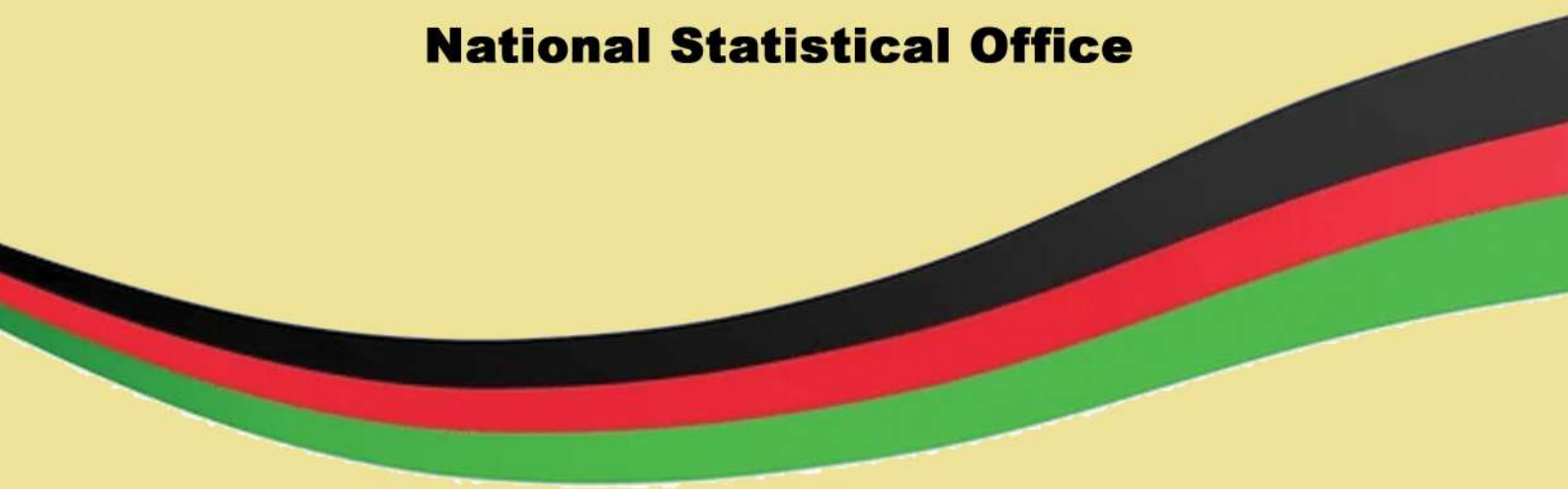




**Government of Malawi**


# **JUSTICE AND ACCOUNTABILITY SURVEY 2025**

**National Statistical Office**



NOVEMBER 2025

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## LIST OF ACRONYMS

ACB	Anti-Corruption Bureau
ART	Accountable, Responsive, and Transparent (Institutions)
CBO(s)	Community-Based Organization(s)
CSO(s)	Civil Society Organization(s)
DA	Democratic Accountability
DCP	Democratic Consolidation Programme
DCP IV	Democratic Consolidation Programme Survey, 4th Round
DG	Sector Democratic Governance Sector
DGP	Democratic Governance Programme
DGSS	Democratic Governance Sector Strategy
DGSSP	Democratic Governance Sector Support Programme
EA(s)	Enumeration Area(s)
MEC	Malawi Electoral Commission
EU	European Union
GDP	Gross Domestic Product
GoM	Government of Malawi
MHRC	Malawi Human Rights Commission
MGDS	Malawi Growth and Development Strategy
MoJCA	Ministry of Justice and Constitutional Affairs
MP(s)	Member(s) of Parliament
NACA	National Agriculture Census
NGO(s)	Non-Governmental Organization(s)
NPC	National Planning Commission
NSO	National Statistical Office
PFP	Policy Framework Paper
PPS	Probability Proportional to Size
STATA	Statistical software package (not an acronym)

## FOREWORD

It is my pleasure to introduce the Justice and Accountability Survey 2025, a timely and important assessment of how Malawians perceive and experience justice and accountability in their daily lives. This survey provides invaluable insights that can guide policy formulation, strengthen democratic governance, and improve the delivery of justice services across the country.

The findings of this survey highlight both the progress Malawi has made in promoting access to justice and the areas where persistent challenges remain. They offer evidence-based guidance for policymakers, civil society organizations, and development partners to design interventions that respond effectively to citizens' needs.

I commend the National Statistical Office (NSO) and all partners involved for their dedication, professionalism, and commitment to producing a high-quality, reliable, and transparent report. I encourage all stakeholders to use the results of



this survey to advance justice, accountability, and good governance in Malawi.

Charles MHANGO  
**Minister of Justice and Constitutional Affairs**

## PREFACE

The Justice and Accountability Survey 2025 was conducted to provide reliable, evidence-based insights into how Malawians perceive and experience justice and accountability in their daily lives. As part of ongoing efforts to strengthen democratic governance, the survey offers a unique opportunity to measure progress, highlight persistent challenges, and guide reforms in the justice sector.

This edition builds on earlier surveys, enabling stakeholders to track trends over time and better understand the evolving relationship between citizens and institutions tasked with upholding the rule of law. It seeks to shed light on public confidence in justice mechanisms, the accessibility and effectiveness of formal and informal systems, and the extent to which accountability structures respond to the needs of all citizens.

The findings presented here are intended to serve as a resource for policymakers, government institutions, civil society organizations, development partners, and researchers committed to building a fair and transparent society. By providing an objective picture of current realities, the survey supports the design of policies and interventions that strengthen justice delivery, combat corruption, and promote public trust in governance.



The National Statistical Office extends its gratitude to all respondents who generously shared their experiences and views, making this survey possible. Special appreciation is also due to the dedicated field teams, technical experts, and partner institutions whose efforts ensured the quality and integrity of the data collected.

It is our hope that this report will not only inform dialogue and decision-making but also inspire collective action toward a more just and accountable Malawi.

Shelton KANYANDA  
**Commissioner of Statistics**

## ACKNOWLEDGMENTS

The National Statistical Office and the Ministry of Justice and Constitutional Affairs (MoJCA) extend their sincere appreciation to all individuals and institutions that contributed to the successful implementation of the 2025 Justice and Accountability Survey. We are especially grateful to the people of Malawi, focus group participants, and the dedicated field teams whose cooperation and commitment made this survey possible. Their invaluable input has culminated in the production of this report.

We also wish to express our gratitude to the European Union (EU), through the Chilungamo II Program, for providing financial support for the survey, and to the Ministry of Justice and Constitutional Affairs for entrusting the NSO with its execution.

Special recognition is due to the Technical Task Team for their guidance and support throughout the survey process. We also extend heartfelt appreciation to the NSO implementation team - Mr. Alick Mphonda, Mr. Sautso Wachepa, Mr. Jeremot Masoambeta, and the entire Agriculture Division staff; and the Ministry of Justice's technical team led by Mr. Godwin Nyirongo and Ms. Grace Shawa for their tireless efforts and dedication.

Finally, we acknowledge with appreciation the contribution of all field staff and members of the public who willingly shared information, ensuring the successful completion of the survey.

Getrude Lynn HIWA  
**SC Solicitor General and Secretary for Justice**



## EXECUTIVE SUMMARY

### Purpose of the Report

This report presents the findings of the 2025 Justice and Accountability Survey conducted by the National Statistical Office in Malawi in collaboration with the Ministry of Justice and Constitutional Affairs. The survey aimed to assess public perceptions of justice, accountability, and governance institution. Some of the institutions assessed included the Courts, Malawi Electoral Commission (MEC), Anti-Corruption Bureau (ACB), the Law Commission, Parliament, Police and the Office of the Ombudsman.

### Background and Context

The Government of Malawi (GoM) views democratic governance as a fundamental pillar for economic development and national progress. Strong governance has historically aligned with periods of growth, and the country's long-term development blueprint, Malawi 2063, emphasizes effective governance as crucial for sustainable development. The Democratic Governance Sector Strategy (DGSS) and Policy Framework Paper (PFP), introduced in 2013, placed democratic governance at the core of national reforms. These documents, supported by the European Union and UNDP through the Democratic Governance Programme (DGP) and the Democratic Governance Sector Support Programme (DGSSP), aimed to build transparent, accountable, and inclusive governance systems. Despite these efforts, gaps in data, particularly within the justice subsector, were identified in the 2017 Democratic Consolidation Program Survey (DCP IV), limiting the ability to inform interventions effectively.

To address this, the National Statistical Office (NSO), in collaboration with the Ministry of Justice and Constitutional Affairs, conducted the 2018 Justice and Accountability Survey, which provided updated data on justice and accountability interventions. Six years later, Malawi's governance landscape has evolved, highlighting the need for a new cross-sectional survey. The 2025 Justice and Accountability Survey aim to provide a timely and comprehensive snapshot of the current state of democratic governance in Malawi, inform future policy directions, and guide strategic interventions aligned with Malawi Vision 2063's objectives for inclusive and effective governance.

### Key Findings

#### A. Human Rights and Freedoms

1. Nationally, about 85.7 percent of Malawians reported awareness of their basic human rights and freedoms, compared to 90.7 percent in 2018.
2. Awareness of human rights and freedoms was higher among urban residents (92.8 percent) than their rural counterparts (83.0 percent), a decline from 96 percent and 90.1 percent that was recorded in 2018, respectively.
3. At regional level, awareness of human rights and freedoms was the highest in the Northern region (92.4 percent), followed by the Central (84.6 percent) and Southern (83.2 percent). This reflects a decline from 2018 levels of 97.8 percent, 90.4 percent and 93.6 percent, respectively.
4. In terms of gender, awareness was the highest in Northern region (93.1 percent men, 91.7 percent women), moderate in the Central (84.6 percent both genders), and lowest in the Southern (82.1 percent men, 84.2 percent women).
5. On awareness and responsibilities on human rights, 72.7 percent of respondents were aware of their responsibilities regarding human rights and freedoms, with males (72.8 percent) slightly more aware than females (72.5%).
6. Regarding knowledge of constitutional guaranteed human rights, results showed that 73.0 percent of the respondents were aware that human rights are explicitly guaranteed in the Constitution of Malawi, with slightly higher knowledge among females (73.4 percent) than males (72.5 percent).
7. On experiences with human rights violations, results show that slightly over half (56.7 percent) of Malawians had their human rights physically abused in the past two years prior to the survey, 28.5 percent verbal abuse, 22.4 percent psychological abuse, and 18.2 percent sexual abuse.



8. On reporting of human rights violations, results show that that 29.4 percent of Malawians who experienced human rights violations reported the violation to authorities with females (30.5 percent) reporting more than males (28.3 percent).
  9. With regard to institutions where human rights violations were reported, results show that the Police (51.5 percent) and Community Leaders (46.6 percent) were the main authorities/institutions where human rights violations were reported, followed by CSOs (23.3 percent).
  10. On freedom of opinion, overall results show that 85.1 percent of the respondents reported that they were able to express their opinions freely and publicly, with little gender differences (females 85.8 percent and males 84.4 percent).
  11. On right to freedom of assembly, 83.1 percent of respondents reported being free to exercise their right to freedom of assembly with slightly more females (83.4 percent) than males (82.7 percent) enjoying this right.
  12. Regarding right to freedom of demonstration, results show that 34.5 percent of the respondents were able to exercise their right to demonstration. Across gender, proportions were almost equal with 34.8 percent being females and 34.2 males.
- B. Rule of Law**
1. Nationally, 73.2 percent of respondents were aware of the rule of law, with slightly higher awareness among females (73.7 percent) than males (72.7 percent).
  2. Awareness was higher among urban residents (76.8 percent) than rural residents (71.9 percent) with the Northern Region reporting the highest awareness (86.4 percent) while the Central Region had the lowest (68.3 percent).
  3. Majority of respondents (72.8 percent) heard about laws of Malawi through television and radio followed by print media (20.1 percent), Civil society (14.3 percent) while Paralegals were the least source of information reported.
  4. Respondents from urban (77.7 percent) were more likely than rural residents (71.0 percent) to cite television and radio as main sources of information about Malawi's laws. Conversely, more rural respondents (14.8 percent) than urban respondents (12.9 percent) reported CSOs as their source of information about Malawi's laws.
  5. On compliance and adherence to the laws by public authorities, the results show that 39.6 percent of the respondents were of the view that public authorities rarely follow the laws, 32.4 percent never follow the laws, while only 10.0 percent indicated that public authorities adhere to the law.
  6. Regarding equality before the law, 34.5 percent of respondents believe that the laws are applied equally, indicating that the majority perceive unequal application of the law.
  7. Results further show that a higher proportion of rural resident (38.9 percent) than urban residents (22.6 percent) were of the view that the laws are applied equally. Among the rural residents, females (39.5 percent) were more likely than males (22.4 percent) in believing that the laws are applied equally.
  8. On involvement in the law-making process, only 10.1 percent of respondents reported their involvement in law-making process, with a slightly higher share among females (10.3 percent) than males (9.8 percent).
  9. On knowledge of constitutional law, over 70 percent of respondents report such knowledge with 75.2 percent of males and 73.5 percent of females affirming familiarity.
  10. In terms of knowledge of customary laws, 82.0 percent of the respondents reported being knowledgeable about customary law, with little difference between males (82.7 percent) and females (81.3 percent).
  11. Regarding participation in any public legal awareness programme, overall, 17.8 percent of respondents reported participation in a public legal awareness program, with rates slightly higher among females (18.2 percent) than males (17.3 percent).

12. Participation in public legal awareness was higher among rural residents (18.4 percent) than among urban residents (16.3 percent).

### C. *Formal Justice System*

1. Nationally, 70.9 percent of the people were knowledgeable about the formal justice system with males at 70.9 percent and females at 71 percent. This represents a decline compared to the 2018 results, where 81.0 percent of respondents were knowledgeable about the formal justice system.
2. The survey also found that 29.7 percent of respondents had experience with the justice system as victim, accused, complainant, witness, or juror – an increase from 21.0 percent in 2018.
3. The low experience with the formal justice system was mainly limited to police and courts. Barriers such as long distances and legal or illegal fees were established as hindering access to formal justice systems, especially for those with limited resources.
4. On disputes reported to the formal justice system, results show that the most commonly reported disputes in the formal justice system were marital or domestic matters (24.7 percent) – higher among females (27.4 percent) than males (21.7 percent); and land disputes (18.8 percent) – also higher among females (20.6 percent) than males (21.7 percent). In contrast, domestic violence (11.0 percent) and sexual harassment/violence (5.9 percent) were the least reported disputes.
5. Regarding legal representation in formal justice system, results show that less than a quarter of respondents (23.8 percent) who reported disputes to the formal justice system had legal representation, a slight increase from 22.6 percent reported in 2018.
6. In terms of gender, females (24.0 percent) and males (23.5 percent) had legal representation at the court on the reported disputes. Whilst male legal representation has increased if compared to 18.6 percent recorded in 2018, female legal

representation has declined if compared to 26.5 percent recorded in 2018.

7. On type of legal representation, results show that the most common forms of legal representation in court were legal aid and paralegals at 28.3 percent each, followed by private lawyers at 20.7 percent.
8. A higher proportion of urban residents (30.3 percent) used private lawyers than their rural counterparts (16.7 percent). In contrast, more rural residents (36.3 percent) were represented by Paralegals compared to the urban residents (9.0 percent).
9. The survey also registered mixed satisfaction levels with the formal justice system with 34.7 percent of respondents being very satisfied, 26.9 percent satisfied and 7.5 percent somewhat satisfied, while 30.8 percent reported being not satisfied.
10. On level of confidence in the formal justice system, results show that 32.8 percent of the respondents were confident in the way fairness is executed by the formal justice system while 33.2 percent expressed their confidence in professionalism of the formal justice system. On the contrary, about 75 percent of the respondents feel the formal justice is prone to corruption.

### D. *Informal Justice System*

1. Nationally, 90.8 percent of respondents reported familiarity with the informal justice system, a 3.7 percentage-point decrease from 94.5 percent recorded in 2018.
2. Familiarity with the informal justice system is higher among urban residents (95.1 percent) compared to rural residents (89.1 percent).
3. In terms of use of the informal justice system, results show that the proportion of individuals who had used the informal justice system to resolve disputes increased nationally from 15.6 percent in 2018 to 32.2 percent in 2025.
4. Usage of the informal justice system is highest among males (32.8 percent) than females (31.7 percent) and has increased for both genders since 2018 where it was at 18 percent and 14 percent, respectively.

5. On types of disputes referred to informal justice system, a higher proportion of respondents reported land disputes (42.2 percent) and marriage/family disputes (37.9 percent) to the informal justice system for resolution – an increase from 31.5 percent and 41.2 percent recorded in 2018, respectively. Witchcraft (4.8 percent), chieftaincy (5.8 percent) and domestic violence (9.9 percent) are among the least reported disputes.
6. On where the disputes are reported, 47.7 percent of national level respondents said they had reported their disputes to village heads, 25.8 percent to group village heads, 17.3 percent to family counselors, and 6.6 percent to Traditional Authorities.
7. In terms of satisfaction with the way their disputes were resolved, 54.6 percent were very satisfied, 23.7 percent satisfied, 8.8 percent somewhat satisfied and 13.0 percent dissatisfied. Only 13 percent were not satisfied – a decrease from 20 percent in 2018 – implying that more people are satisfied with the informal justice system.
8. As regards confidence in the informal justice system, 70.8 percent of the respondents expressed confidence in the informal justice system, with 37.4 percent expressing mere confidence and 33.4 percent very confident.
9. The highest level (91.0 percent) of confidence in the informal justice sector was in respect to settling disputes followed by the enforcement of judgements (88 percent). Only 9 percent of the respondents did not have any confidence in the dispute settlement function of the informal justice system.
10. On cost of settling disputes, results show that 50.3 percent of respondents made cash payments averaging MK 97,768.43 – an increase from 47.0 percent recorded in 2018. Only 4.7 percent and 4.4 percent of respondents paid in kind payments in form of goats and chickens, respectively.
11. As regards respondent's perception about cost of settling disputes, 35.0 percent of the respondents viewed the cost as affordable, 32.3 percent of respondents as fair while 27.8 percent indicated the cost as very expensive.

## **E. Accountability and Transparency**

1. Nationally, most people were aware of democratic governance and oversight institutions, with the Malawi Electoral

Commission at 81.6 percent, Parliament at 79.4 percent, Human Rights Commission at 70 percent, Anti-Corruption Bureau (69.2 percent), the Law Commission at 52.7 percent and Ombudsman 58.1 percent. However, awareness of most institution declined since 2018.

2. Urban residents were generally more aware of democratic governance and oversight institutions than rural residents. The largest rural-urban gaps were noted for the Law Commission (63.2 percent against 48.7 percent) and the Office of Ombudsman (70.6 percent against 53.3 percent), reflecting greater urban access to information on these institutions.

## **On satisfaction with handling cases:**

- a. Most respondents were satisfied with the Malawi Human Rights Commission's handling of cases with 19.4 percent very satisfied, 42.5 percent satisfied, and 21.3 percent somehow satisfied. Only 16.8 percent were dissatisfied. However, dissatisfaction has increased from the 9.3 percent recorded in 2018.
- b. Most respondents were also satisfied with case management by the Office of Ombudsman with 16.1 percent very satisfied, 39.8 percent very satisfied, and 23.3 percent somehow satisfied. Only 20.9 percent were dissatisfied though this is an increase from the 10.4 percent recorded in 2018.
- c. The ACB received mixed ratings with 15.4 percent very satisfied, 34.1 percent satisfied, 26 percent somehow satisfied, while 24.5 percent were dissatisfied.

## **Recommendations**

In view of these findings, the survey has made the following recommendations:

1. Intensify civic and human Rights education in vulnerable areas: implement sustained, community-based civic education campaigns in rural and peri-urban regions particularly in the Southern and Central regions using culturally resonant platforms such as community radio, mobile vans, religious gatherings, and traditional leadership structures.
2. Expand access to Legal Aid and Paralegal Services: strengthen the reach of legal aid by increasing district-level staffing and

deploying trained community paralegals in health centres, markets, and Traditional Authority offices to support vulnerable populations, especially women and low-income households.

3. Operationalize mobile and circuit Courts to enhance geographic access: deploy mobile magistrate courts and reintroduce circuit courts to adjudicate land, marriage, and gender-based violence (GBV) cases in remote and underserved areas, thereby reducing physical and logistical barriers to justice.
4. Eliminate financial barriers to justice: standardize and publicly display court fees across all jurisdictions, and institutionalize fee waiver mechanisms for indigent groups, including women, the elderly, and persons with disabilities.
5. Institutionalize Gender-Responsive Justice Services: Ensure all police formations have fully functional Victim Support Units (VSUs) staffed with trained female officers, and strengthen gender-sensitive protocols for handling GBV and sexual abuse cases.
6. Establish Integrated, Multi-Platform Human Rights Reporting Mechanisms: launch a toll-free, confidential reporting system accessible via voice, SMS, and WhatsApp-linked to the Malawi Human Rights Commission (MHRC) and Police, with quarterly public feedback to enhance transparency and trust.
7. Modernize Public Legal Awareness Campaigns: revamp legal literacy efforts through multimedia channels, including radio dramas and mobile video vans, and collaborate with religious institutions to disseminate simplified legal messages during congregational gatherings.
8. Accelerate Digital Transformation of Justice and Oversight Systems: introduce e-filing, SMS-based case status updates, and digital complaints platforms across both formal and informal justice systems to improve efficiency, transparency, and citizen engagement.
9. Formalise Referral Pathways Between Informal and Formal Justice Systems: develop and institutionalize referral protocols between village courts and formal institutions,

particularly for GBV, defilement, and trafficking cases, and train traditional leaders on appropriate case referrals.

