices themselves. After this assessment, the person may be asked to contribute a small fee towards the legal aid service. The majority of people present themselves as poor and claim that they can not afford to make any contribution towards this service.

Inherent Reasons for Problems

According to Phiri, despite the equality that people are entitled to before the law, in practice access to justice does not work exactly as the theory says it should. For example, justice for the rich and poor is not always identical. A rich person can employ the best lawyers to present his defence; whereas the fate of the poor person lies in his own hands or the service of public legal aid which is only a little better (Phiri, 2004).

The number of lawyers in Malawi is relatively low and their fees are very high (Namangale, 2004). There are 300 qualified lawyers for 11 million people (Nyirenda, 2004; Ndalahoma, 2004; Kasambara, 2004; Banda, 2004; Chirwa, 2004), representing a ratio of 1:40,000 (Nyirenda, 2004). There is only one legal aid lawyer in the Southern Region of Malawi, which has the highest population concentration in the country compared to the Central and Northern regions. There are three legal aid lawyers servicing the Central and Northern regions. There is no legal aid office in the North and all the cases are handled in the Central Region office, which is also the headquarters for the Legal Aid Department. While the legal aid department aims to provide legal assistance to the poor, it has failed to deliver such services to all those who need them (Namangale, 2004; Kamwambe, 2004; Gama, 2004).

One of the main problems has been the lack of financial and material resources which translated into an aggravated problem in retaining lawyers (Tayanjah-Phiri, 2004). Because of the very few lawyers available in the department, this was hindering the Legal Aid Department operations (Tayanjah-Phiri, 2004; Namangale, 2004; Kamwambe, 2004; Gama, 2004). The Legal Aid Act of 1978 mandates the Ministry of Justice to hire private lawyers, but the government's rate of payment per case has not been revised since 1978 (Tayanjah-Phiri, 2004). As such private lawyers are not attracted to government services. The majority of Malawian citizens cannot afford legal representation and have therefore to defend themselves (Eye of the Child, 2004; Phiri, 2004; Ndalahoma, 2004).

External Reasons for Problems

The hiring of private lawyers is very expensive even for those individuals considered to be of higher economic status in Malawi. Because of the limited availability of legal aid lawyers to represent the poor people, most poor people undergo magistrate trial without legal representation (Gama, 2004; Matewere, 2004; Ndalahoma, 2004). The Malawi Human Rights Commissioner (MHRC) has said that access to justice in Malawi is being compromised, which is a threat to the rights of the accused. It is illegal to hold remanded persons for long a time without bringing them to court. The prisoners' right to justice is being compromised because most of them are held for a very long time on expired warrants. These remanded persons do not have money to hire lawyers to push for a speedy trial (Kamanga, 2003; Gama, 2004).

“Poor people are often denied justice. When they are accused of a crime, they are unable to hire top class lawyers. Of course, they may receive assistance from legal aid officers

but that is not the same thing as hiring your own preferred lawyer. Often cases in which poor people are involved take a long time to handle. Courts will tell the public that the cases are pending because of shortage of funds and staff. But let the big politicians sue each other, their cases are sorted out within days or weeks” (Phiri, 2004a:5).

There are two sections in the legal aid act; the first dealing with defence and another with prosecution. In the absence of legal representation, the magistrate is obliged to ensure that in cross examination, the magistrate offers some degree of protection to the person in case a prosecutor or defence lawyer tries to exploit the situation. For instance, in the cross-examination, the magistrate will obtain from the lawyers what they want from the accused person and then simplify it for the accused person to answer. This should not be interpreted as a proper substitute for legal representation (Gama, 2004; Kamwambe, 2004). This is normal for the magistrate court, but if it is in a high court case, the case is dismissed until the government is able to provide a lawyer for the accused (Kamwambe, 2004). As such, many criminal suspects on murder and manslaughter charges are imprisoned indefinitely because of lack of legal representation to try their cases in the high courts (Ndalehoma, 2004; Kamwambe, 2004; Gama, 2004).