10. Strengthen Oversight and Accountability of Traditional Justice Actors: Implement annual performance audits of Traditional Authorities and village courts, guided by standardized justice guidelines that emphasize fairness, record-keeping, and compliance with statutory mandates.
11. Enhance Inter-Institutional Coordination Among Oversight Bodies: establish a Justice and Accountability Sector Working Group to facilitate joint investigations, harmonized civic education, coordinated monitoring, and integrated reporting among the ACB, MHRC, Ombudsman, and Law Commission.
12. Bolster Public Confidence in the Anti-Corruption Bureau (ACB): improve transparency by publishing disaggregated data on case initiation, investigations, prosecutions, and asset recoveries, and expand the operational capacity of regional ACB offices to reduce geographic inequities in service delivery.
13. Strengthen Community-Level Human Rights Monitoring: establish and capacitate a network of village-level human rights monitors under the MHRC or accredited CSOs to document violations, support victims, and facilitate referrals to formal institutions.
14. Enhance Data Systems for Justice and Accountability: invest in robust, disaggregated data systems across justice and oversight institutions to enable evidence-based planning, performance tracking, and periodic trend analysis through regular JAS cycles.
15. Mainstream Gender Across Justice Sector Interventions: ensure all justice and accountability reforms explicitly address gender disparities by promoting women's access to justice, leadership in community structures, and protection from discrimination and violence.
16. Leverage Civil Society as Strategic Implementation Partners: formally engage CSOs in delivering civic education, legal aid outreach, community monitoring, and feedback loops, particularly in hard-to-reach and marginalized communities.



## CHAPTER 1

## INTRODUCTION

## 1.1 Country profile

Malawi is a landlocked country in south-eastern Africa, bordered by Tanzania to the north, Mozambique to the east and south-west, and Zambia to the northwest. As of 2023, it had an estimated population of 20.4 million, with females comprising 51.0 percent and males 49.0 percent (National Statistical Office, 2020). According to the World Bank's 2024 Development Indicators report, the country's annual population growth rate is approximately 2.6 percent (World Bank, 2024). The population is predominantly rural, with 84.0 percent residing in rural areas and only 16.0 percent in urban areas (United Nations Department of Economic and Social Affairs, 2023). The economy is primarily agrarian, with agriculture employing more than 80 percent of the population and contributing 21.7 percent to GDP (World Bank, 2023). Despite ongoing government and development partner initiatives to improve welfare, the country continues to face persistent challenges, including poverty, inequality, youth unemployment, and limited access to quality social services.

## 1.2 Background information

The Government of Malawi (GoM) considers democratic governance one of the key foundational pillars for driving economic development and national progress. Historically, the country's economic trajectory demonstrates a clear relationship between strong governance practices and favorable development outcomes, with periods of growth often aligning with efficient and accountable leadership. Accordingly, Malawi's long-term development blueprint, Malawi 2063 (National Planning Commission, 2020), identifies effective governance as a critical enabler of sustainable development, envisioning robust governance systems and institutions that uphold the rule of law, integrity, and inclusivity.

In 2013, this principle guided the development of the Democratic Governance Sector

Strategy (DGSS) and the accompanying Policy Framework Paper (PFP). These documents placed democratic governance at the center of national reform and resource allocation, aligning closely with earlier frameworks such as the Malawi Growth and Development Strategy (MGDS) and Malawi Vision 2063. The formal adoption of the DGSS and PFP marked a pivotal step in Malawi's democratic consolidation, aiming to build a fair, secure, inclusive, and prosperous society where all individuals enjoy their rights and live with dignity. The strategy emphasized core governance values, including transparency, accountability, and institutional coordination across sectors.

Building on these developments, institutions within the Democratic Governance Sector implemented a range of activities to advance the objectives of the two policy documents. The Democratic Governance Programme (DGP), funded by the European Union, and the Democratic Governance Sector Support Programme (DGSSP), supported by UNDP Malawi, played significant roles in facilitating the implementation of these policy priorities.

In 2017, the National Statistical Office (NSO) conducted the Democratic Consolidation Program Survey (DCP IV) as a follow-up to the 2011 DCP survey (National Statistical Office, 2018). While the 2017 survey provided insights into human rights and other democratic governance indicators, it lacked crucial baseline data for the successor Sector Strategy, particularly in the Justice subsector. Since the DG sector is broadly defined to include justice and democratic accountability institutions, the absence of these indicators limited the survey's usefulness in informing comprehensive interventions.

To address this gap, the NSO, in collaboration with the Ministry of Justice and Constitutional Affairs and with support from the European Union, conducted the Justice and Accountability Survey in 2018. This survey assessed the impact of interventions under the DGSS and PFP and

generated updated data on justice and accountability to guide priority-setting and strategy development.

Six years later, Malawi's governance landscape has undergone significant changes. These shifts, coupled with persistent information gaps and emerging development challenges, underscore the need for a new cross-sectional survey aligned with Malawi Vision 2063 and its implementation frameworks. It is against this background therefore that the NSO in collaboration with MOJCA conducted the 2025 JAS. Findings from the survey will provide a timely snapshot of the state of democratic governance and inform future policy direction and programming.

### 1.3 Objectives of the study

#### 1.3.1 Main objective

The main objective of the survey is to provide quantitative information on the current levels of public and service-user knowledge, attitudes, experiences, and access to institutions that administer justice and those that ensure

- democratic accountability. The survey collected information on the following areas: (1) human rights; (2) rule of law; (3) access to justice; (4) accountability; and (5) legal systems.

#### 1.3.2 Specific Objectives

- To assess public awareness and perceptions of democratic governance sector institutions, including their roles in promoting transparency, accountability, and responsiveness.

- To evaluate the state of the rule of law, focusing on public understanding of legality, equality, accountability, judicial independence, and transparency in legal processes.

- To measure access to justice by examining physical, economic, cultural, and linguistic accessibility, as well as the availability of effective remedies for grievances.

To examine the performance of accountable, responsive, and transparent (ART) sector institutions by assessing their responsibility,

- answerability, enforcement mechanisms, citizen engagement, timeliness of service delivery, and information disclosure.

To gather data on public experiences and satisfaction with justice institutions, including courts, police, and traditional justice systems, and to identify barriers to access such as corruption or lack of transparency.

To analyze perceptions of fairness, transparency, and accountability in justice delivery, focusing on how citizens view the justice system's effectiveness and impartiality.

### 1.4 Target population

To achieve the study objectives, a household questionnaire was developed and administered to individuals aged 18 years and above in the selected enumeration areas. Unlike the 2018 Justice and Accountability Survey, the 2025 edition did not collect administrative data from democratic and accountability institutions, nor did it collect data from communities through focus group discussions.

### 1.5 Methodology

The 2025 Justice and Accountability Survey included representation from all three regions of the country but did not cover all districts. In the Northern Region, data were collected in Karonga, Rumphi and Mzuzu City; in the Central Region, in Nkhosang, Dowa, Lilongwe, Lilongwe City and Dedza and in the Southern Region, in Zomba, Blantyre, Blantyre City, Thyolo, Phalombe, Nsanje, and Neno. The survey targeted household respondents aged 18 years and older, collecting information on their knowledge, attitudes, experiences, and access to institutions responsible for administering justice and ensuring democratic accountability. Due to financial constraints, the survey was conducted only at the household level and did not include community-level focus group discussions, unlike the 2018 Justice and Accountability Survey.

### 1.6 Household sampling

The sample for the 2025 Justice and Democratic Accountability Survey was designed to produce estimates at the national, regional, and selected district levels. A two-stage cluster sampling

design was used to select the primary sampling units (enumeration areas, EAs). In the first stage, EAs were randomly selected from the household listings of the 2024 National Agriculture Census (NACA) sampling frame. In the second stage, households were randomly selected from a complete list of NACA households within each EA chosen in the first stage. The Probability Proportional to Size (PPS) method was applied to allocate EAs across regions.

A total of 100 EAs were selected, yielding a sample of 1,000 households and 4,306 individuals aged 18 years and older. The EAs were distributed as follows: 40 in the Central Region, 35

in the Southern Region, and 25 in the Northern Region. The survey sample was not self-weighting, as an equal number of households were selected from each EA. Specifically, 10 households were systematically and randomly chosen from a complete listing of all eligible households within each EA.

## 1.7 Questionnaire design

The NSO developed the questionnaire based on indicators outlined in the Terms of Reference. The instrument was designed to align with the 2018 Malawi Justice and Accountability Survey, though some modules were removed after consultations with key stakeholders. The final questionnaire comprised five modules: Rule of Law, Human Rights, Access to Justice,

Accountability, and the Legal System. The English version of the questionnaire was translated into Chichewa by NSO experts in collaboration with the National Planning Commission (NPC), the Ministry of Justice and Constitutional Affairs, and the Office of the Ombudsman to ensure accuracy, consistency, and clarity for respondents.

## 1.8 Survey implementation

The survey employed both qualitative and quantitative approaches to generate baseline indicators. To ensure comprehensive and current data on democratic accountability and access, particularly in the areas of human rights, rule of law, accountability, access to justice, and the legal system, the NSO conducted a literature review alongside fieldwork. Five teams were deployed across the country's three regions. Each team consisted of six trained enumerators, an experienced NSO supervisor, and a driver, and their work was overseen by senior supervisors from both the NSO and the Ministry of Justice and Constitutional Affairs.

The NSO managed the overall implementation and coordination of the survey beyond data collection. Data were captured electronically using Survey Solutions software. Before transmission to the NSO headquarters server in Zomba, field supervisors reviewed the data for quality and completeness. Subsequent data cleaning and analysis were conducted by NSO officers using STATA software.



CHAPTER 2

HUMAN RIGHTS

2.1 Introduction

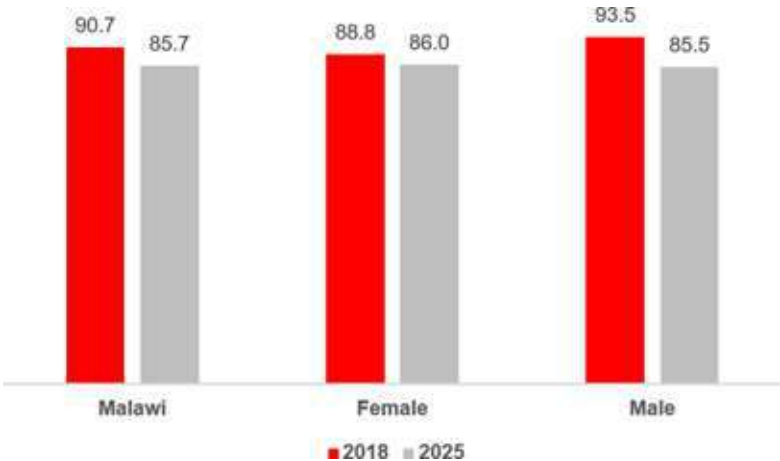
Human rights are the fundamental rights and freedoms inherent to all individuals, regardless of background or status (Greenberg, 2025). They are grounded in international standards, including the Universal Declaration of Human Rights, and are enshrined in Malawi's Constitution, which guarantees equality, dignity, and justice for all (Constitution of the Republic of Malawi, 1994). Within the context of justice and accountability, human rights serve as the benchmark for assessing how institutions protect citizens, ensure fairness, and provide remedies when violations occur

(Gabel, 2024). This survey therefore collected information from respondents regarding their awareness of human rights, individuals' responsibilities on human rights, experiences of human rights violations, perpetrators of human rights violations and reporting of human rights violations to the relevant authorities.

2.2 Awareness of human rights and freedoms

About 85.7 percent of Malawians reported awareness of their basic human rights and freedoms, compared to 90.7 percent in 2018.

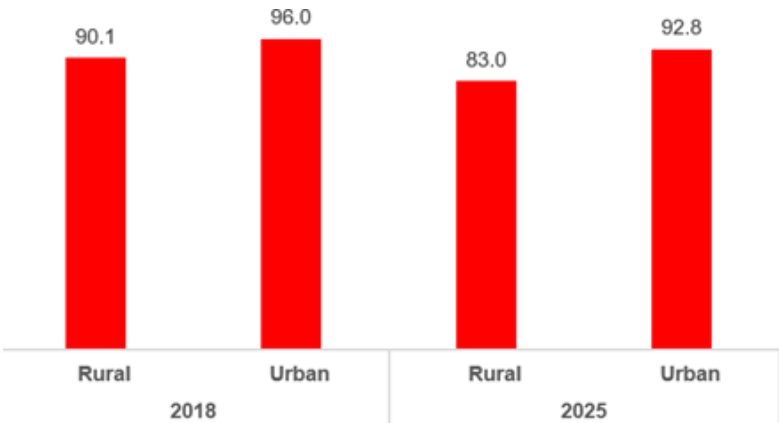
Figure 2.1: Awareness of basic human rights and freedoms



Source: National Statistical Office, J&AS 2025

Awareness was higher in urban areas (92.8 percent) than in rural areas (83.0 percent), but both showed declines from 2018 (96 percent and 90.1 percent, respectively) (Figure 2.2).

Figure 2.2: Awareness of basic human rights and freedoms by residence

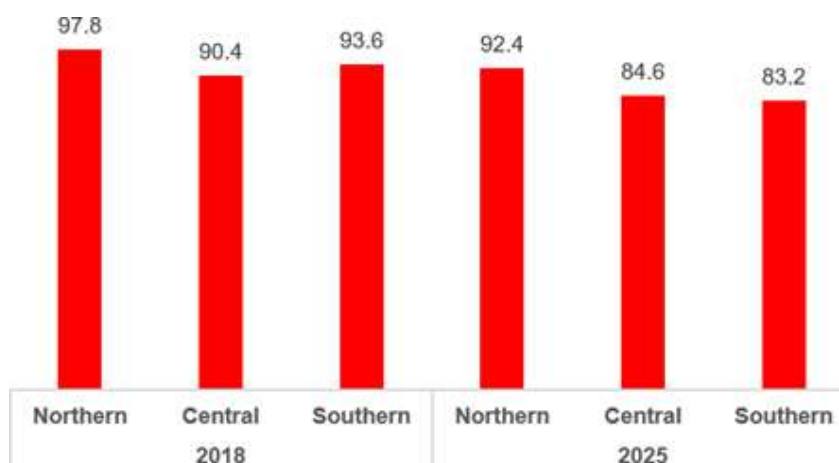


Source: National Statistical Office, J&AS 2025

Among males, awareness stood at 85.5 percent nationally (92.8 percent urban, 82.5 percent rural), down from 93.5 percent in 2018. Among females, awareness was 86.0 percent nationally (92.7 percent urban, 83.5 percent rural), a

decrease from 88.8 percent in 2018. Overall, results indicate a general decline in awareness of human rights and freedoms across gender and residence categories (Figure 2.3).

**Figure 2.3:** Awareness of basic human rights and freedoms by region



Source: National Statistical Office, J&AS 2025

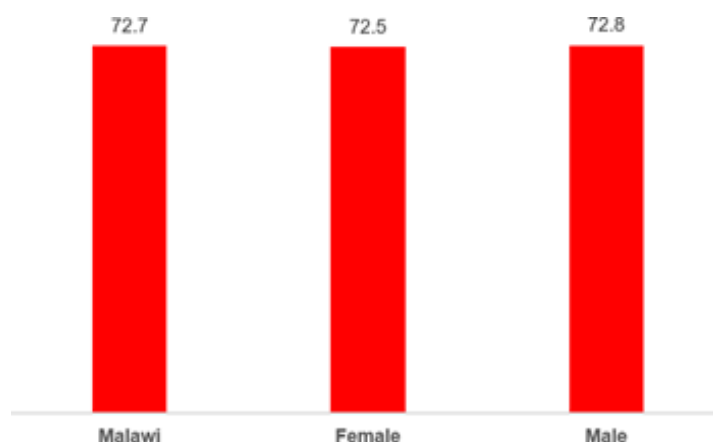
At regional level, awareness of human rights and freedoms was the highest in the Northern Region (92.4 percent), followed by the Central (84.6 percent) and Southern (83.2 percent) Regions. This reflects a decline from 2018 levels (97.8 percent, 90.4 percent and 93.6 percent, respectively). By gender, awareness was highest in Northern Region (93.1 percent men, 91.7 percent women), moderate in the Central (84.6 percent both sexes), and lowest in the Southern

(82.1 percent men, 84.2 percent women) (Figure 2.3).

## 2.3 Awareness of responsibilities

In the 2025 Justice and Accountability Survey, 72.7 percent of respondents reported awareness of their responsibilities regarding human rights and freedoms (72.8 percent males, 72.5 percent females) (Figure 2.4).

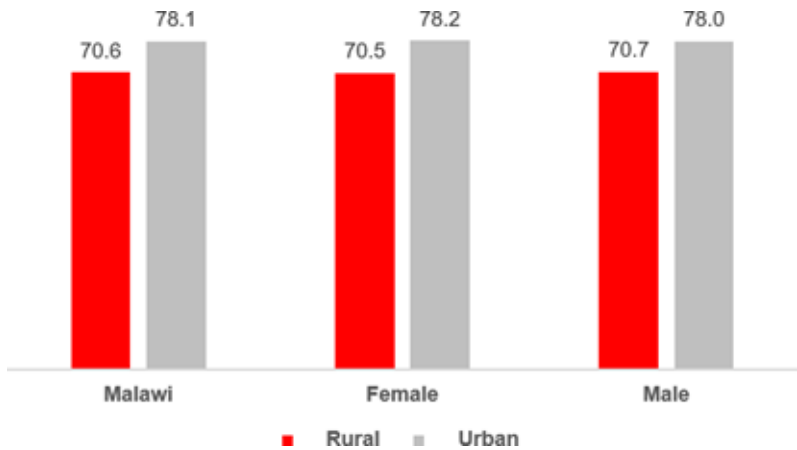
**Figure 2.4:** Awareness of responsibilities regarding human rights and freedoms



Source: National Statistical Office, J&AS 2025

Awareness was higher in urban areas (78.1 percent) than rural (70.6 percent) (Figure 2.5).

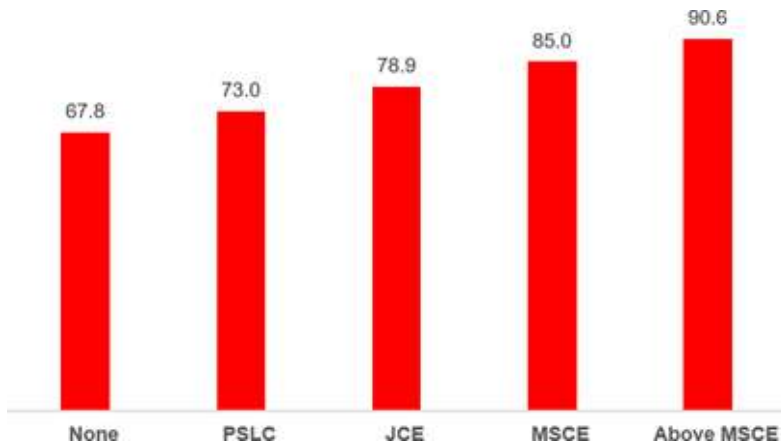
**Figure 2.5:** Awareness of responsibilities regarding human rights and freedoms by residence



Source: National Statistical Office, J&AS 2025

By education, awareness peaked among those with MSCE (90.6 percent) and above MSCE (85 percent), and was lowest among respondents with no education (67.8 percent) and those with PSLC (73 percent) (Figure 2.6)

**Figure 2.6:** Awareness of responsibilities regarding human rights and freedoms by education level



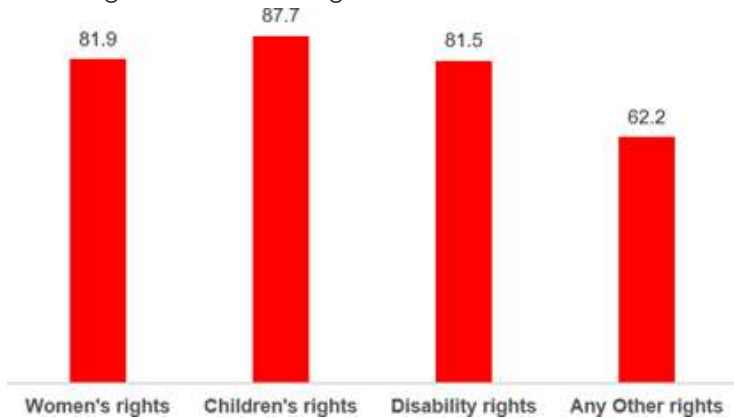
Source: National Statistical Office, J&AS 2025

## 2.4 Human rights knowledge

About 87.7 percent of Malawians reported

knowledge of children's rights, followed by women's rights (81.9 percent) and disability rights (81.5 percent), while 62.2 percent knew other human rights (Figure 2.7).

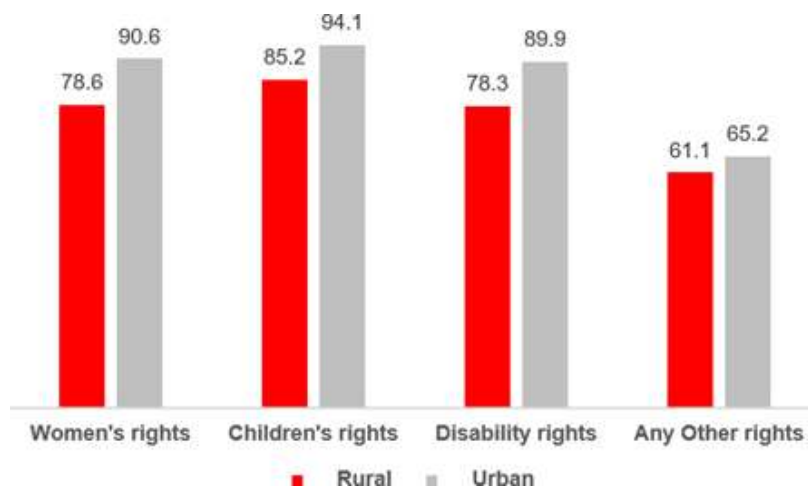
**Figure 2.7:** Awareness of human rights in various categories



Source: National Statistical Office, J&AS 2025

Knowledge was higher in urban areas with children's rights (94.1 percent), women's rights (90.6 percent), disability rights (89.9 percent) compared to rural areas with children's rights (85.2 percent), women's rights (78.6 percent), disability rights (78.3 percent) (Figure 2.8).

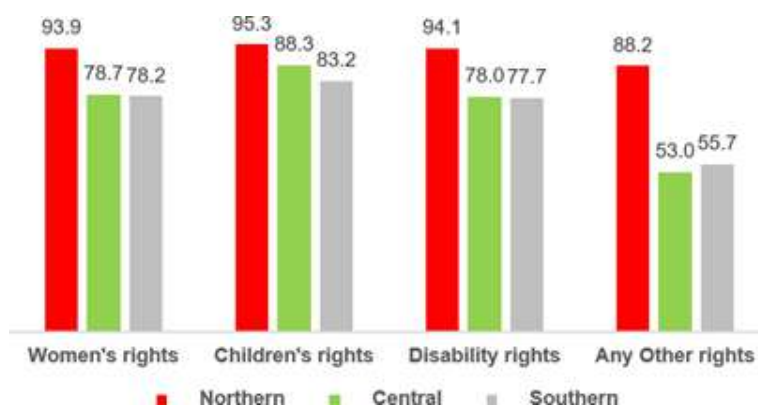
**Figure 2.8:** Awareness of human rights in various categories by residence



Source: National Statistical Office, J&AS 2025

At regional level, knowledge of human rights was highest in the Northern Region—women's rights (93.9 percent), children's rights (95.3 percent), disability rights (94.1 percent), and other rights (88.2 percent). The Central and Southern Regions trail behind, with the lowest awareness of other human rights at 53 percent and 55.7 percent, respectively (Figure 2.9).

**Figure 2.9:** Awareness of human rights in various categories by region



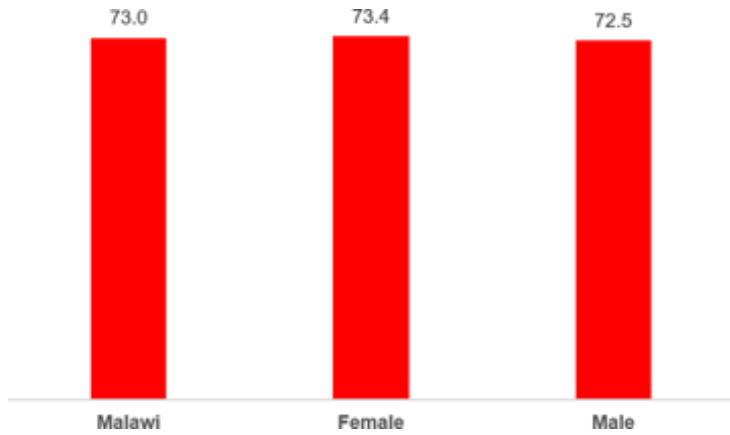
Source: National Statistical Office, J&AS 2025

## 2.5 Most important rights: Knowledge of constitutional guarantees of human rights

In the 2025 Justice and Accountability Survey,

73.0 percent of Malawians were aware that human rights are explicitly guaranteed in the Constitution, with slightly higher knowledge among females (73.4 percent) than among males (72.5 percent) (Figure 2.10).

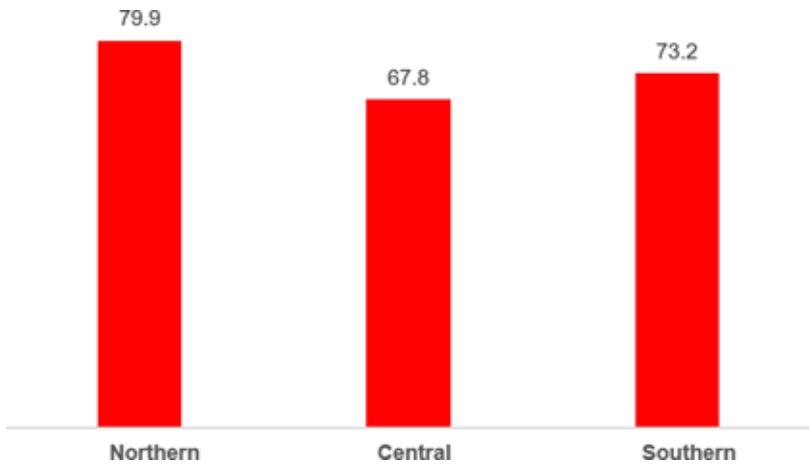
**Figure 2.10:** Awareness that human rights are guaranteed in the constitution



Source: National Statistical Office, J&AS 2025

Regionally, awareness was highest in the Northern Region (79.9 percent), followed by the Southern (73.2 percent) and Central (67.8 percent) Regions (Figure 2.11).

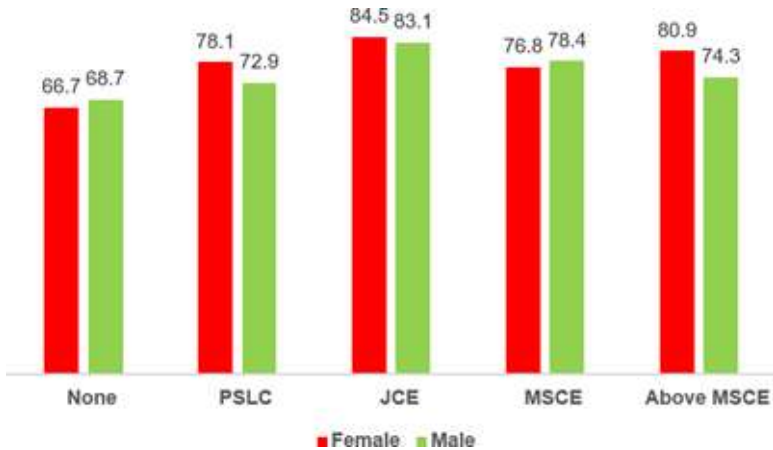
**Figure 2.11:** Awareness that human rights are guaranteed in the constitution by region



Source: National Statistical Office, J&AS 2025

Awareness was highest among respondents with above MSCE education (females 84.5 percent, males 83.1 percent) and lowest among those with no education (females 66.7 percent, males 68.7 percent) (Figure 2.12).

**Figure 2.12:** Awareness that human rights are guaranteed in the constitution by education



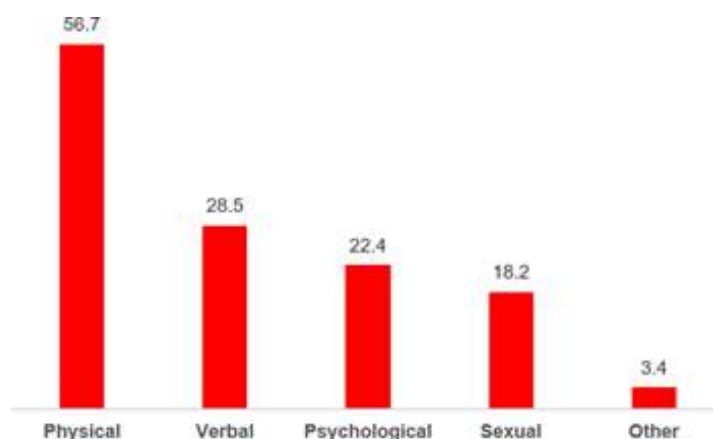
Source: National Statistical Office, J&AS 2025

## 2.6 Human rights violations

About 56.7 percent of Malawians reported experiencing physical human rights violations

in the past two years, the most common type, followed by verbal (28.5 percent), psychological (22.4 percent), and sexual violations (18.2 percent) (Figure 2.13).

**Figure 2.13:** Human rights violations by type in the last two years

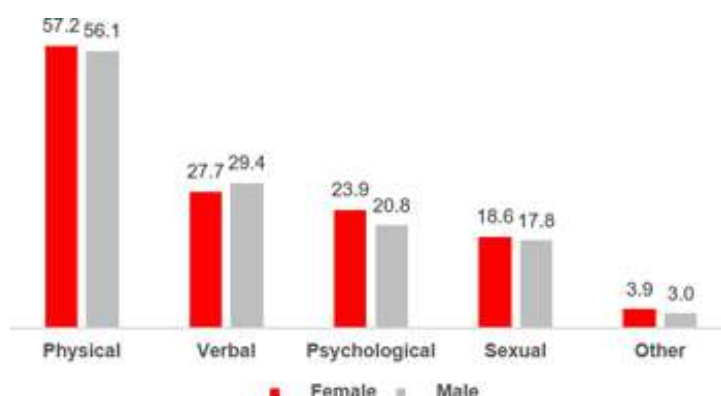


Source: National Statistical Office, J&AS 2025

Disaggregated by gender, physical human rights violations were most common for both females (57.2 percent) and males (56.1 percent). Verbal violations were higher among males (29.4 percent) than among females (27.7 percent),

psychological violations were higher among females (23.9 percent) than males (20.8 percent), and sexual violations were slightly higher among females (18.6 percent) than males (17.8 percent) (Figure 2.14).

**Figure 2.14:** Human rights violations by type in the last two years by gender

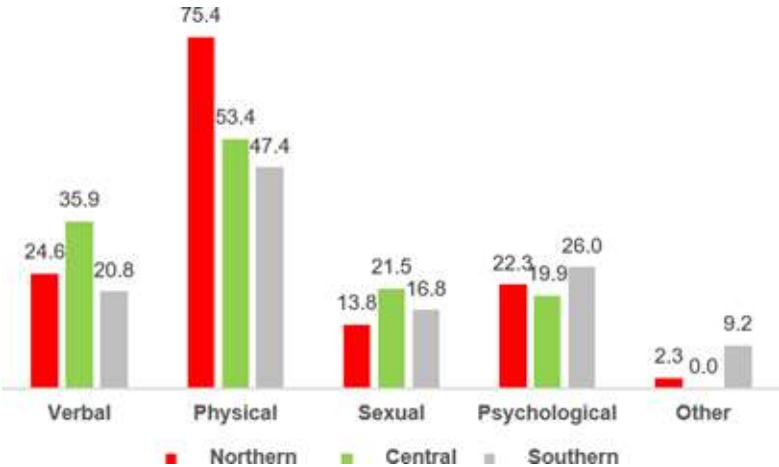


Source: National Statistical Office, J&AS 2025

Regionally, physical violations were highest in the Northern Region (75.4 percent), verbal in the Central Region (35.9 percent), psychological in the Southern Region (26 percent), and sexual in

the Central Region (21.5 percent). Other forms of violations were minimal across Regions (Figure 2.13).

Figure 2.15: Human rights violations and type in the last two years by region



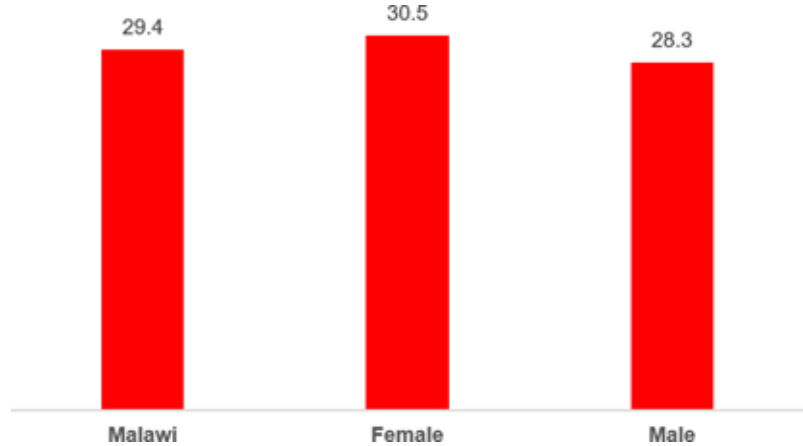
Source: National Statistical Office, J&AS 2025

2.7 Reporting of human rights violations

About 29.4 percent of Malawians reported

experiencing human rights violations. Reporting was slightly higher among females (30.5 percent) than males (28.3 percent) (Figure 2.16).

Figure 2.16: Percentage of individuals reporting human rights violations

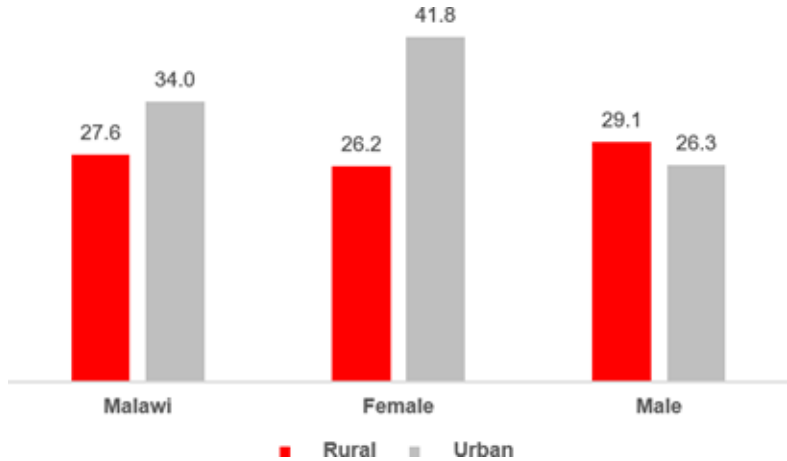


Source: National Statistical Office, J&AS 2025

By residence, human rights violations was higher in urban areas (34.0 percent) than in rural areas (27.6 percent). Among females, 41.8 percent

were in urban areas and 26.2 percent were in rural areas. Whilst among males, 26.3 percent were in urban areas and 29.1 percent were in rural areas (Figure 2.17).

Figure 2.17: Percentage distribution of individuals who reported human rights violation by residence



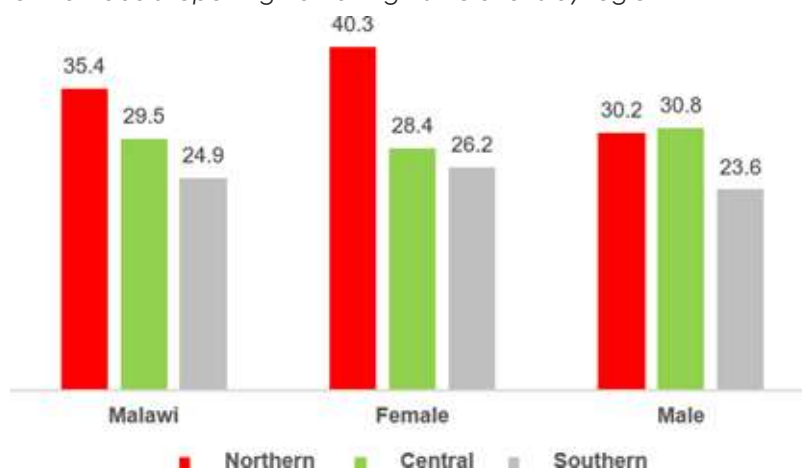
Source: National Statistical Office, J&AS 2025



Regionally, the Northern Region recorded the highest reporting rate (35.4 percent), with more females (40.3 percent) than males (30.2 percent). The Central Region reported 29.5 percent

(males 30.8 percent, females 28.4 percent), while the Southern Region had the lowest rate at 24.9 percent (females 26.2 percent, males 23.6 percent) (Figure 2.18).

**Figure 2.18:** Percentage of individuals reporting human rights violations by region



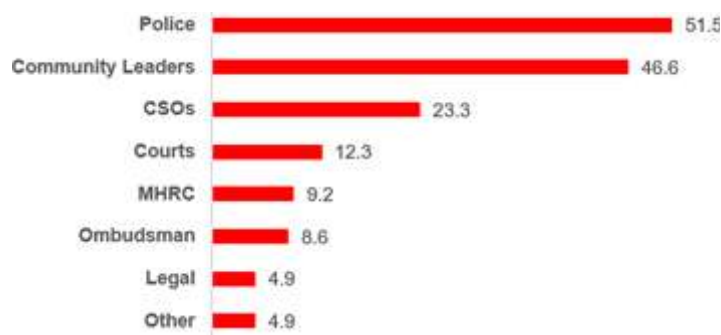
Source: National Statistical Office, J&AS 2025

## 2.8 Institutions reported for human rights violations

Nationally, the Police (51.5 percent) and

Community Leaders (46.6 percent) are the main authorities where human rights violations were reported, followed by CSOs (23.3 percent) and Courts (12.3 percent) (Figure 2.19).

**Figure 2.19:** Institutions reported for human rights violations

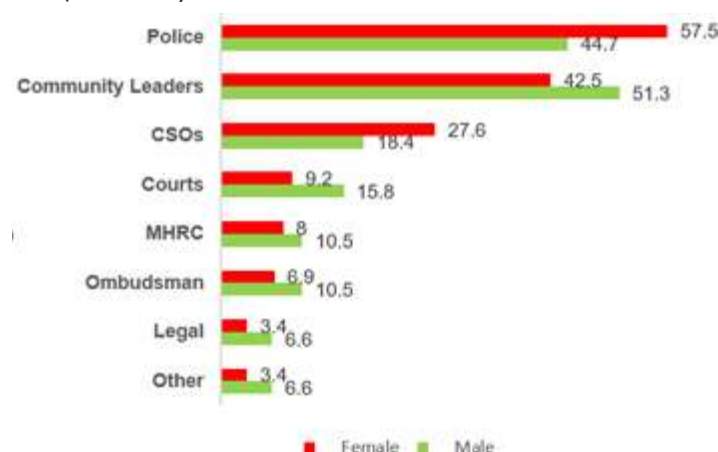


Source: National Statistical Office, J&AS 2025

Reporting patterns varied across gender. Males reported more to Community Leaders (51.3 percent) and Courts (15.8 percent), while

females relied more on Police (57.5 percent) and CSOs (27.6 percent) (Figure 2.20).

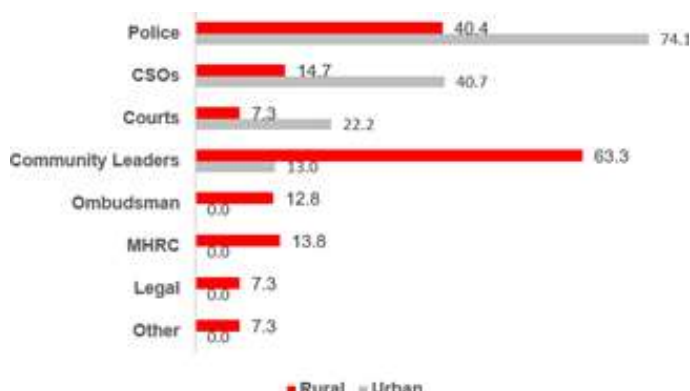
**Figure 2.20:** Institutions reported for human rights violations by gender



Source: National Statistical Office, J&AS 2025

Urban residents reported mainly to Police (74.1 percent) and CSOs (40.7 percent), while rural residents turned to Community Leaders (63.3 percent) and CSOs (40.7 percent) (Figure 2.21).

**Figure 2.21:** Institutions reported for human rights violations by residence



Source: National Statistical Office, J&AS 2025

## 2.9 Perpetrators of human rights violations

Nationally, the police (10.6 percent) were reported as the main perpetrators. Other

significant perpetrators included prosecutors (3.8 percent), courts (4.2 percent), and other public officers (6.0 percent). State advocates and probation officers were reported less frequently, both below 3 percent (Figure 2.22).

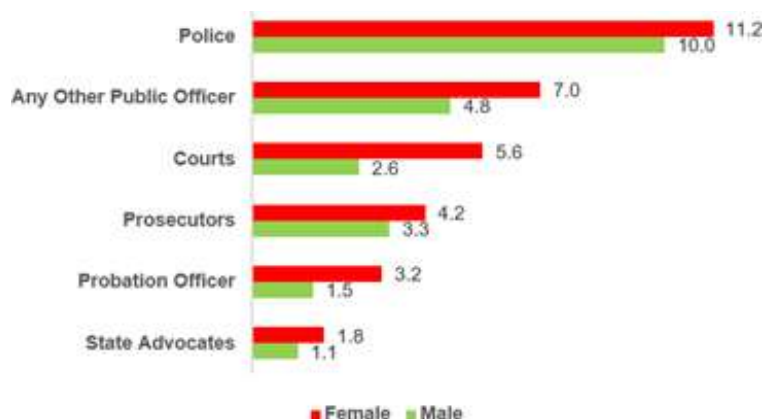
**Figure 2.22:** Institutions reported for human rights violations



Source: National Statistical Office, J&AS 2025

Across gender, females reported highly in all the categories on institutions perpetrating human rights violations than their males counterpart (Figure 2.23).

**Figure 2.23:** Institutions reported for human rights violations by gender



Source: National Statistical Office, J&AS 2025

Slightly higher cases were reported in rural areas (10.9 percent) compared to urban areas (10.1 percent). Overall, the data indicate that state

institutions, particularly the police, are the leading perpetrators of human rights violations across both rural and urban settings (Figure 2.24).