Intervention towards Improvement

In 1995, Malawi CARER invited Penal Reform International to Malawi. In 1999, Malawi CARER in partnership with Penal Reform International (PRI) embarked on a nationwide assessment of the prisons throughout Malawi. Their findings generated major reforms in some prisons in Malawi. PRI examined and analyzed the conditions in Malawi’s prisons and discovered the following: the police abandoned criminal suspects in prison; poor people were over-represented in the prisons; many remanded persons were held unlawfully because their warrants were expired; many criminal suspects were held longer than their specified sentence without trials; the prisoners did not understand the law; and the convicted prisoners were ignorant on how to access their appeal procedures. In addition to this, the criminal justice agencies themselves were poorly equipped, resourced and trained, and there was a significant lack of government legal representation (PRI, 2002; PAS, 2004; Ndalehoma, 2004; Kerrigan, 2002; Kasambara, 2004; Banda, 2004; Chirwa, 2004). The lack of government resources has adversely affected the criminal justice system, which has resulted in the lack of legal representation for poor and indigent inmates.

Penal Reform International (PRI) through its fact finding missions on prison conditions throughout the continent of sub-Saharan Africa it has confirmed deplorable conditions in many prisons in Africa including those in Malawi. Here is what PRI found: overcrowded prisons, few African countries were capable of providing legal assistance to prisoners as demanded by international human rights treaties, the criminal laws were poorly written and high numbers of inmates were awaiting trial across the continent. For example, in Malawi’s prisons, fifty percent of the prisoners were on remand awaiting trial (Justice Initiative, 2003; Msiska, 2003; Open Society Justice Initiative, 2003; Penal Reform International, 2003).

According to Muwamba, the Malawian Human Rights Commissioner said, *“people in the country’s prisons spend too much time on remand before being taken to court to face*

justice on the offences they were accused for” (Muwamba, 2004:2). The Mzuzu Prison was built to house one hundred inmates; yet it holds a daily average capacity of five hundred prisoners (Nicholls, 2004; Tayanjah-Phiri, 2003). The inmates and remanded persons at the Mzuzu Prison have alleged that the government ill-treated them. Some of them have stayed more than seven years in prison without having their cases heard in court (Tayanjah-Phiri, 2003). The proposed method by PRI to reduce this number has been to provide the prisoners with the basic legal knowledge, through paralegal aid, for their own defence (Justice Initiative, 2003; Msiska, 2003; Open Society Justice Initiative, 2003; Penal Reform International, (2003). The costs of legal aid are as much of a problem throughout sub-Saharan Africa as in Britain. The difference is that the access to justice is crucially different in sub-Saharan Africa where there is little or no provision in the way of legal representatives (Nicholls, 2004), for the poor. Penal Reform International successfully lobbied for funding that provides legal aid assistance through the Paralegal Advisory Service for suspected criminals and convicted criminals living in Malawi.

The Paralegal Advisory Service (PAS) in Malawi

The Paralegal Advisory Service is an advisory council which is made up of senior prison officers, police officers and members of the judiciary. They provide the guidance and endorsement for the Paralegal Advisory Service. This project originally targeted homicide cases but was later extended to cover remanded prisoners and vulnerable groups among the convicted prisoners such as women, juveniles, terminally and mentally ill people and foreign inmates (Kerrigan, 2002; Malawi Prison Service, 2002; Ndalahoma, 2004; Malawi CARER, 2004; Penal Reform International, 2003). The project was funded by the British Department for International Development (DFID) and is currently on a pilot basis in four major court centres in the country, four principal police stations and four prisons (Ndalahoma, 2004; Kasambara, 2004; Banda, 2004; Chirwa, 2004).

The purpose of the Paralegal Advisory Service is to provide appropriate legal aid to poor people using non-lawyers on the ‘front line’ of the criminal justice system. This approach is to advocates for the welfare of prisoners nationwide. The role of the Paralegal Advisory Service (PAS) NGOs has been to help to introduce and spread civic education to prevent crime by educating the communities through the creation of youth groups. PAS also aids in the development of mediation and community policing to divert many cases from the state criminal justice system to the community village chiefs and village headman. The Paralegal Advisory Service has developed paralegal clinics in prison to educate prisoners in the basic law and procedures that are applicable to their specific situations and enable them to represent themselves in the magistrate courts and assist convicted prisoners with their appeals to the high courts (PAS, 2004; Kerrigan, 2002; Ndalahoma, 2004; Kasambara, 2004; Banda, 2004; Chirwa, 2004).