**Figure 2.24:** Human rights violation perpetrators by residence



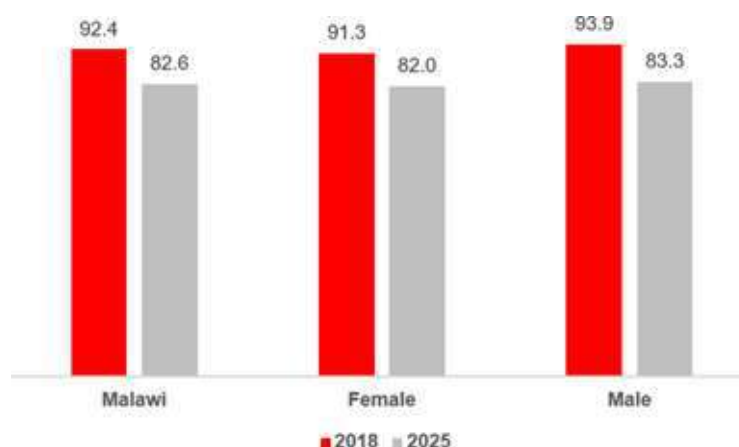
Source: National Statistical Office, J&AS 2025

## 2.10 Reprisals following reporting

The survey asked respondents if they would report human rights violations without fear of reprisals. Nationally, 82.6 percent indicated they

would, down from 92.4 percent in 2018. Gender differences were minimal, with 83.3 percent of males and 82.0 percent of females reporting no fear, compared to 93.9 percent and 91.3 percent respectively in 2018 (Figure 2.25).

**Figure 2.25:** Individuals willing to report human rights violations without fear of reprisals

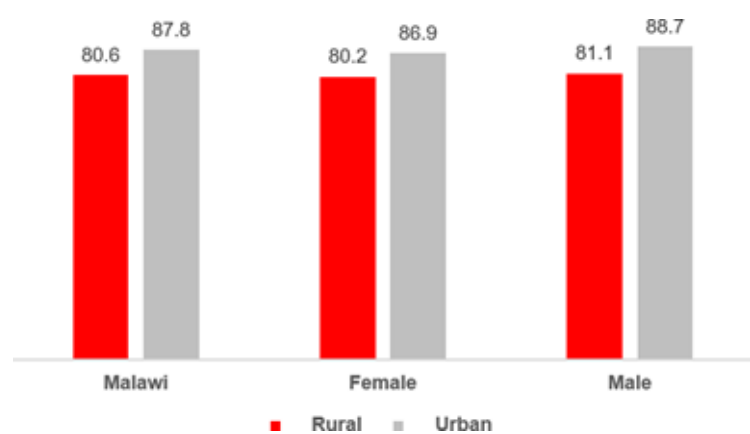


Source: National Statistical Office, J&AS 2025

By residence, 88.7 percent of urban males and 86.9 percent of urban females felt free to report,

while in rural areas the figures were 81.1 percent for males and 80.2 percent for females (Figure 2.26).

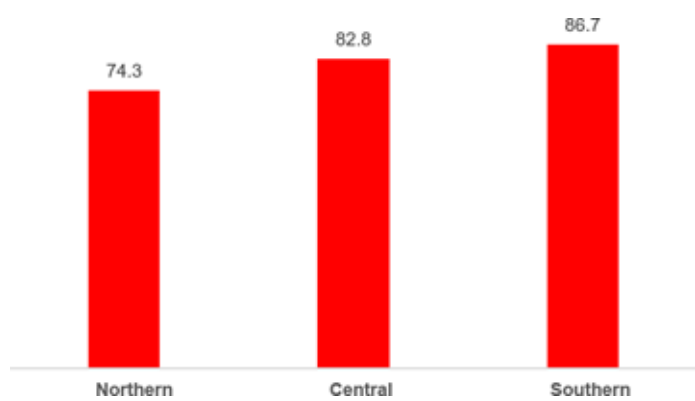
Figure 2.26: Individuals willing to report human rights violations without fear of reprisals by residence



Source: National Statistical Office, J&AS 2025

Regionally, willingness to report was highest in the Central (82.8 percent) and Northern Regions (74.3 percent), followed by the Southern Region (86.7 percent), followed by (74.3 percent) (Figure 2.27).

Figure 2.27: Individuals willing to report human rights violations without fear of reprisals by region



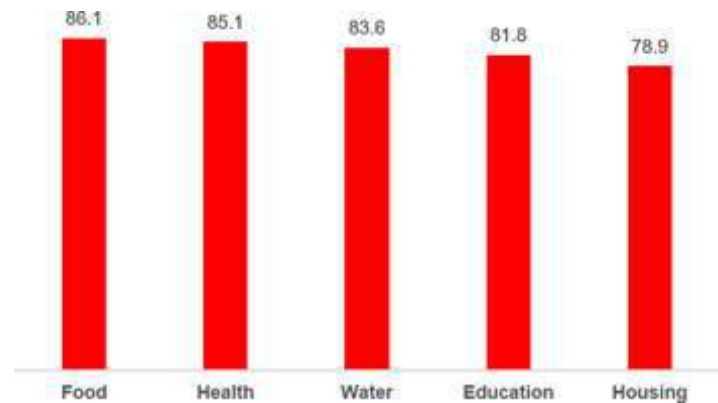
Source: National Statistical Office, J&AS 2025

2.11 Linking service delivery and human rights

According to the Justice and Accountability Survey (2025), a high proportion of Malawians

understand the relationship between human rights and the delivery of socio-economic services, with the highest awareness in Food (86.1 percent) and Health (85.1 percent) and the lowest in Housing (78.9 percent) (Figure 2.28).

Figure 2.28: Understanding the link between human rights and service delivery

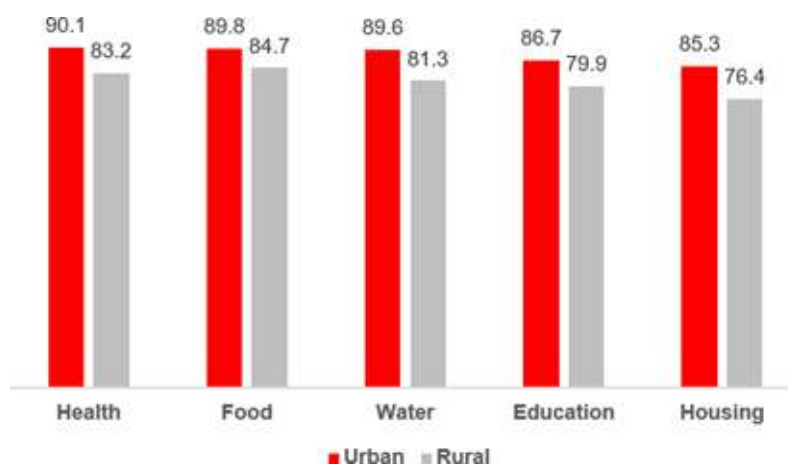


Source: National Statistical Office, J&AS 2025

Urban residents consistently show higher understanding than rural residents across all sectors. The largest urban-rural gap is observed

in Housing (8.9 percent), suggesting that awareness campaigns should particularly target rural populations and sectors with lower understanding. (Figure 2.29).

**Figure 2.29:** Understanding the link between human rights and service delivery by residence

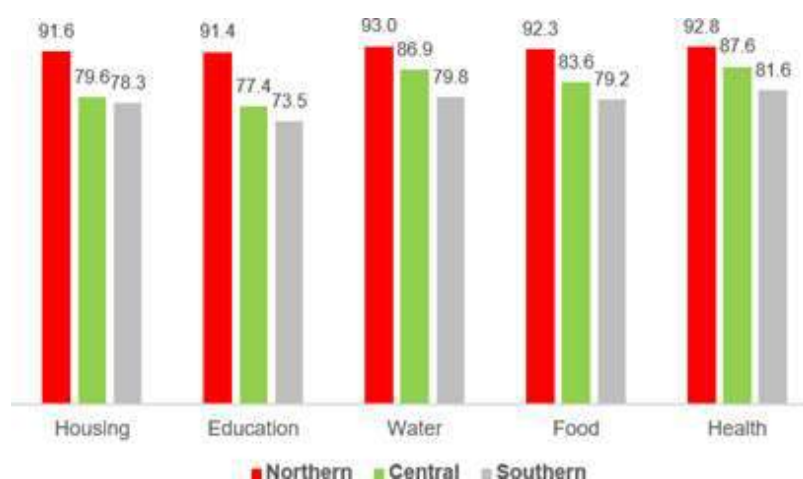


Source: National Statistical Office, J&AS 2025

In terms of regional differences, the Northern Region showed the highest proportion of individuals who understand the link between human rights and service delivery, followed by the Central and Southern Regions. Awareness

was highest for water services (Northern 93.0 percent, Central 86.9 percent, Southern 79.8 percent) and lowest for the education services (Northern 91.4 percent, Central 77.4 percent, Southern 73.5 percent) (Figure 2.30).

**Figure 2.30:** Understanding the link between human rights and service delivery by region



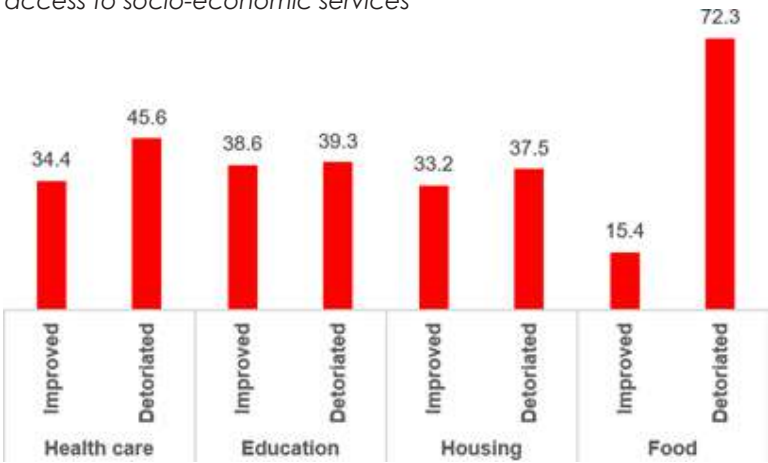
Source: National Statistical Office, J&AS 2025

## 2.12 Access to public service facilities

Respondents were asked about changes in access to socio-economic services, including education, housing, health, water, and food, over the five years preceding the survey. Nationally,

72.3 percent reported that access to food had deteriorated. In relation to health services, 45.6 percent perceived a decline, while 34.4 percent reported improvements (Figure 2.31).

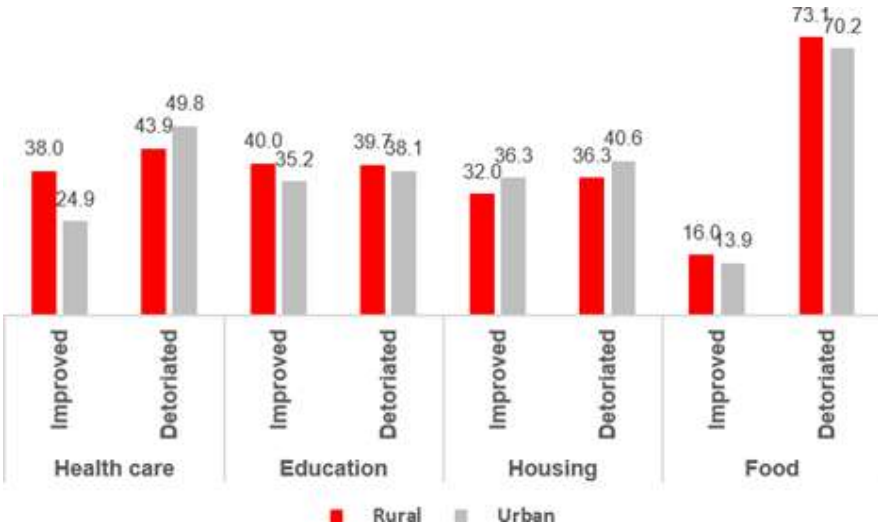
**Figure 2.31:** Changes in access to socio-economic services



Source: National Statistical Office, J&AS 2025

By residence, 40.6 percent of urban respondents felt housing access had worsened, and about 38.1 percent in urban and 39.7 percent in rural areas reported deterioration in education facilities (Figure 2.32).

**Figure 2.32:** Changes in access to socio-economic services by residence, J&AS 2025

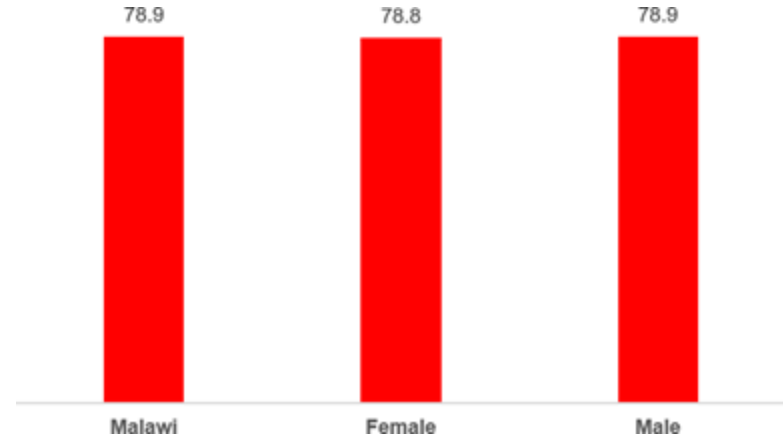


Source: National Statistical Office, J&AS 2025

### 2.13 Claim of human rights

At the national level, 78.9 percent of respondents reported being able to claim their human rights, with no notable gender differences (males 78.9 percent, females 78.8 percent) (Figure 2.33).

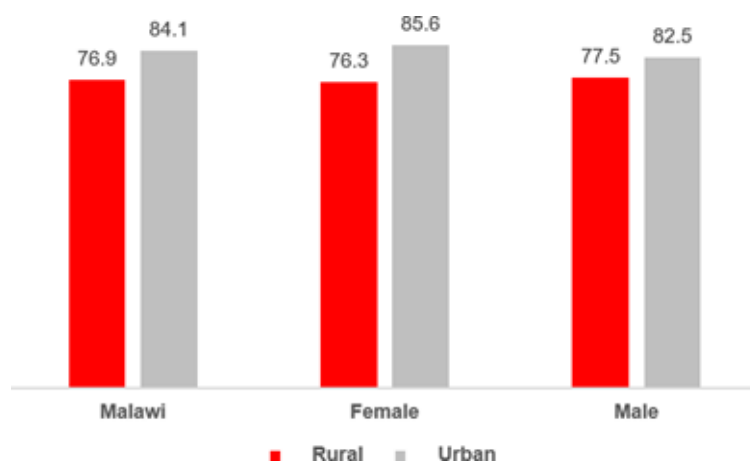
**Figure 2.33:** Proportion of individuals able to claim their human rights



Source: National Statistical Office, J&AS 2025

By residence, urban respondents (84.1 percent) were more likely than rural respondents (76.9 percent) to claim their rights (Figure 2.34).

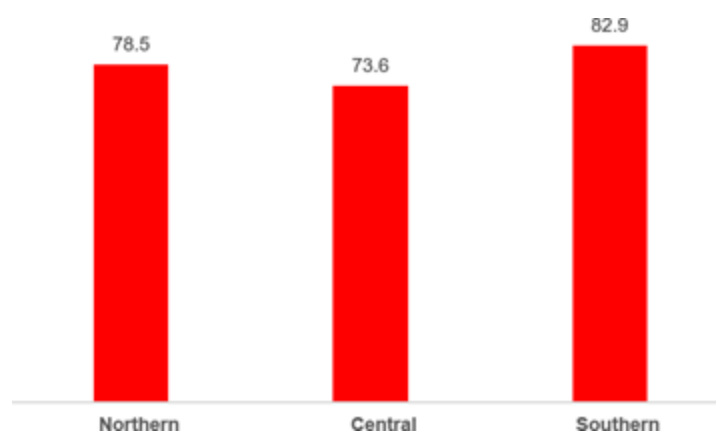
**Figure 2.34:** Proportion of individuals able to claim their human rights by residence



Source: National Statistical Office, J&AS 2025

Regionally, the highest proportion was observed in the Southern Region (82.9 percent), followed by the Northern (78.5 percent) and Central (73.6 percent) Regions (Figure 2.35).

**Figure 2.35:** Proportion of individuals able to claim their human rights by region



Source: National Statistical Office, J&AS 2025

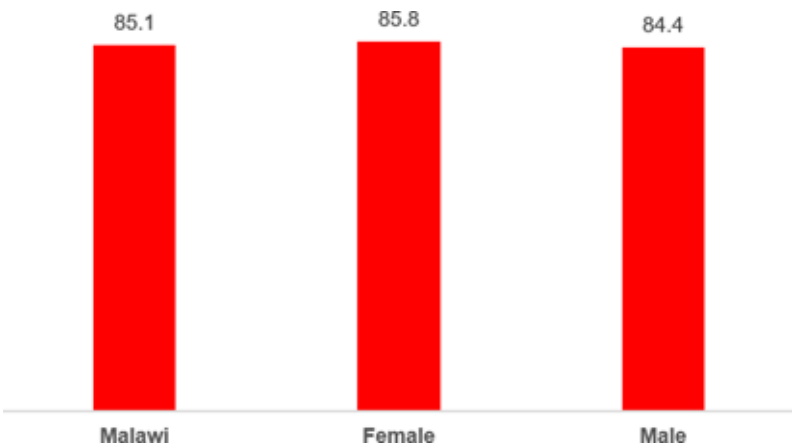
## 2.14 Freedom of opinion

Respondents were asked to assess their freedom to publicly express opinions. Nationally, 85.1

percent reported being able to exercise this freedom, with little gender difference (females 85.8 percent, males 84.4 percent) (Figure 2.36).



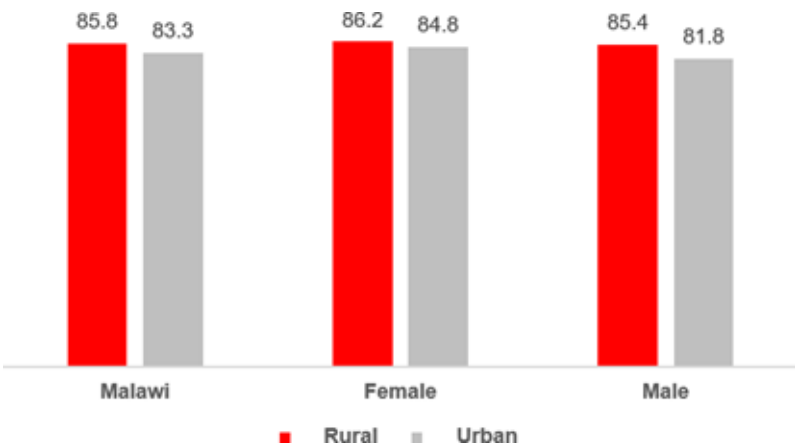
Figure 2.36: Proportion of individuals able to freely and publicly express their opinions



Source: National Statistical Office, J&AS 2025

By residence, a slightly higher proportion of respondents (83.3 percent) felt free to express rural respondents (85.8 percent) than urban their opinions (Figure 2.37).

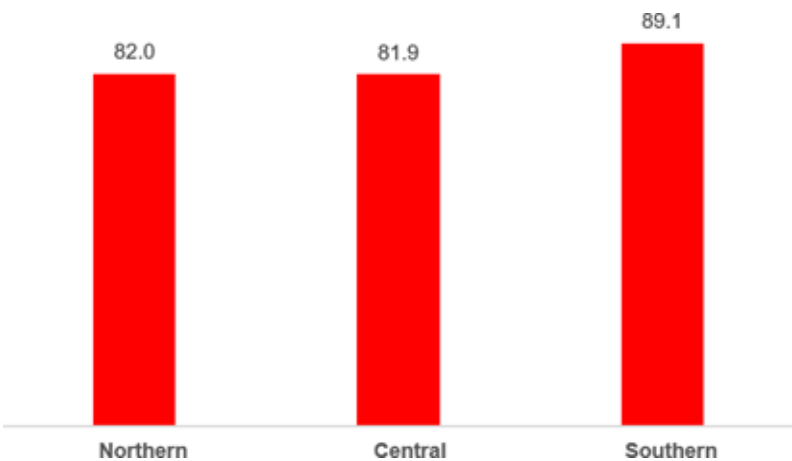
Figure 2.37: Proportion of individuals able to freely and publicly express their opinions by residence



Source: National Statistical Office, J&AS 2025

Regionally, the highest proportion was in the Southern Region (89.1 percent), followed by the Northern (82.0 percent) and Central (81.9 percent) Regions (Figure 2.38).

Figure 2.38: Proportion of individuals able to freely and publicly express their opinions by region



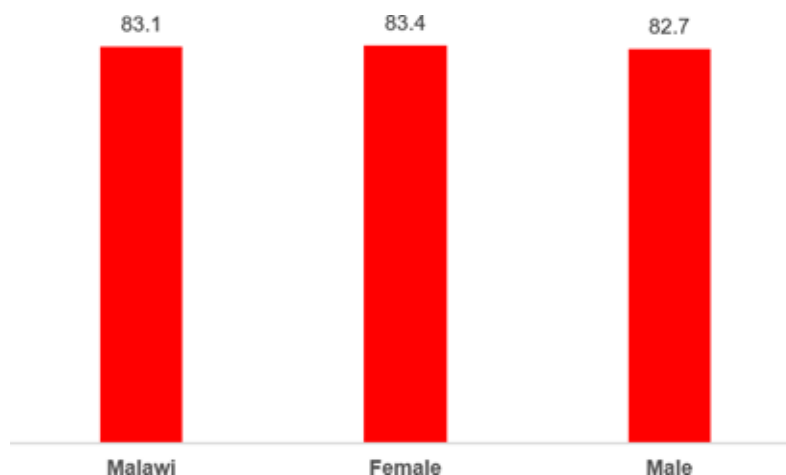
Source: National Statistical Office, J&AS 2025

## 2.15 Right to freedom of assembly

At the national level, 83.1 percent of respondents

reported being free to exercise their right to freedom of assembly. By gender, slightly more females (83.4 percent) than males (82.7 percent) reported enjoying this right (Figure 2.39).

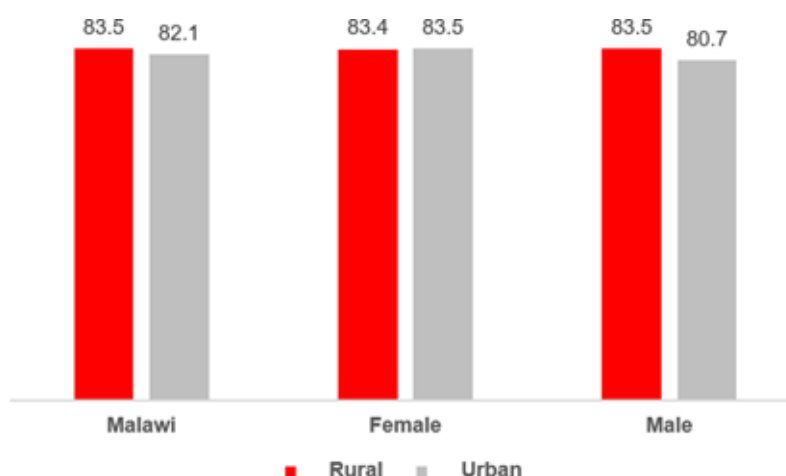
**Figure 2.39:** Proportion of individuals able to exercise their right to freedom of assembly



Source: National Statistical Office, J&AS 2025

By residence, rural respondents (83.5 percent) were marginally higher than urban respondents (82.1 percent) (Figure 2.40).

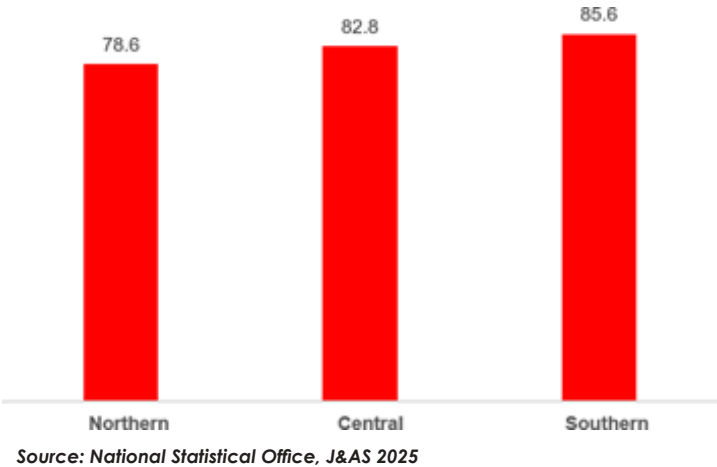
**Figure 2.40:** Proportion of individuals able to exercise their right to freedom of assembly by residence



Source: National Statistical Office, J&AS 2025

Regionally, the Southern Region recorded the highest proportion (85.6 percent), followed by the Central (82.8 percent) and Northern (78.6 percent) Regions (Figure 2.41).

Figure 2.41: Proportion of individuals able to exercise their right to freedom of assembly by region

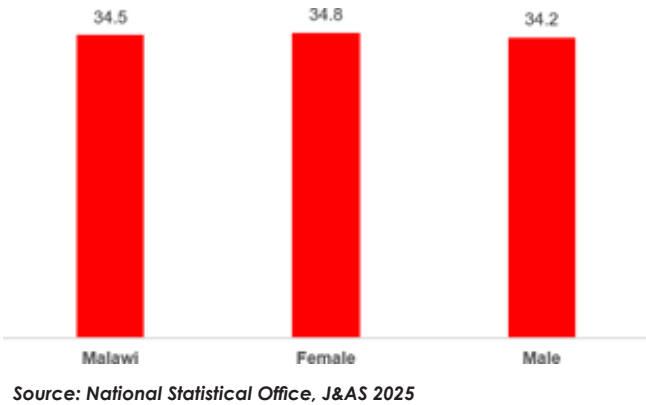


2.16 Right to freedom of demonstration

During the 2025 Justice and Accountability Survey, 34.5 percent of respondents reported

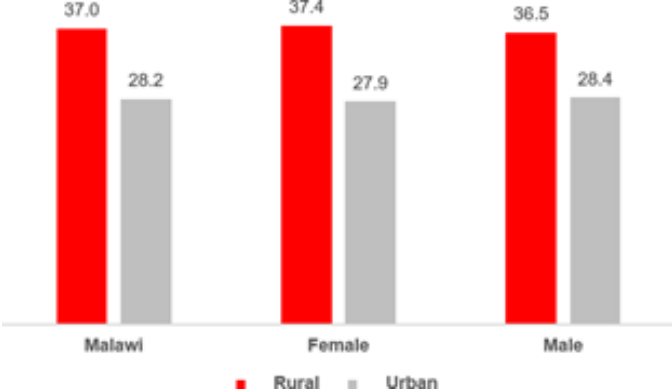
being able to exercise their right to demonstrate. By gender, proportions were almost equal (females 34.8 percent, males 34.2 percent) (Figure 2.42).

Figure 2.42: Proportion of individuals able to exercise their right to freedom of demonstration



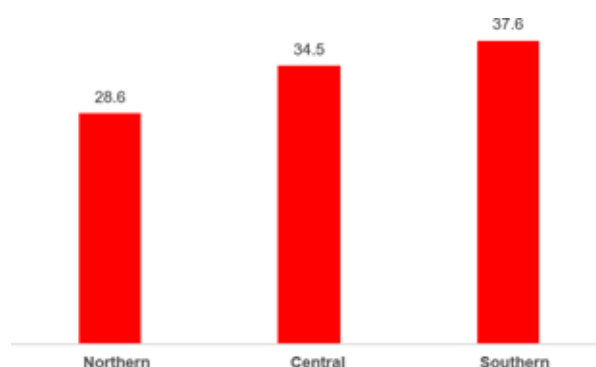
By residence, more rural respondents (37.0 percent) than urban respondents (28.2 percent) reported enjoying this right (Figure 2.43).

Figure 2.43: Proportion of individuals able to exercise their right to freedom of demonstration by residence



Regionally, the highest proportion was in the Southern Region (37.6 percent), followed by the Central (34.5 percent) and Northern (28.6 percent) Regions (Figure 2.44).

**Figure 2.44:** Proportion of individuals able to exercise their right to freedom of demonstration by region

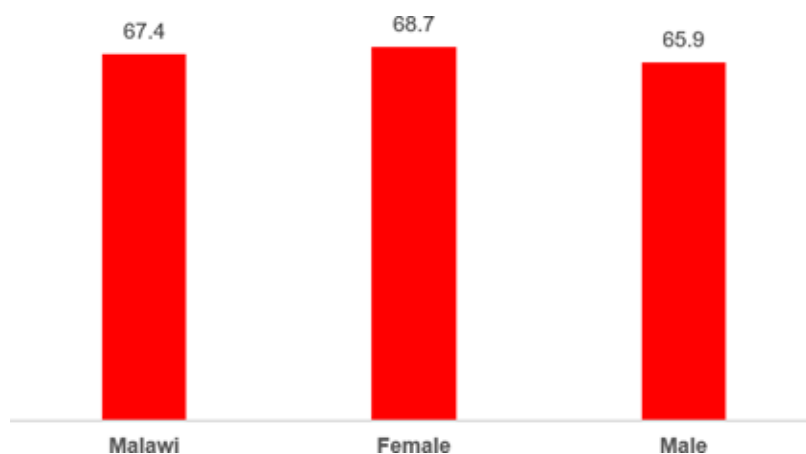


Source: National Statistical Office, J&AS 2025

## 2.17 Freedom of press

The results indicated that 67.4 percent of respondents believed the media is free to report any issues. By gender, more females (68.7 percent) than males (65.9 percent) shared this view. (Figure 2.45).

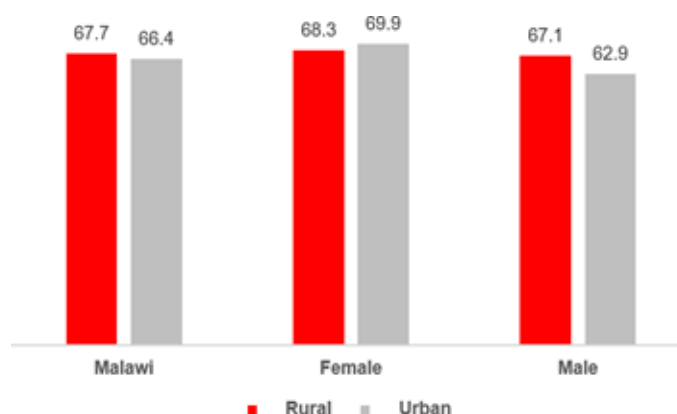
**Figure 2.45:** Proportion of individuals who believe the media is free to report



Source: National Statistical Office, J&AS 2025

By residence, rural respondents (67.7 percent) were slightly higher than urban respondents (66.4 percent) (Figure 2.46).

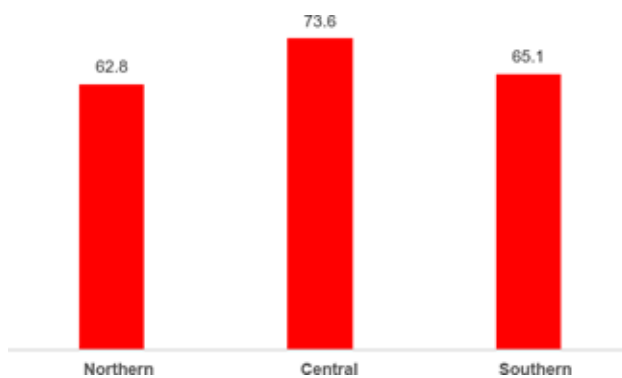
**Figure 2.46:** Proportion of individuals who believe the media is free to report by residence



Source: National Statistical Office, J&AS 2025

The Central Region recorded the highest Southern (65.1 percent) and Northern (62.8 percent) proportion (73.6 percent), followed by the percent) Regions (Figure 2.47).

**Figure 2.47:** Proportion of individuals who believe the media is free to report by region



Source: National Statistical Office, J&AS 2025

## CHAPTER 3

## RULE OF LAW

## 3.1 Introduction

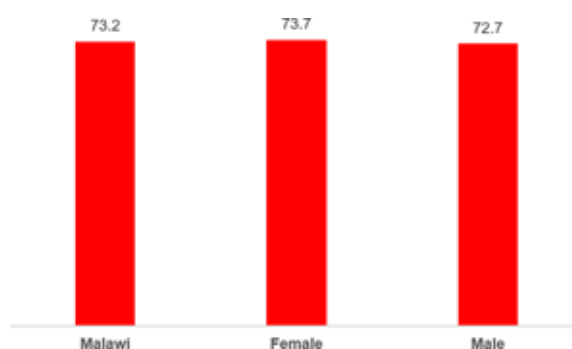
In the Justice and Accountability Survey, the rule of law refers to the principle that all individuals and institutions are subject to the law and accountable under it (Shaffer & Sandholtz, 2025). It emphasizes equality before the law, fairness in its application, and protection of fundamental rights. The survey applied this concept to assess public perceptions of the

consistency and fairness of justice delivery and the extent to which laws are enforced without bias or corruption.

## 3.2 Awareness of the rule of Law

Results show that 73.2 percent of respondents were aware of the rule of law, with slightly higher awareness among females (73.7 percent) than among males (72.7 percent) (Figure 3.1).

**Figure 3.1:** Proportion of individuals aware of the rule of law

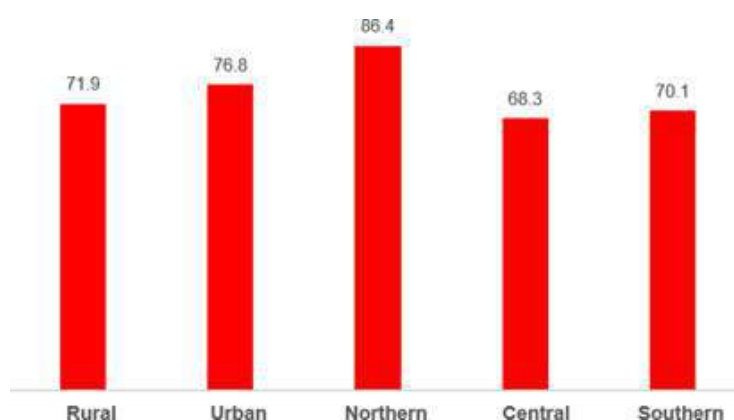


Source: National Statistical Office, J&AS 2025

Awareness of the rule of law was higher among urban residents (76.8 percent) than rural residents (71.9 percent). By region, the Northern Region

reported the highest awareness (86.4 percent), while the Central Region had the lowest (68.3 percent) (Figure 3.2).

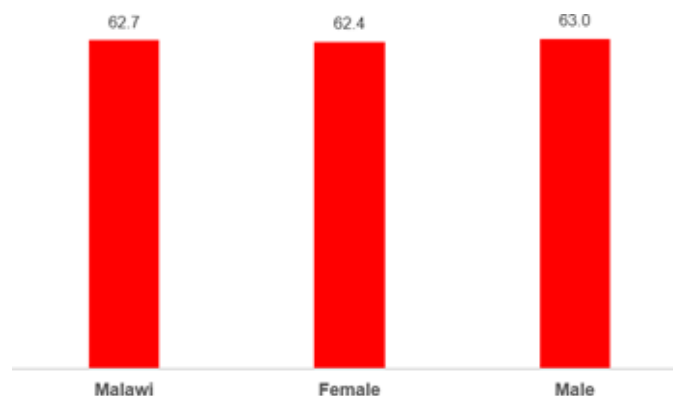
**Figure 3.2:** Proportion of individuals aware of the rule of law by residence and region



Source: National Statistical Office, J&AS 2025

The survey found that the majority of respondents (62.7 percent, 62.4 percent among females and 63.0 percent among males) were aware of some laws of the Republic of Malawi Figure 3.3.

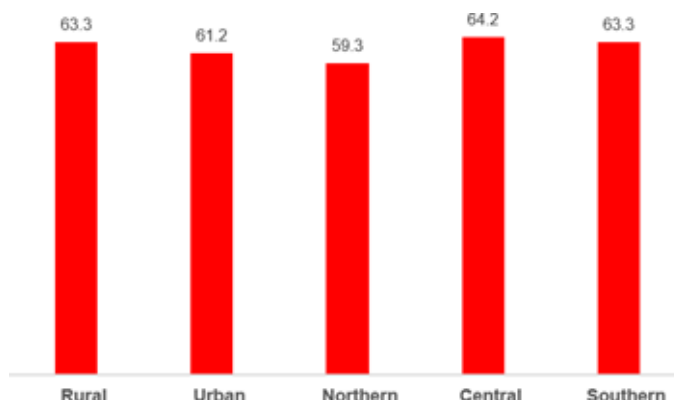
**Figure 3.3:** Awareness of laws of Malawi



Source: National Statistical Office, J&AS 2025

A slight difference was reported across residence and region. Rural residents reported more proportion of law awareness than urban (63.3 percent against 61.2 percent). Central Region (64.2 percent) had the highest proportion of individuals who were aware of any Republic of Malawi laws 3.4.

**Figure 3.4:** Awareness of laws of Malawi by residence and region



Source: National Statistical Office, J&AS 2025

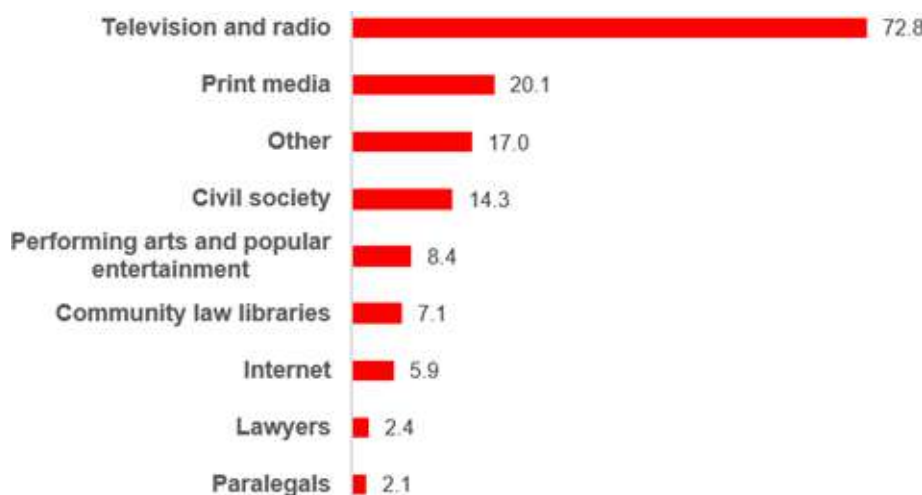
### 3.2.2 Source of information about the Law

Majority of respondents (72.8 percent) held about laws of Malawi through television and radio followed by print media (20.1 percent)

which slightly differs with civil society (14.3 percent).

Few respondents (2.1 percent) highlighted that they heard about laws of Malawi from paralegals (Figure 3.5)

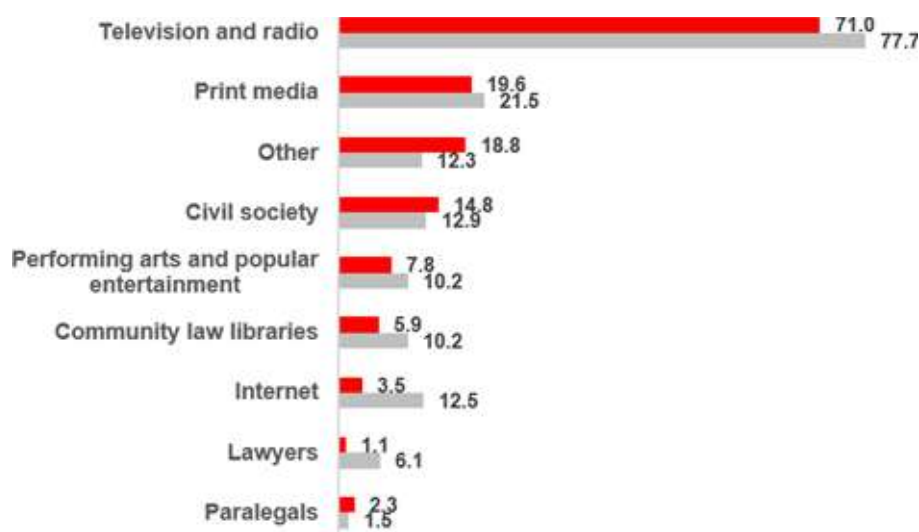


**Figure 3.5:** Proportion of individuals reporting how they knew about the law

Source: National Statistical Office, J&amp;AS 2025

Respondents from urban areas (77.7 percent) were more likely than rural residents (71.0 percent) to cite television and radio as sources of information about Malawi's laws. Conversely,

more rural respondents (14.8 percent) than urban respondents (12.9 percent) reported civil society as their source (Figure 3.6).

**Figure 3.6:** Proportion of individuals reporting how they knew about the law by residence

Source: National Statistical Office, J&amp;AS 2025

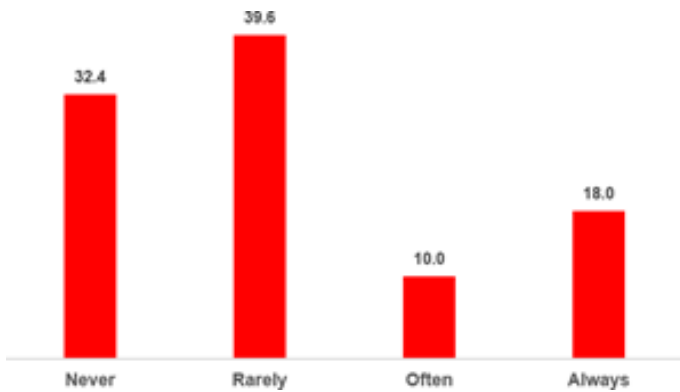
### 3.3 Following the law by public authorities

Public authorities stand with an upper advantage in terms of their knowledge in rule of law which put them on an advantage of abusing the rules

in their context of servicing to the people.

Most respondents reported that public authorities rarely (39.6 percent) or never (32.4 percent) follow the laws, while only 10.0 percent said they do (Figure 3.7).

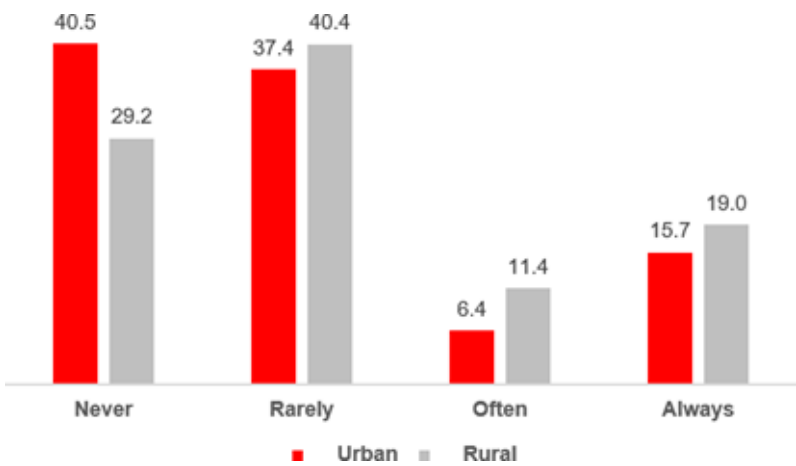
Figure 3.7: Proportion of individuals who think public authorities often follow the law



Source: National Statistical Office, J&AS 2025

More urban residents (40.5 percent) than rural residents (29.2 percent) said public authorities never follow laws. Conversely, a small variation was observed among those who said authorities always follow laws: 15.7 percent urban against 19.0 percent rural (Figure 3.8).