The Paralegal Advisory Service (PAS) has come to realize that people cannot defend their rights unless they know their rights. Every person who is charged with one or more criminal offence which carries a sentence of death or imprisonment for life is entitled to legal representation at the expense of the state (Achieng, 1999; Gama, 2004; Phiri, 2004;

Ndalahoma, 2004). The objectives of the Paralegal Advisory Service (PAS) project are as follows: improved access to justice, improving conditions in prisons, civic education to prisoners on the law and their rights and simplifying court and criminal procedures for prisoners (Kerrigan, 2002; Malawi Prison Service, 2002; Ndalahoma, 2004; Malawi CARER, 2004; Penal Reform International, 2003).

Paralegals

The paralegals are lay workers with elementary training in law (Malawi Prison Service, 2004). They have been described as “barefoot doctors” providing legal aid to prisoners (Nicholls, 2004). The paralegals in Malawi provide legal advice to poor prisoners free of charge since they cannot afford the legal fees charged by private practitioners. Although the state provides legal counsel from the Ministry of Justice in Malawi this counsel is unable to handle the huge backlog of cases (Malawi Prison Service, 2004; Ndalahoma, 2004). Prior to the creation of Paralegal Advisory Service, indigent prisoners had little or no access to legal aid and convicted prisoners had no access to an appeal. For example, it was common for remanded prisoners to spend years waiting for their trials and in the interim some of them became ‘lost or forgotten’ [this means there is no file on them] by the criminal justice system (PAS, 2004; Ndalahoma, 2004; Kerrigan, 2002; Kasambara, 2004; Banda, 2004; Chirwa, 2004).

The work of the paralegals in the criminal justice system has led to the release of thousands of prisoners. This was achieved through the use of bail, discharge of the case, dismissal or release of prisoners on compassionate grounds. The paralegals work within the criminal justice system to inform criminal suspects of the legal process and their rights under the law. The job of the paralegal is to inform the criminal suspects what the law means and how it works. The paralegals attend trials and monitor cases to protect the prisoners’ rights by providing them with the best justice possible and safeguarding their human rights. Paralegals assist juveniles at police stations with police interviews and assist in the screening of juveniles for diversion programmes (Malawi Prison Service, 2002; PRI, 2002; PAS, 2004; Ndalahoma, 2004; Kerrigan, 2002; Kasambara, 2004; Banda, 2004; Chirwa, 2004).

The paralegals assist the courts, police and prisons by providing the appropriate legal advice and assistance to the maximum number of qualified people in the prisons. Only the poor are over represented in Malawi’s prisons (Chirwa, 2004; Ndalahoma, 2004) and ninety-nine per cent of the prisoners lack legal representation. Because the prisoners were mostly poor and illiterate, they do not understand the law. A series of practical modules were developed to inform them about criminal law and procedures and enable them to represent themselves in court. The Paralegal Advisory Service developed bail and appeal forms in agreement with the judiciary and followed up individual cases with the police and courts (Matewere, 2004; PAS, 2004; Kerrigan, 2002; Ndalahoma, 2004; Kasambara, 2004; Banda, 2004; Chirwa, 2004).

Paralegal Training and Qualification

The paralegal training curriculum introduces the participants to the Malawi legal system. Some of the areas covered are as follows: the statutes, civil and criminal law and procedure, family law, constitutional law, land law and human rights and democracy. The natures of case

handled are as follows: deprivation of property by inheritance [popularly referred to as 'property grabbing'], land disputes, child custody, child abuse, maintenance claims, unfair labour practices, police brutality, sexual harassment and violence against women (Malawi CARER, 2004). The education of the paralegals is continuous. The paralegals are cheaper to train than lawyers, and with proper training they enable the inmates to defend themselves. By educating prisoners on the law and procedure, prisoners enter more informed pleas to their charge, saving considerable court time and expense (Matewere, 2004; Ndalahoma, 2004; Kerrigan, 2002; Kasambara, 2004; Banda, 2004; Chirwa, 2004).

Initial Resistance to Paralegals

There was initial resistance to the paralegals from magistrates, police, prison officials and lawyers. This mistrust was the first problem to overcome in the prisons. The daily presence of the paralegals in the prisons involved the participation and mutual support of prison officers. To secure their cooperation, prison officers were invited to participate in training courses such as conflict management in prison. This eventually helped the prison officers to respect and cooperate with the paralegals (Ndalahoma, 2004; Kerrigan, 2002; Kasambara, 2004; Banda, 2004; Chirwa, 2004).