Figure 3.8: Proportion of individuals who think public authorities often follow the law



Source: National Statistical Office, J&AS 2025

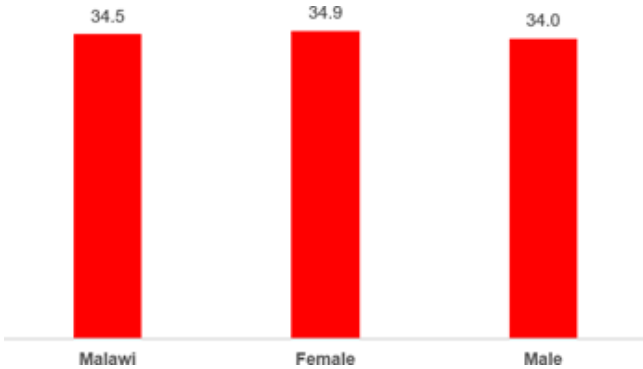
3.4 Equality before the law

The equality before law is the center of the application of the rule of law in a country. This implies that laws are exercised equally regardless of one’s social status within the community.

Respondents were asked whether they think the laws of Malawi are applied equally.

Only 34.5 percent of respondents believe laws are applied equally, indicating most perceive unequal application (Figure 3.9).

Figure 3.9: Proportion of individuals who believe laws are applied equally

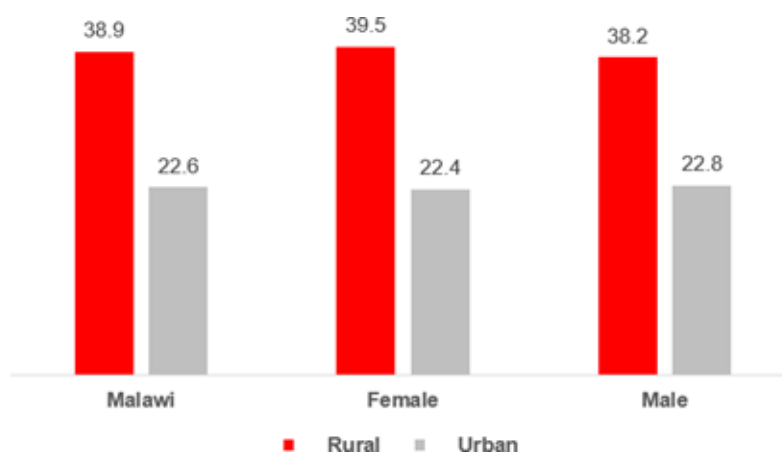


Source: National Statistical Office, J&AS 2025

The findings revealed that a higher proportion of rural residents (38.9 percent) than urban residents (22.6 percent) considered laws to be applied equally. Among rural residents, females (39.5 percent) were more likely than

males (22.4 percent) to hold this view. A similar trend was observed among urban residents, with 38.2 percent among females compared to 22.8 percent among males reporting equal application of the law (Figure 3.10).

**Figure 3.10:** Proportion of individuals who believe laws are applied equally by residence

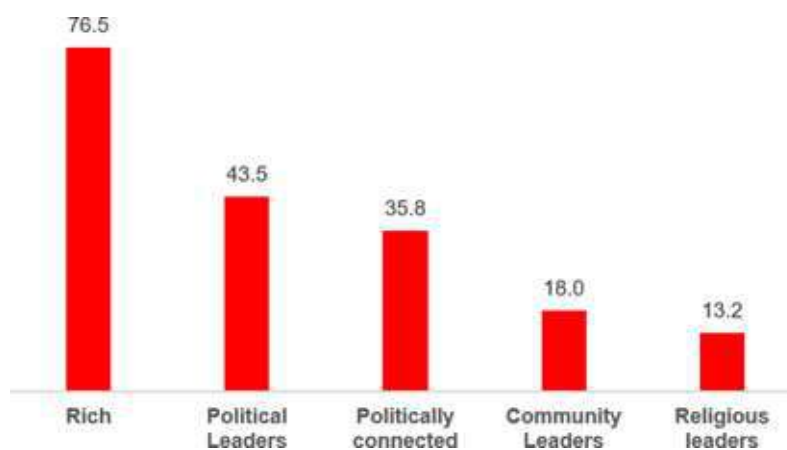


Source: National Statistical Office, J&AS 2025

In view of unequal application of the laws, the survey further explored the category of individuals that the laws favor most. Most

respondents (76.5 percent) believed the law favors the rich, followed by political leaders (43.5 percent), while only 13.2 percent said it favors religious leaders. (Figure 3.11).

**Figure 3.11:** Proportion of respondents on who the law favors

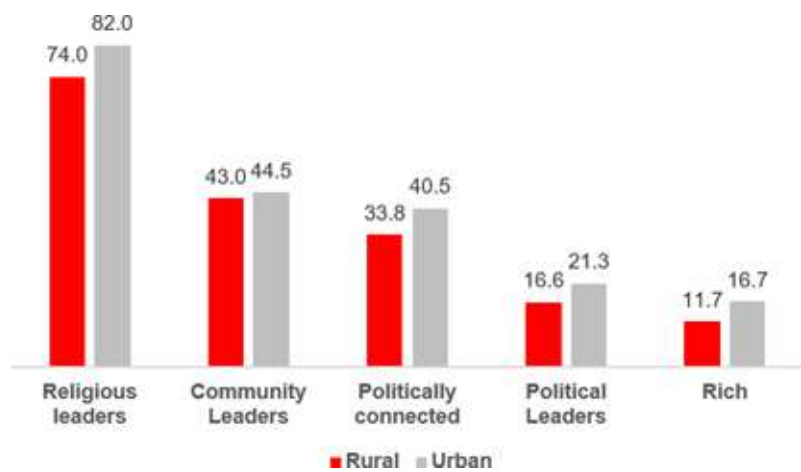


Source: National Statistical Office, J&AS 2025

In urban areas, most respondents (82.0 percent) viewed the rich as most favored by the law,

while in rural areas only 11.7 percent considered religious leaders as most favored (Figure 3.12).

Figure 3.12: Proportion of respondents on who the law favors by residence



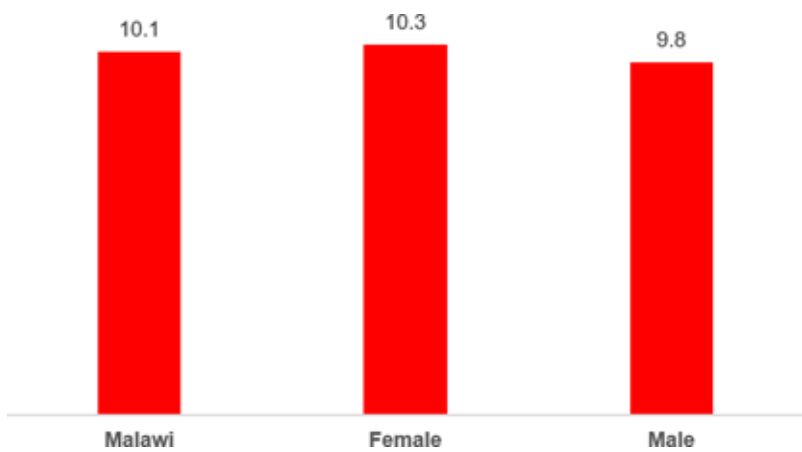
Source: National Statistical Office, J&AS 2025

3.5 Involvement in the law-making process

The survey established on whether the respondents were involved in the law-making processing the past two years although this did

not further inquire the extent and the level of involvement. Only 10.1 percent of respondents reported involvement in the law-making process, with a slightly higher share among females (10.3 percent) than among males (9.8 percent). (Figure 3.13).

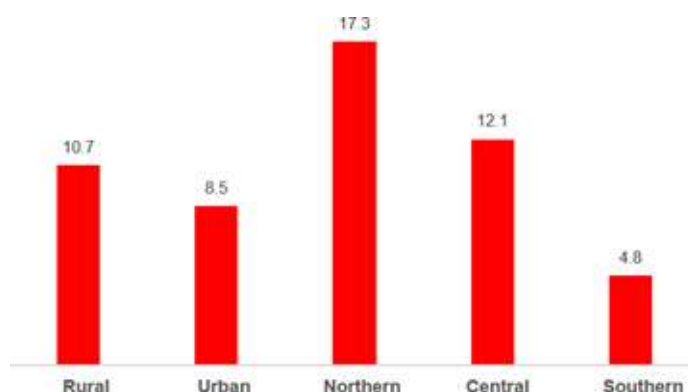
Figure 3.13: Proportion of individuals involved in the law-making process in the past two years by residence and region



Source: National Statistical Office, J&AS 2025

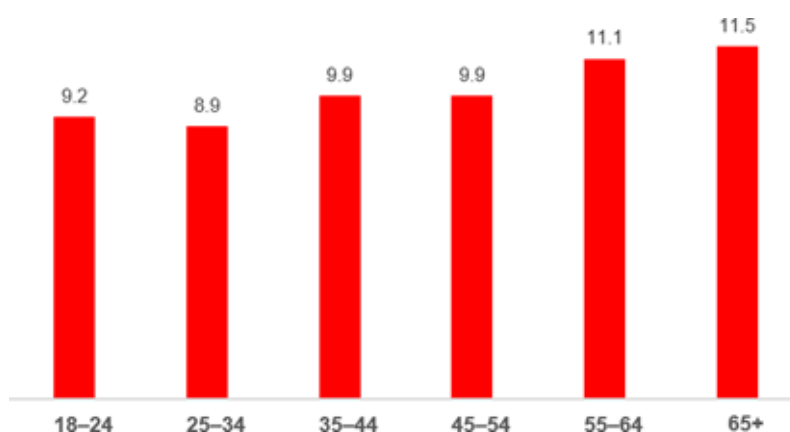
Involvement in the law-making process was higher among rural residents (10.7 percent) than urban residents (8.5 percent). Regionally, the

North recorded the highest participation (17.3 percent) compared to the south (4.8 percent) (Figure 3.14).

**Figure 3.14:** Proportion of individuals involved in the law-making process in the past two years

Source: National Statistical Office, J&AS 2025

Across all age groups, fewer than 15 percent reported involvement in the law-making process, meaning over 85 percent were not involved. The most involved were those aged 65+ (11.5 percent), while the least involved were aged 25–34 (8.9 percent) (Figure 3.15).

**Figure 3.15:** Proportion of individuals involved in the law-making process in the past two years by age group

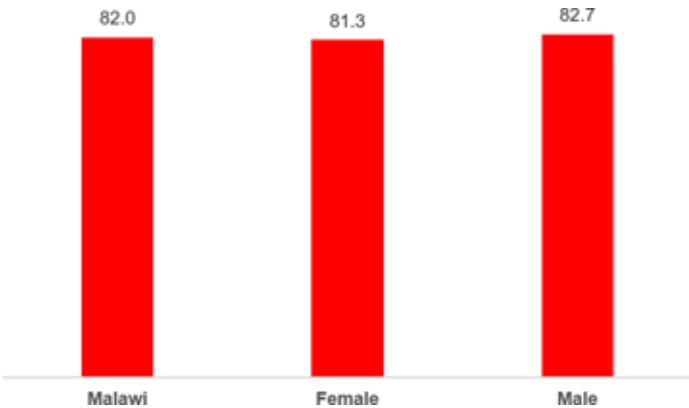
Source: National Statistical Office, J&AS 2025

### 3.6 Knowledge of customary laws

Customary law refers to laws derived from the traditions, customs, and norms of local communities. These laws are typically unwritten and operate alongside civil, common, and religious legal systems in many countries. They are considered crucial, as they support governance

at the local level, particularly in conflict resolution. The survey therefore assessed respondents' knowledge of customary law. Over four in five respondents (82.0 percent) reported being knowledgeable about customary law, with little difference between males (82.7 percent) and females (81.3 percent) (Figure 3.16).

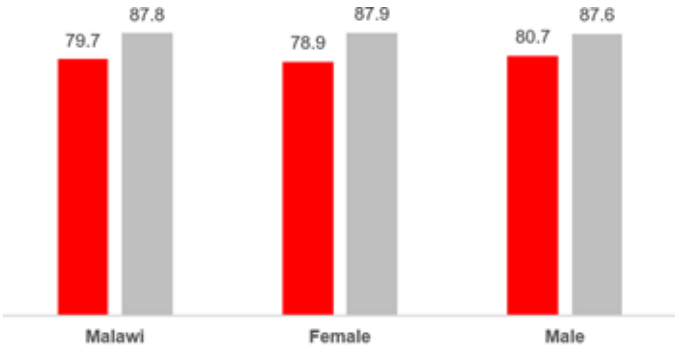
Figure 3.16: Proportion of individuals aware of customary laws



Source: National Statistical Office, J&AS 2025

Knowledge of customary laws was higher residents (79.9 percent). (Figure 3.17). among urban residents (87.8 percent) than rural

Figure 3.17: Proportion of individuals aware of customary laws by residence



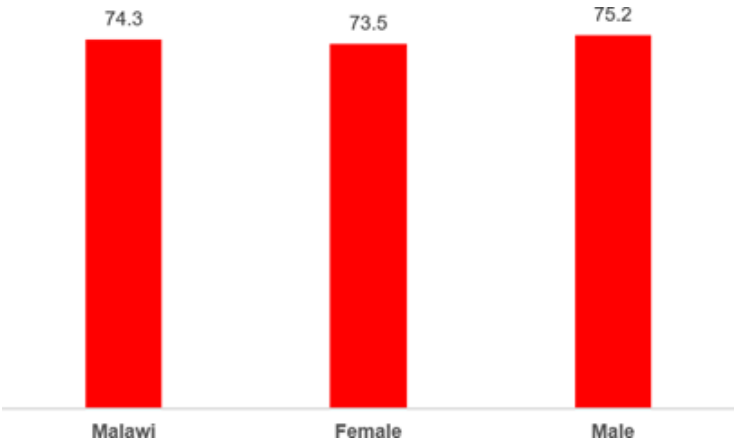
Source: National Statistical Office, J&AS 2025

3.7 Knowledge of constitutional law

Constitutional law is the body of law that defines the relationship between the branches of government, namely, the executive, legislative, and judicial and outlines the fundamental rights and duties of citizens. It is derived from the constitution, which may be codified in a single

document or uncoded, drawing on multiple sources such as statutes and case law. The survey therefore assessed respondents' knowledge of constitutional law. The results showed that over 70 percent of respondents reported such knowledge, with 75.2 percent among males and 73.5 percent among females affirming familiarity (Figure 3.18).

Figure 3.18: Proportion of individuals aware of constitutional laws

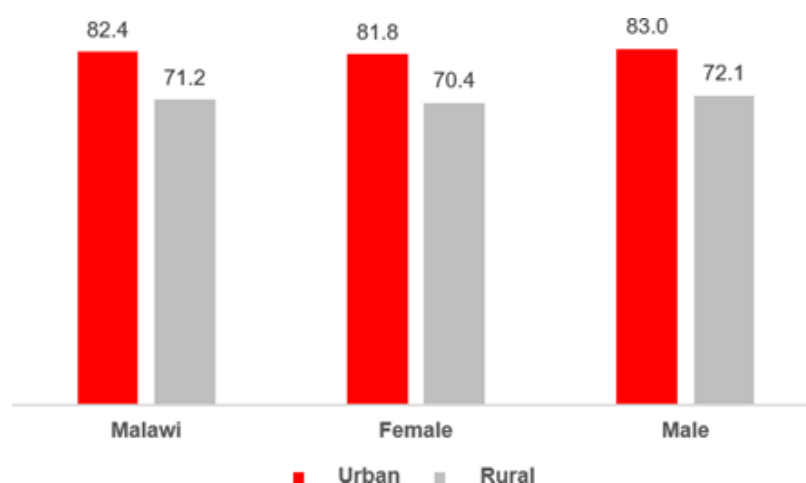


Source: National Statistical Office, J&AS 2025



By area of residence, more urban residents (82.4 percent) found to be knowledgeable of any constitutional laws than rural residents who registered 71.2 percent (Figure 3.19).

**Figure 3.19:** Proportion of individuals aware of constitutional laws by residence



Source: National Statistical Office, J&AS 2025

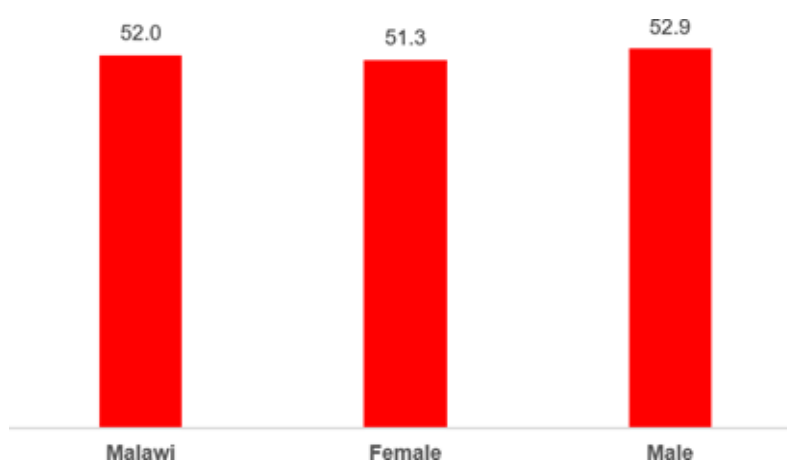
### 3.8 Knowledge of Statutory laws

Statutory law refers to written laws that are passed by a legislative body, such as a parliament or congress, and are formally codified into statutes or codes. These laws are distinct from common law, which develops through court decisions, and from regulatory or administrative law, which

is created by executive agencies. Respondents were therefore asked if they knew any of the statutory laws

Survey results show that 52.0 percent of respondents reported knowledge of statutory laws, with 52.9 percent among males and 51.3 percent among females (Figure 3.20).

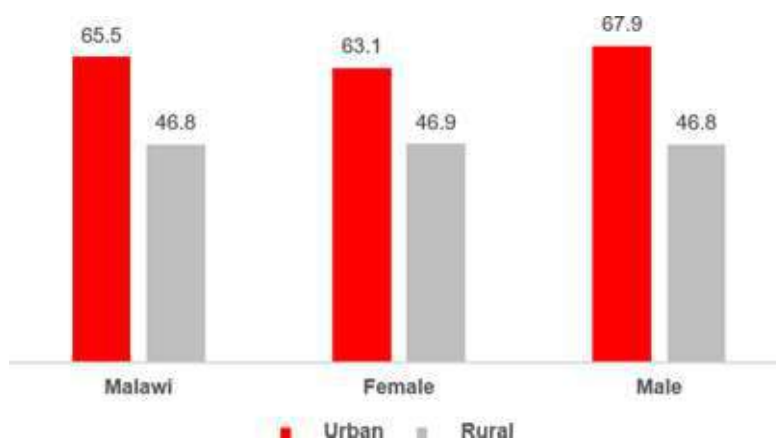
**Figure 3.20:** Proportion of individuals aware of any Statutory laws by residence



Source: National Statistical Office, J&AS 2025

By residence, 65.5 percent of urban residents reported knowledge of statutory laws compared to 46.8 percent of rural residents (Figure 3.21).

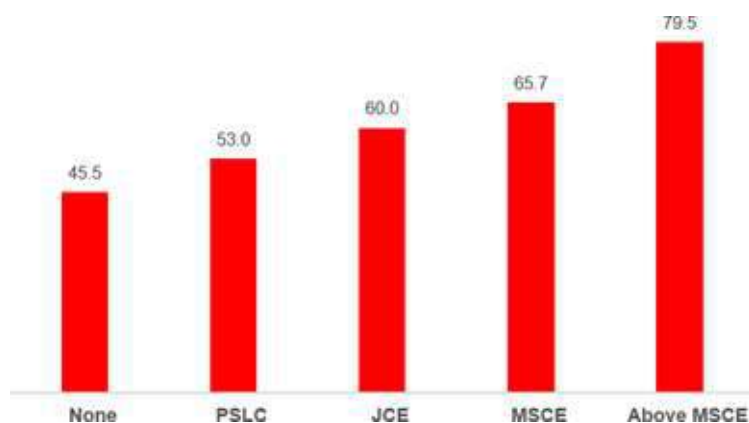
**Figure 3.21:** Proportion of individuals aware of any Statutory laws



Source: National Statistical Office, J&AS 2025

Awareness of statutory laws increases with education level, from 45.5 percent among those with no education to 79.5 percent among respondents with education above MSCE (Figure 3.22).