Magistrates

There was also resistance from some members of the magistracy, and the paralegals were able to address this by consultation with prosecutors and by encouraging magistrates to enter prisons and screen some of the cases. From this came the Court Camp Project; court camps are magistrate courts held in prisons to hear minor criminal cases and release prisoners to serve their sentences in their communities. In the process, this eases prison overcrowding and saves prison budget money (Malawi Prison Service, 2002; Ndalahoma, 2004; Kerrigan, 2002; Kasambara, 2004; Banda, 2004; Chirwa, 2004).

The Police Services

The police were reluctant to cooperate with PAS until the paralegals found a way to enlist the support of the police by helping juvenile delinquents. The paralegals offered to assist the police in tracing the parents of juvenile delinquents, and they worked with the police on a screening form to divert young offenders, where appropriate, out of the criminal justice system. This quid pro quo arrangement with the police allowed the paralegals to attend interviews to ensure that the rights of the juvenile suspects were respected (Ndalahoma, 2004; Kerrigan, 2002; Kasambara, 2004; Banda, 2004; Chirwa, 2004). For instance, when a juvenile is apprehended and taken to the Blantyre Police Cell, the police would notify Eye of the Child. It was also as a result of this quid pro quo relationship I was able to interview juveniles in police custody at the Blantyre Police Cell.

Lawyers

The Law Society of Malawi also fears competition from the paralegals. The paralegals in turn emphasize that they do the work that does not need a lawyer and this service creates

work for the lawyers interested in criminal matters. Despite requests from the judiciary, the PAS refuses to appear in the lower courts on behalf of accused persons because legal representation is seen to be the strict province of the lawyer (Ndalahoma, 2004; Kerrigan, 2002; Kasambara, 2004; Banda, 2004; Chirwa, 2004).

The Women Lawyers Association (WLA) is committed to working free of charge, in collaboration with interested male lawyers and law students, to represent indigent women and children (Mangwana, 2004; Paliani-Kamanga, 2004). Some of these cases include property grabbing, non-payment of maintenance, spouse abuse and domestic violence. Many poor women have limited access to legal services. This, in association with social attitudes on women and the family, may contribute to the perception that these social problems are not criminal offences. The purpose of this project is to work one day a week and assist the Ministry of Justice to reduce their case backlog, which has ignited complaints of the government's inability to handle these cases due to shortage of staff. The women lawyers are working in the legal aid departments in Blantyre, Lilongwe and legal aid clinics to be established in Zomba and Mzuzu. WLA will be selective in the cases that they accept; said cases will involve mediation and litigation (Paliani-Kamanga, 2004).

The Paralegal Advisory Service Achievements

The Paralegal Advisory Service brings the criminal justice actors together by directly working in a partnership with these agencies and through monthly Court User Committee meetings. The paralegal team leader attends monthly meetings with the prison officials, police chiefs and judicial officers to check on their progress and address any problems or complaints. These monthly meetings have changed attitudes that were initially perceived as threats by the presence of the paralegals. These changes for the better have manifested themselves in the following ways. First, the magistrates have commented on the understanding of the law demonstrated by prisoners in court and noted that prisoners were entering informed pleas at court. Second, the magistrates are increasingly entering the prisons through camp courts to screen the remand caseload. Third, results from nineteen Camp Courts held in the period May-October 2003 show that over one hundred and fifty prisoners have been released (Ndalahoma, 2004; Kerrigan, 2002; Kasambara, 2004; Banda, 2004; Chirwa, 2004).

In addition, the numbers of illegal remand warrants used by the police has fallen and a substantial number of the old cases have been processed by the courts. A substantial number of juveniles in conflict with the law have been diverted from the criminal justice system at the police stations. For instance, in the first six months of the PAS pilot scheme, over thirty juveniles were successfully diverted from further involvement in the criminal justice system. Also, paralegals inform lawyers that they provide services for the lawyers and the PAS cannot be substituted for legal representation. Lastly, the paralegals have highlighted health problems within the prisons which health-oriented NGOs are working to improve (Ndalahoma, 2004; Kerrigan, 2002; Kasambara, 2004; Banda, 2004; Chirwa, 2004). The paralegal NGOs that I have interacted with are Eye of the Child and Malawi CARER.

Malawi CARER Paralegal Advisory Services

Due to understaffing at the Legal Aid Department, Malawi CARER offers paralegal services and legal representation in the courts. The services received are modelled on a citizen's advice bureau using the paralegals and the lawyers to provide primary advice to the clients and making referrals when necessary to the Legal Aid Office, other agencies or lawyers in private practice willing to assist. Malawi CARER carries out civic education programmes. The educational materials are produced in both English and the local vernacular and cartoons are included to facilitate understanding because many beneficiaries of the service are illiterate. Posters and booklets on human rights are also included, for example, a series of four booklets on prisoners' rights are in circulation. These booklets have been distributed to prison staff, prisoners and the general public (Chirwa, 2004).

Malawi CARER brings human rights violations to the attention of the appropriate authorities. It also monitors unfair labour practices in the country such as child labour on the tea and tobacco estates (Ebere, 2004), and condemns these violations through press releases (Malawi CARER, 2004). For example, in the case of Alice Joyce Gwazantini vs. State, the defendant was found guilty on 21st May 2004 and sentenced to death for causing the death of her 13 year old child servant, whom she had doused with boiling water in July 2001 (Chapalapata, 2004; Kumwenda, 2004). Malawi CARER works in collaboration with other international donor agencies to improve the living conditions of prisoners and make prisoners aware of their rights. Malawi CARER is a very successful NGO and has worked hard in lobbying donors to help prisoners. Malawi CARER provides all the functions and more compare to Eye of the Child which has been growing.

Eye of the Child Paralegal Advisory Service

Under the Paralegal Advisory Service project Eye of the Child is responsible for Chichiri Central Prison, Blantyre Magistrates Courts and Blantyre Police Cell. Eye of the Child is an active and registered member of the Council for non-governmental organizations in Malawi (CONGOMA) and the National Youth Council of Malawi (NYCM). Eye of the Child works in conformity with the provisions of the Malawi Laws and the Malawi Constitution and its activities are based on the Convention on the rights of the Child (CRC). Eye of the Child works to create the space and platform for advocacy and projects on human rights issues that protect the rights of young people especially those in conflict with the law (Eye of the Child, 2004; Matewere, 2004; Ndalahoma, 2004).

Methodology

I gained access to Chichiri Central Prison, Blantyre Magistrates Courts and Blantyre Police Cell with the paralegal staff of the Paralegal Advisory Service, Eye of the Child. The fieldwork involved visits to: the local prison, magistrate courts, local NGOs, and visits to government offices. The data collected focused on several social problems currently facing the criminal justice system in Malawi, juvenile delinquents and prisoners. The sample of participants interviewed consisted of the following: magistrates, judges, chief of police, probation officers, and social workers, several NGOs program directors, paralegals, government social workers, and juveniles in custody. The juveniles' ages ranged from 13 to 20

years with a mean age of 16.5 years for the juveniles in reformatory, and 17 years for the juveniles in prison and jail. Translators were used to achieve the research goals. They were paralegals, social workers, and program directors. The interviews with the juveniles in custody and prisoners were achieved with the assistance of several translators.

Analysis and Conclusion

Through government cooperation, NGOs have been able to access prisons and educate prisoners about their rights and in the process change the attitude of the government and the general public towards prisoners. The paralegal advisory teams hold a number of paralegal legal aid clinics in the four main prisons and observe the subsequent trials. Despite having these paralegal NGOs, the need for legal aid remains great. The government is unwilling to invest money in the criminal justice system which also affects the legal aid services.

The Paralegal Advisory Service is a service meant to acquaint offenders with the court process and legal issues involved. Under the project, remanded prisoners in Malawi were given advice on how to conduct their own defence, on court procedures and elementary advice on how they can secure their release from prison. The Paralegal Advisory Service also educated prisoners on the benefits of plea-bargaining. This meant that prisoners charged with more serious offences requiring a longer trial or sentence could plead to a lesser charge hence ensuring speedy conclusion of cases. For example, a prisoner charged with murder may plead guilty to a lesser charge of manslaughter.

The paralegals work with the prison service, police and the courts to ensure that files are dealt with in due course and the prisoners are informed. The paralegals have been working in the prisons by educating the prisoners on legal advice, and attending to bail referred cases for lawyers. They work with all prisoners and give priority to the vulnerable groups such as juveniles and women with children in prison, the mentally ill, the very sick prisoners, and incarcerated foreigners. Paralegals also attend trials and write reports.

Finally, the Paralegal Advisory Service brings the criminal justice actors together by directly working in a partnership with Malawi Police Services, Malawi Prison Services and Judiciary. By gaining the cooperation of all criminal justice agencies working together in joint effort there has been remarkable accomplishments in the reduction of case overloads and prisoners awareness on their human rights. The paralegals assist the courts, police and prisons by providing the appropriate legal advice and assistance to the maximum number of qualified people in the prisons and juveniles in police cells. They inform the prisoners on their rights under the law and the criminal justice procedures.