**Figure 3.22:** Proportion of individuals aware of any Statutory laws by education level

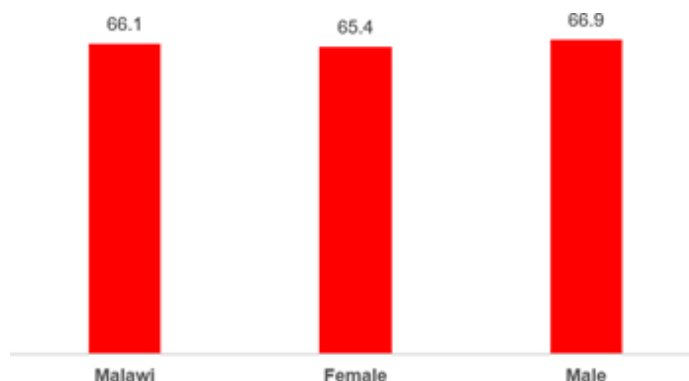


Source: National Statistical Office, J&AS 2025

### 3.9 Knowledge of case law

Case law, also known as common law or judge-made law, is a body of law derived from judicial decisions, rather than from statutes or constitutions. It establishes legal precedents that guide future rulings in similar cases. Essentially,

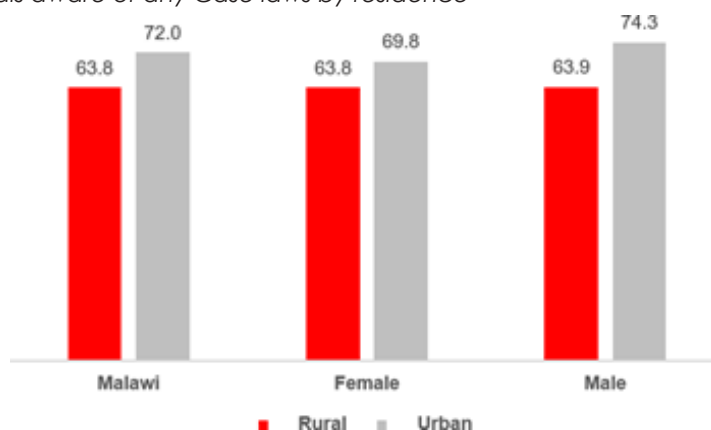
it's the law created by judges as they interpret and apply existing laws to specific situations. The survey therefore asked respondents to establish their knowledge in any of the case laws. Survey findings show that 66.1 percent of respondents know case law, with a slight difference between males (66.9 percent) and females (65.4 percent). (Figure 3.23).

**Figure 3.23:** Proportion of individuals aware of any Case laws

Source: National Statistical Office, J&amp;AS 2025

According to the area of residence, highest proportion of respondents from the urban areas (72.0 percent) reported that they know any case

law compared to rural residents' respondents (63.8 percent).

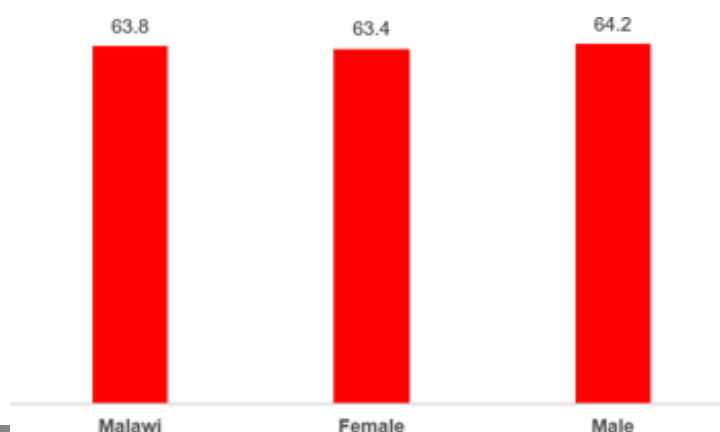
**Figure 3.24:** Proportion of individuals aware of any Case laws by residence

Source: National Statistical Office, J&amp;AS 2025

### 3.10 Laws considered to be important in guiding day-to-day life

The respondents were asked their views on what laws are considered most in guiding their day-to-day life amongst customary laws, constitutional laws and religious laws.

Results show that 63.8 percent among respondents consider government laws important in guiding daily life, with a slight difference between males (64.2 percent) and females (63.4 percent) (Figure 3.25).

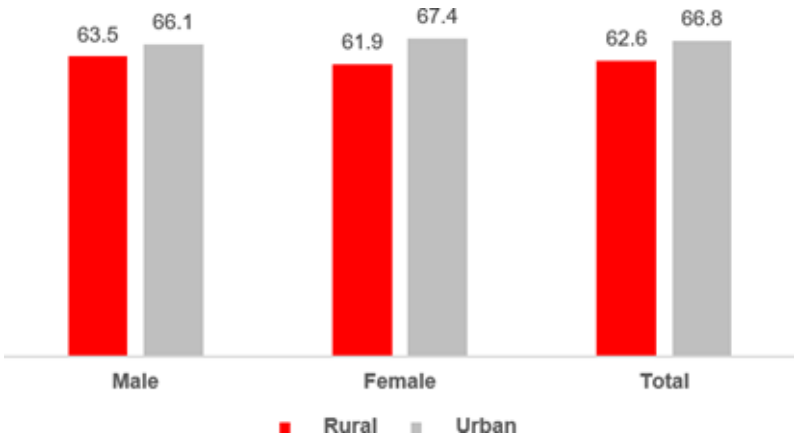
**Figure 3.25:** Importance of government laws in daily life

Source: National Statistical Office, J&amp;AS 2025

Urban residents are more likely to consider government laws important in daily life (66.8 percent) than rural residents (62.6 percent), with

the urban-rural gap larger among females (67.4 percent against 61.9 percent). (Figure 3.26).

**Figure 3.26:** Importance of government laws in daily life by residence

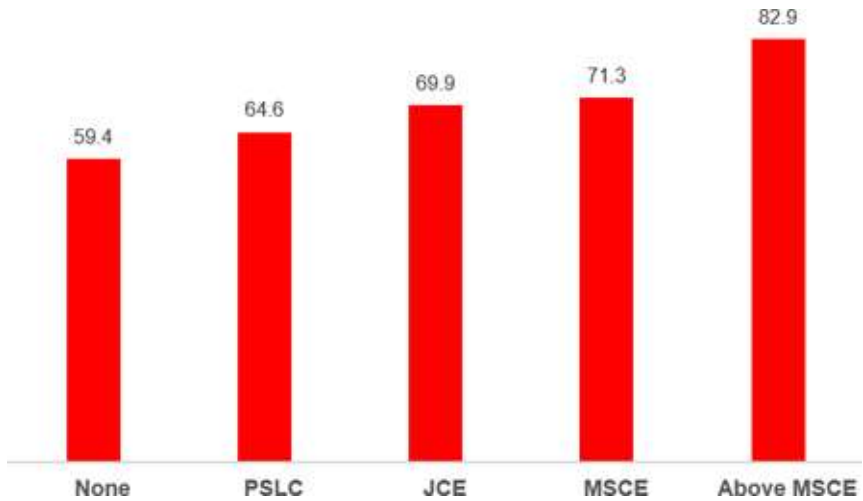


Source: National Statistical Office, J&AS 2025

About 59.4 percent of respondents with no education indicated importance of government laws in daily life. This rose to 64.6 percent for those with a Primary School Leaving Certificate (PSLC), 60.9 percent for Junior Certificate of Education (JCE), and 71.0 percent for Malawi School

Certificate of Education (MSCE). The highest proportion was among those with education above MSCE (82.9 percent). Importance of government laws in daily life was strongly associated with education level. The higher the education, the greater the importance. (Figure 3.27).

**Figure 3.27:** Importance of government laws in daily life by education level



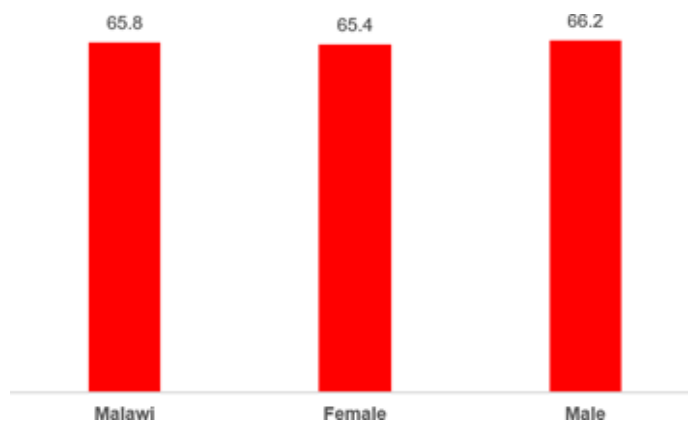
Source: National Statistical Office, J&AS 2025

### 3.10.1 Customary laws

The survey established views from respondents on whether they consider that customary laws are most important in guiding their day-to-

day life. The survey found that 65.8 percent of respondents consider customary laws important in daily life, with 66.2 percent among males and 65.4 percent among females reporting the same. (Figure 3.28).

**Figure 3.28:** Proportion of individuals valuing customary law in daily life

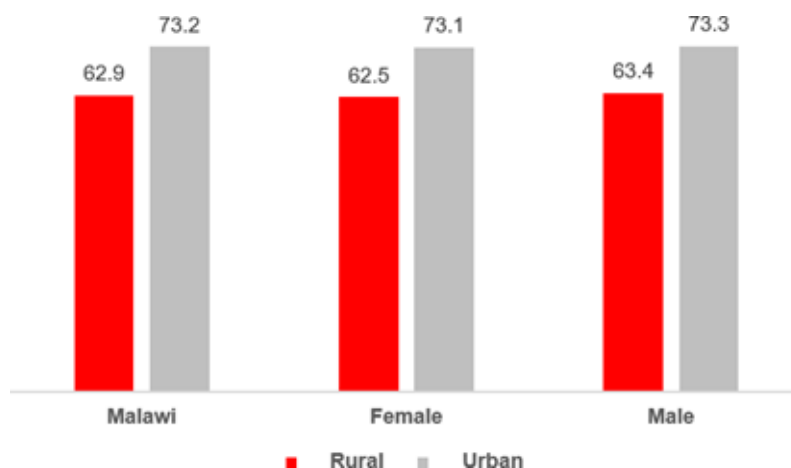


Source: National Statistical Office, J&AS 2025

By residence, 73.3 percent of urban residents and 62.9 percent of rural residents consider

customary laws important in daily life. (Figure 3.29).

**Figure 3.29:** Proportion of individuals valuing customary law in daily life by residence



Source: National Statistical Office, J&AS 2025

### 3.10.2 Religious laws

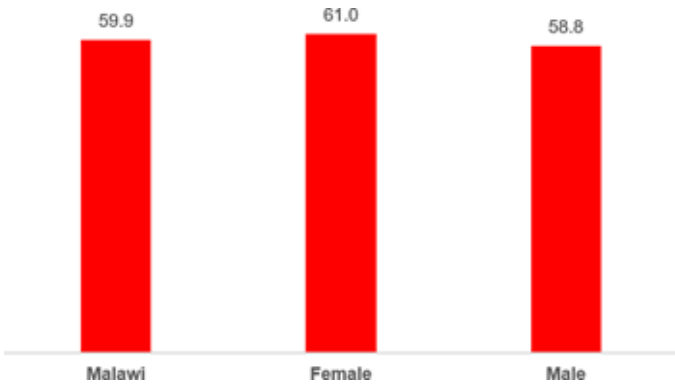
Religious law is a body of ethical, moral, and legal rules and norms derived from religious traditions, often seen as divine guidance or established by religious authorities. The survey

further established views of respondents whether

religious laws are considered most important in guiding their day-to-day life

Overall, 59.9 percent of respondents consider religious laws most important in daily life, with slightly more females (61.0 percent) than males (58.8 percent) reporting the same (Figure 3.30).

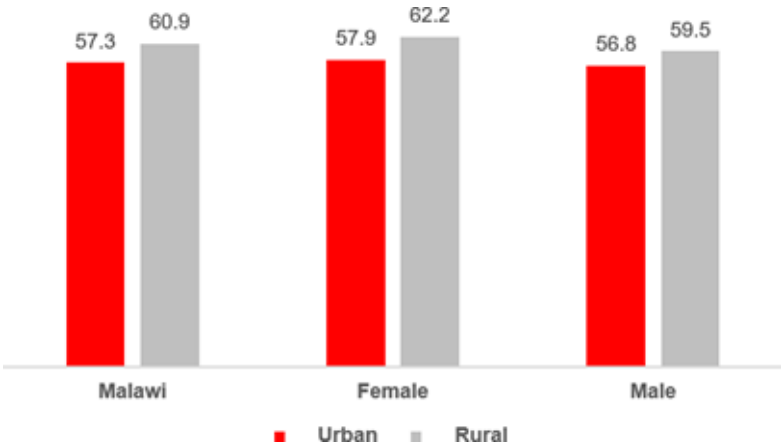
Figure 3.30: Proportion of individuals valuing religious law in daily life



Source: National Statistical Office, J&AS 2025

By residence, 60.9 percent of rural and 57.3 percent of urban residents consider religious laws most important in daily life (Figure 3.31).

Figure 3.31: Proportion of individuals valuing religious law in daily life by residence



Source: National Statistical Office, J&AS 2025

3.11 Access to specific types of laws

Access to law is the basic principle of rule of law. Access to law can be defined as one’s ability to have the laws at own disposal or an ability to acquire the laws but also information regarding the laws in the country or in a society. However, the accessibility of laws maybe dependent

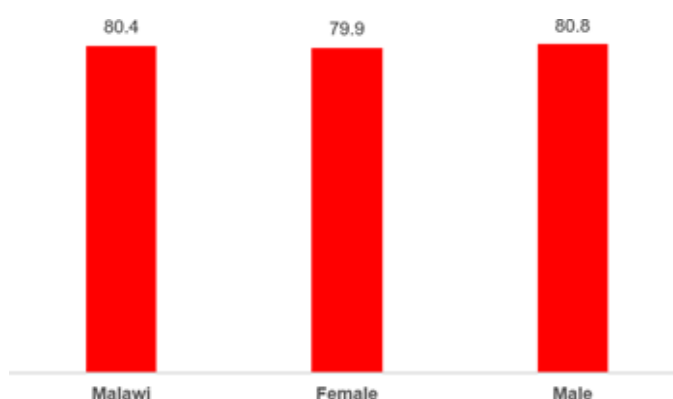
upon different factors like social status,

education level, residence and to some extent age. The extent to which citizens do access the laws would reflect the level of awareness for the laws by the relevant institutions.

3.11.1 Customary laws

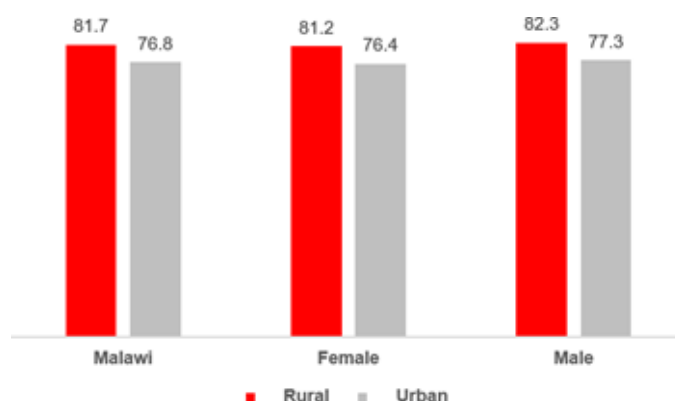
The survey found that 80.4 percent of respondents have access to customary laws, with slightly more males (80.8 percent) than females (79.9 percent). (Figure 3.32).



**Figure 3.32:** Proportion of individuals access to any customary laws

Source: National Statistical Office, J&amp;AS 2025

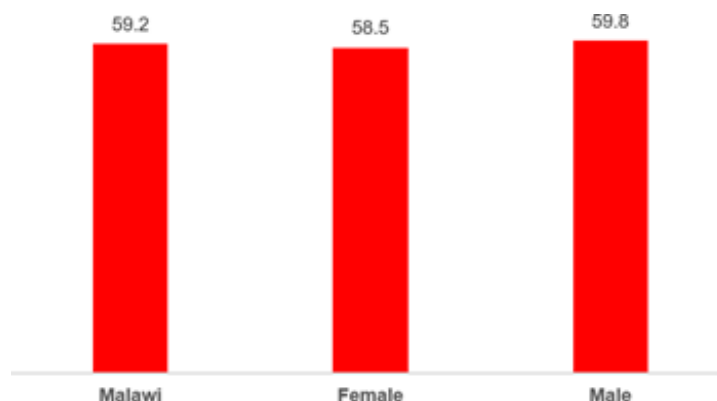
By place of residence, the results show that many rural residents (81.7 percent) have access to customary laws than their urban counterparts (76.8 percent). Similarly, access to customary law comparatively found to be high in male rural residents (82.3 percent) than females (81.2 percent) with the similar trend for urban residents (Figure 3.33).

**Figure 3.33:** Proportion of individuals access to any customary laws

Source: National Statistical Office, J&amp;AS 2025

### 3.11.2 Constitutional laws

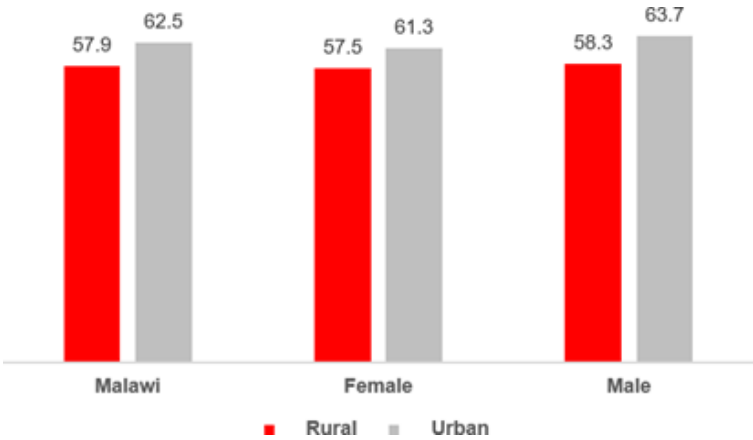
Although less accessible than customary laws, 59.2 percent of respondents reported access to constitutional laws, with slightly more males (59.8 percent) than females (58.5 percent) (Figure 3.34).

**Figure 3.34:** Proportion of individuals access to any constitutional laws

Source: National Statistical Office, J&amp;AS 2025

More urban residents (62.5 percent) than rural residents (57.9 percent) reported access to constitutional laws (Figure 3.35).

**Figure 3.35:** Proportion of individuals access to any constitutional laws by residence



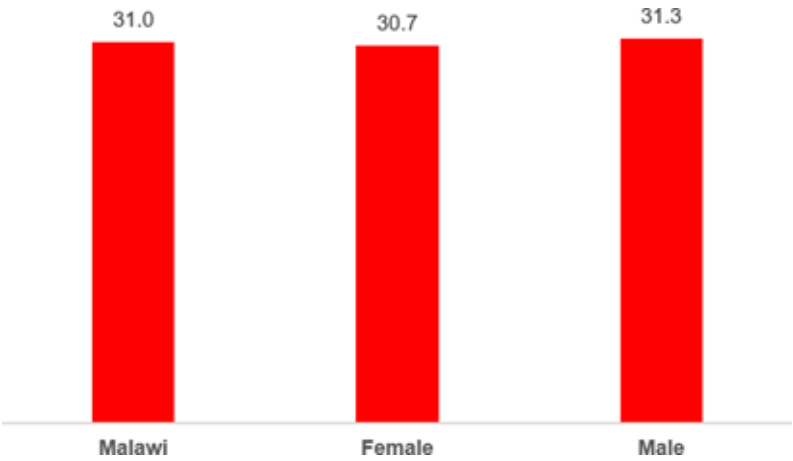
Source: National Statistical Office, J&AS 2025

### 3.11.3 Statutory laws

Generally, access to statutory laws found to be the least among all three types of laws. The survey found that less than half (31.0 percent) of

the respondents reported that they have access to any statutory laws. The results show a slight disparity in access to statutory laws between males (31.3 percent) and females (30.7 percent) (Figure 3.36).

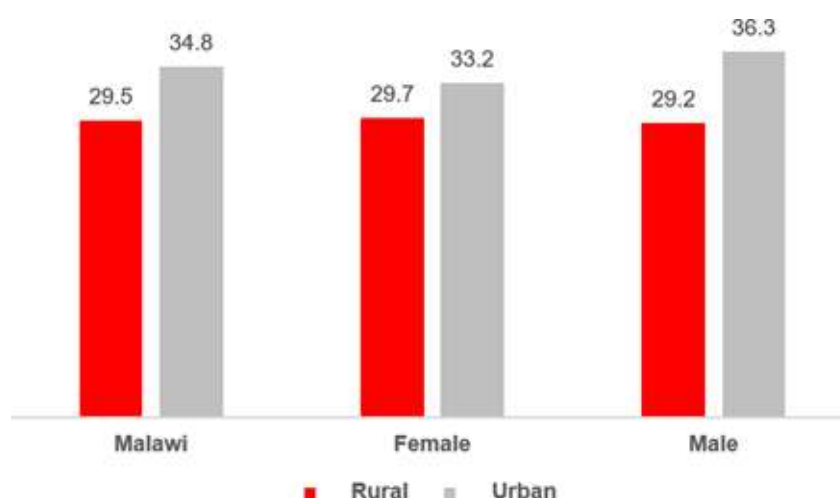
**Figure 3.36:** Proportion of individuals access to any statutory laws



Source: National Statistical Office, J&AS 2025

Access to statutory laws differs between urban and rural residents. The results revealed that 34.8

percent of urban residents reported access, compared with 29.5 percent of rural residents (Figure 3.37).

**Figure 3.37:** Proportion of individuals access to any statutory laws by residence

Source: National Statistical Office, J&AS 2025

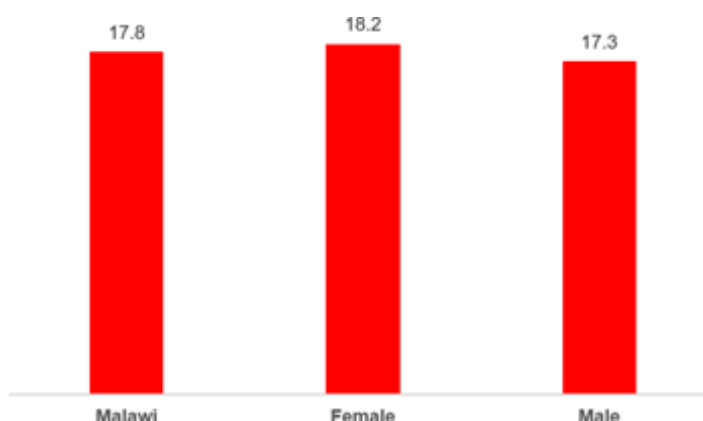
### 3.12 Participation in any public legal awareness programme

Public legal awareness involves reaching out to the general public to inform them about their legal rights, obligations and how the justice system works with the aim of empowering them to

access justice and effectively participate in a democratic society. Therefore, the survey further

established whether the respondents at some point participated in any public legal awareness program.