References

Achieng, C. (1999). *Involvement of NGOs in Prisons: Good Prison Practice. Penal Reform International*. 23 February 1999. (http://www.penalreform.org/english/frset_art_en.htm [accessed November 7, 2004])

Banda, M. (2004). Youth Watch Society-Paralegal Advisory Service, Member. Executive Director.

- Chipeta, A. (2004). Legal Aid Department, Ministry of Justice, Blantyre, Malawi. Information.
- Chirwa, V. (2004). Centre for Advice, Research and Education on Rights-Malawi. (CARER).
- Ebere, M., (2004). Malawi Carer, other NGOs setting the pace in Mulanje. Numbering days of Unfair labour practices. *The Nation*. July 12, 2004.
- Eye of the Child, (2004). Paralegal Advisory Service, Blantyre, Malawi. Information and Fieldwork.
- Gama, (2004). Resident Magistrate, Blantyre Magistrate Court. Interviewed on 9 March 2004.
- Justice Initiative (2003). *Combining Learning and Legal Aid: CLE in Africa*. Open Society Justice Initiative. 27 November 2003.
<http://www.justiceinitiative.org/activities/lcd/cle/durban2003?preprint=1> [accessed 8 November 2004].
- Kaanga, W. (2004). Domestic violence on the increase. *The Daily Times*, September 2, 2004.
- Kampondeni, T. (2004a). Malawi legal system weak-Gondwe. *The Daily Times*, September 28, 2004.
- Kamwambe, L. M. (2004). Government of Malawi, Ministry of Justice. Chief State Advocate, LL.B (Malawi), LL.M (Reading), U.K
- Kasambara, C. (2004). Centre for Legal Assistance- Paralegal Advisory Service Member. Executive Director.
- Kerrigan, F. (2002). *Energising the Criminal Justice System in Malawi-Paralegal Advisory Service*. Danish Centre for Human Rights. April, 2002.
- Namangale, F. (2004). Malawians still ignorant of human rights. *The Daily Times*. December 17, 2004.
- Ndalahoma, C. (2004). Eye of the Child- Paralegal Advisory Service, Member. Team Leader.
- Nicholls, P. (2004). Africa's prisoners hunger for justice. Clare Brennan on effort to extend and improve legal advice service. Conference on legal aid in criminal justice in Africa: Lilongwe, November 22-24. *The Times*. November 23, 2004.
- Machado, F. (2004). It's a crime not to charge detainees, nun tells govt. *The Daily Times*, November 1, 2004.

Malawi CARER, (2004). Centre for Advice, Research and Education on Rights: Malawi CARER- Paralegal Advisory Service. A member of Paralegal Advisory Service (PAS).

Malawi Prison Service (2004). Malawi Paralegal Advisory Service. Chief Commissioner of Prisons.

Matewere, M. (2004). The Paralegal Advisory Service (PAS). Programme Director.

Msiska, C. (2003). *Paralegal Advisory Services in Malawi*. Paper presented at the First All-Africa Clinical Education Colloquium, 25 June 2003.

Open Society Justice Initiative, (2003) .Combining Learning and Legal Aid: Clinics in Africa. Colloquium on Clinical Legal Education. Association of University Legal Aid Institutions of South Africa. University of Natal. 23-28 June 2003.

Paliani-Kamanga, P. (2004). Needy Women, Children to enjoy free legal Aid. *The Daily Times*, Malawi. February 2, 2004.

Paralegal Advisory Service, (2004). Newsletter Issue 4, February 2004.

Penal Reform International, (2002). Paralegal Aid Clinics. A Handbook for Paralegals working in Prison. PRI. 2002.

Penal Reform International, (2003). Malawi Programme: Paralegal Advisory Service. Open Society Justice Initiative.

Phiri, D. (2004). Let Rule of Law Triumph. *The Nations*. May 18, 2004. (p.6)

Phiri, D. (2004a).Economic growth and inequality. *The Nations*. March 5, 2004. (pg.5).

Tayanjah-Phiri, F. (2004). Experts want Legal Aid out of civil service. *The Nation*, October 19, 2004.

Mwale, F. (2004). Law Reform Officer at Malawi Law Commission. Lilongwe, Malawi.