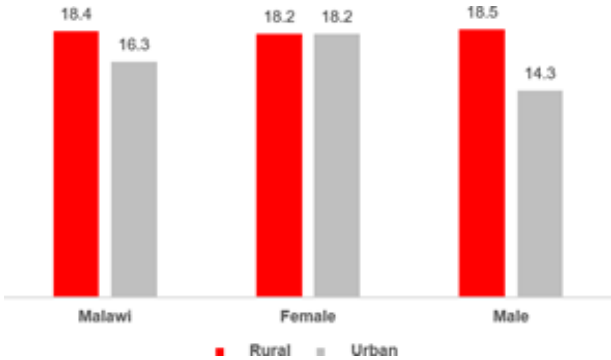
Overall, 17.8 percent of respondents reported participation in a public legal awareness program, with rates slightly higher among females (18.2 percent) than males (17.3 percent) (Figure 3.38).

**Figure 3.38:** Proportion of individuals ever participating in public legal awareness programs

Source: National Statistical Office, J&AS 2025

Participation in public legal awareness programs was higher among rural residents (18.4 percent) than among urban residents (16.3 percent) (Figure 3.39).

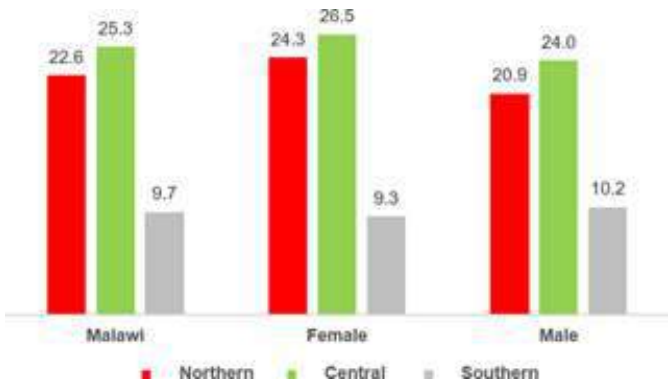
**Figure 3.39:** Proportion of individuals ever participating in public legal awareness programs by residence



Source: National Statistical Office, J&AS 2025

Participation was highest in the Central Region (25.3 percent) and lowest in the Southern Region (9.7 percent) (Figure 3.40).

**Figure 3.40:** Proportion of individuals ever participating in public legal awareness programs by region



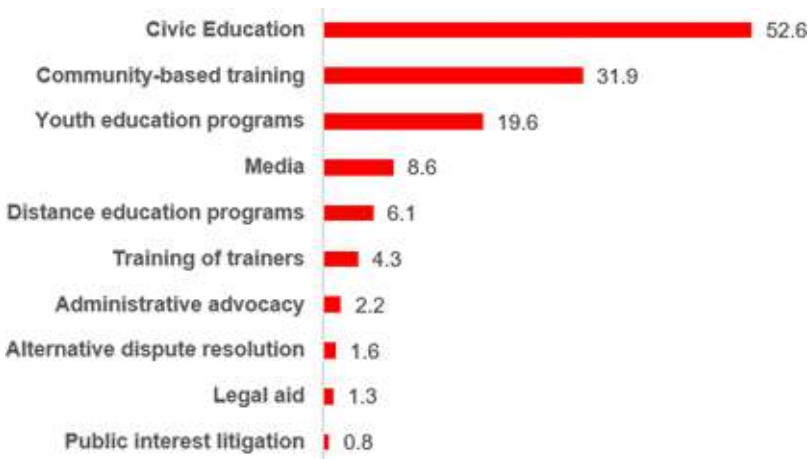
Source: National Statistical Office, J&AS 2025

### 3.13 Participation in public legal education and awareness programme

The survey asked respondents about specific public legal education and awareness program

they participated. Of the ten public legal education and awareness programs considered, more than half of respondents (52.6 percent) reported participation in civic education, while the least common was public interest litigation, reported by only 0.8 percent (Figure 3.41).

**Figure 3.41:** Proportion of individuals who have participated in public legal awareness programs

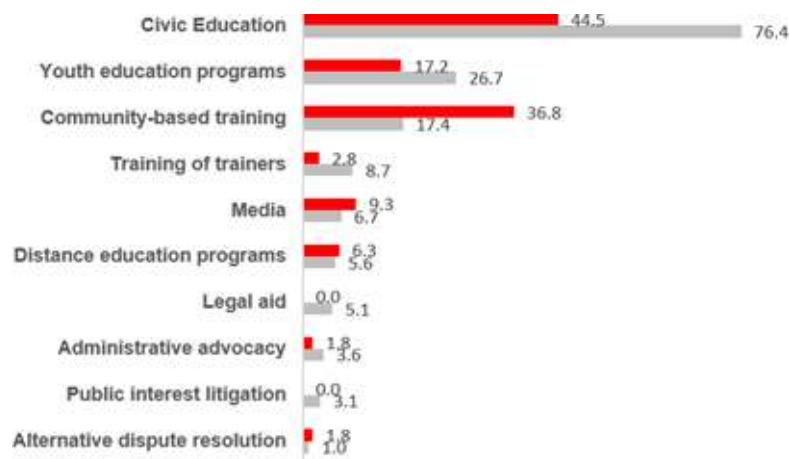


Source: National Statistical Office, J&AS 2025

The majority of urban residents (76.4 percent) reported participation in civic education, compared with 44.5 percent of rural residents. Among rural residents, participation in civic education (44.5 percent) was slightly higher than

in community-based training (36.8 percent). No rural residents reported participation in legal aid or public interest litigation, compared with 5.1 percent and 3.1 percent of urban residents, respectively. (Figure 3.42).

**Figure 3.42:** Proportion of individuals who have participated in public legal awareness programs



Source: National Statistical Office, J&AS 2025

## CHAPTER 4

### FORMAL JUSTICE SYSTEM

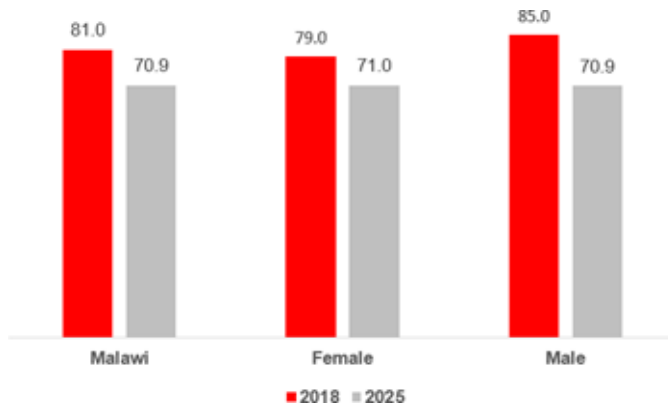
#### 4.1 Introduction

The formal justice system comprises state institutions such as courts, police, prosecution, and correctional services, operating under codified laws to ensure fairness, due process, and human rights (Townend & Welsh, 2023). The survey examined public perceptions with regard to their accessibility to formal justice systems, efficiency, fairness, and trust, offering insights into governance and accountability.

#### 4.2 Knowledge of the formal justice system

Nationally, 70.9 percent of the people were knowledgeable about the formal justice system. The proportions of males and females were almost equal at 70.9 and 71.0 percent, respectively. This indicates a decline compared to the 2018 results, where 81.0 percent of respondents were knowledgeable about the formal justice system (Figure 4.1).

**Figure 4.1:** Familiarity and knowledge of the justice system

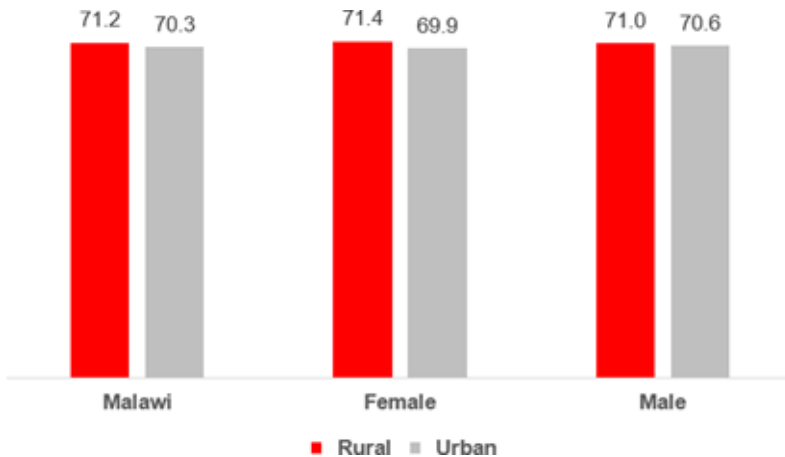


Source: National Statistical Office, J&AS 2025

By residence, there were no significant differences, with rural and urban areas registering 71.2 percent and 70.3 percent respectively,

suggesting that knowledge of the formal justice system is consistent across locations (Figure 4.2).

**Figure 4.2:** Familiarity and knowledge of the justice system by residence



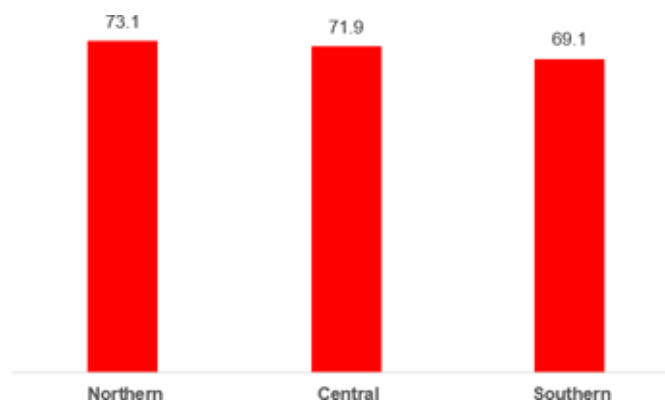
Source: National Statistical Office, J&AS 2025



The majority of the people were knowledgeable about the formal justice system at the regional level, with the Northern, Central, and Southern

registering 73.1 percent, 71.9 percent and 69.1 percent respectively (Figure 4.3).

**Figure 4.3:** Familiarity and knowledge of the justice system by region



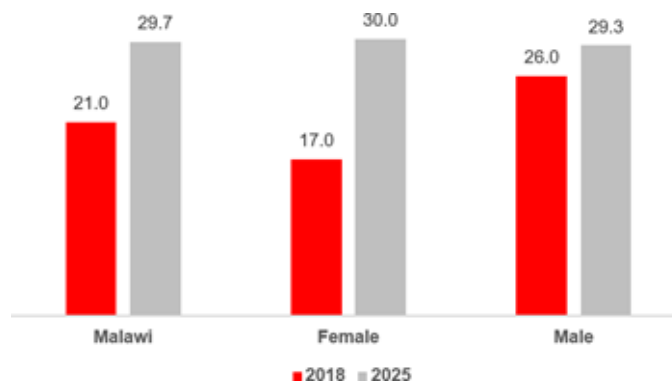
Source: National Statistical Office, J&AS 2025

### 4.3 Experience with the formal justice system

The survey found that 29.7 percent of respondents had experienced the justice system as victim, accused, complainant, witness, or juror, up from 21.0 percent in 2018, a 8.7 percentage point increase. In 2025, 29.3 percent among males

and 30.0 percent among females reported such experience, compared to 26.4 percent and 17.0 percent respectively in 2018. This shows a modest rise among males (2.3 points) but a significant increase among females (13.0 points), narrowing the gender gap in direct interaction with the justice system. (Figure 4.4).

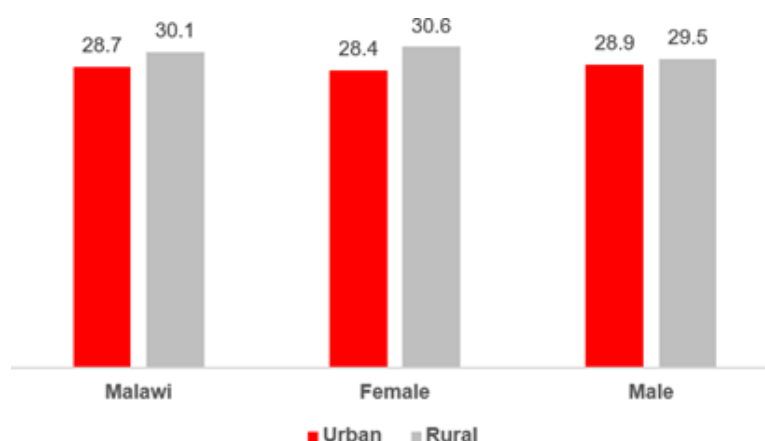
**Figure 4.4:** Experience with the justice system as victim, accused, complainant, witness, or juror



Source: National Statistical Office, J&AS 2025

Rural residents (30.1 percent) were slightly more likely than urban residents (28.7 percent) to have experienced the justice system, with the gap

more evident among females (30.6 percent against 28.4 percent) than males (29.5 percent against 28.9 percent) (Figure 4.5).

**Figure 4.5:** Experience with the justice system as victim, accused, complainant, witness, or juror by residence

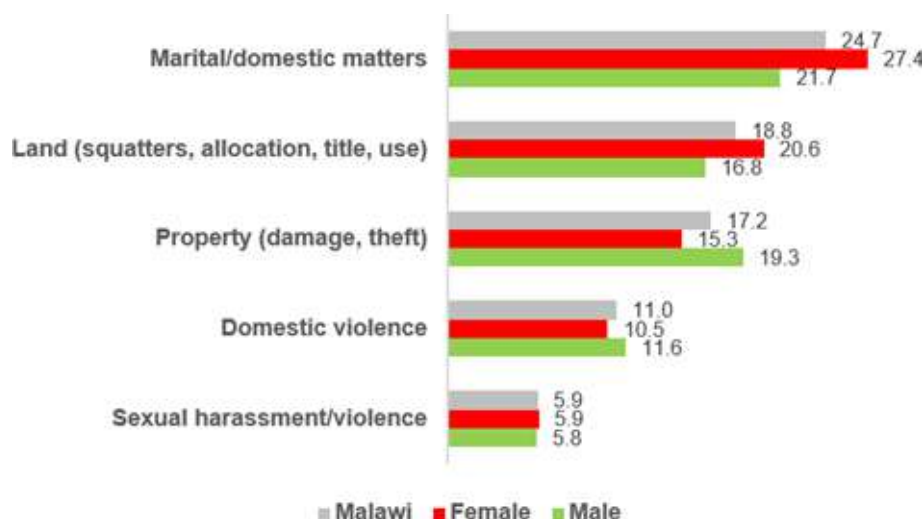
Source: National Statistical Office, J&AS 2025

The survey revealed low experience with the formal justice system, limited mainly to police and courts. Barriers such as long distances and legal or illegal fees hinder access, especially for those with limited resources.

#### 4.4 Disputes reported to the formal justice system

The most commonly reported disputes in the formal justice system are marital or domestic

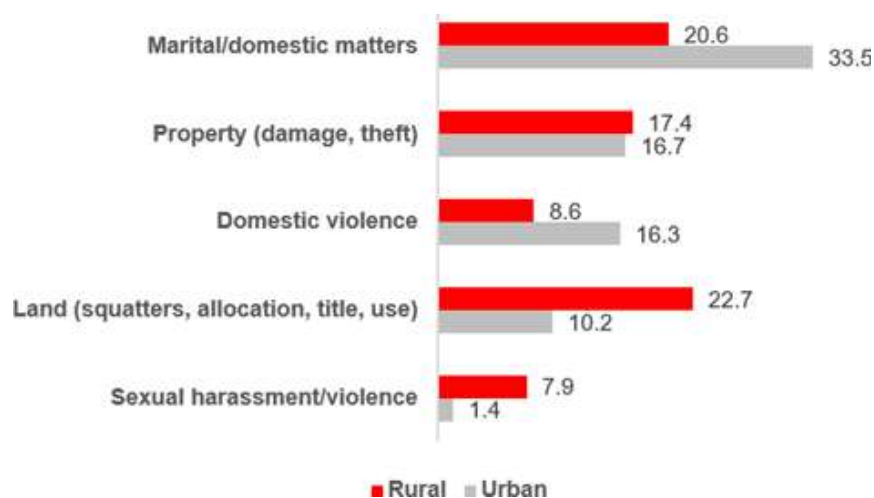
matters (24.7 percent), higher among females (27.4 percent) than males (21.7 percent). Land disputes (18.8 percent) are also more frequently reported by females (20.6 percent) than males (16.8 percent). By contrast, property-related disputes are more common among males (19.3 percent) than females (15.3 percent). Reports of domestic violence are almost equal between males (11.6 percent) and females (10.5 percent), while sexual harassment or violence is the least reported, with similar proportions for females (5.9 percent) and males (5.8 percent) (Figure 4.6).

**Figure 4.6:** Types of disputes reported to the formal justice system

Source: National Statistical Office, J&AS 2025

By residence, disputes over marital/domestic matters are far more common in urban areas (33.5 percent) than in rural areas (20.6 percent). Similarly, domestic violence (16.3 percent), financial transactions (8.8 percent), and paternity maintenance (7.9 percent) are more reported

in urban settings. On the other hand, land disputes (22.7 percent) and livestock disputes (4.3 percent) are more prevalent in rural areas, reflecting their strong link to livelihood and land-based resources (Figure 4.7).

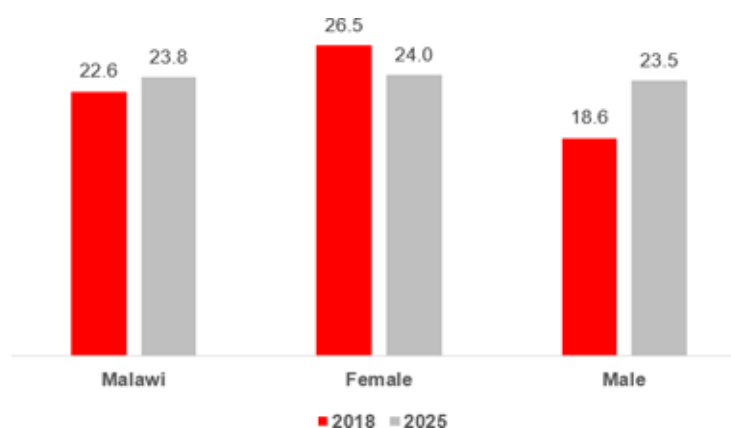
**Figure 4.7:** Types of disputes reported to the formal justice system by residence

Source: National Statistical Office, J&amp;AS 2025

## 4.5 Legal representation in formal justice system

About 23.8 percent of respondents who reported disputes to the formal justice system had legal representation, a slight rise from 22.6 percent

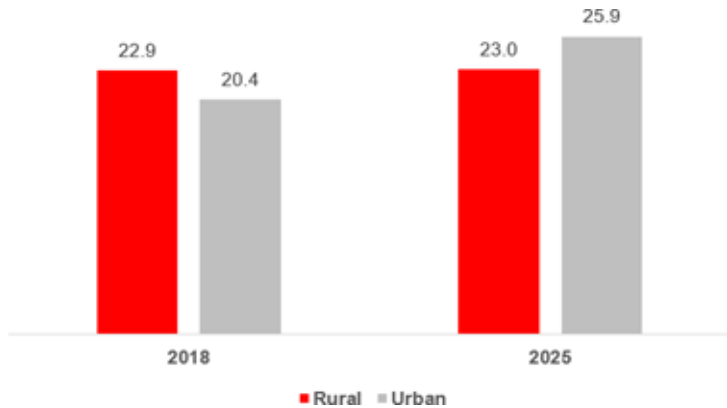
in 2018. However, more than three-quarters still lacked access. By gender, females (24.0 percent) and males (23.5 percent) reported similar levels, narrowing the gap seen in 2018 when females were more represented (Figure 4.8).

**Figure 4.8:** Legal representation of respondents in court

Source: National Statistical Office, J&amp;AS 2025

By residence, urban respondents (25.9 percent) had slightly higher representation than rural (23.0 percent), reversing the 2018 trend (Figure 4.9).

**Figure 4.9:** Legal representation of respondents in court by residence



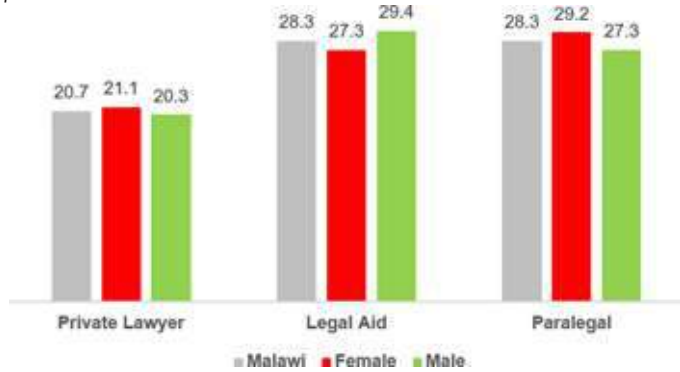
Source: National Statistical Office, J&AS 2025

#### 4.6 Type of legal representation

The most common forms of legal representation in court were legal aid (28.3 percent) and paralegals (28.3 percent), followed by private lawyers (20.7 percent). By gender, usage

patterns were similar, with females (29.2 percent) slightly more likely to use paralegals than males (27.3 percent). On the other hand, males (29.4 percent) were more likely to access legal aid (27.3 percent) than females (27.3 percent).

**Figure 4.10:** Type of legal representation

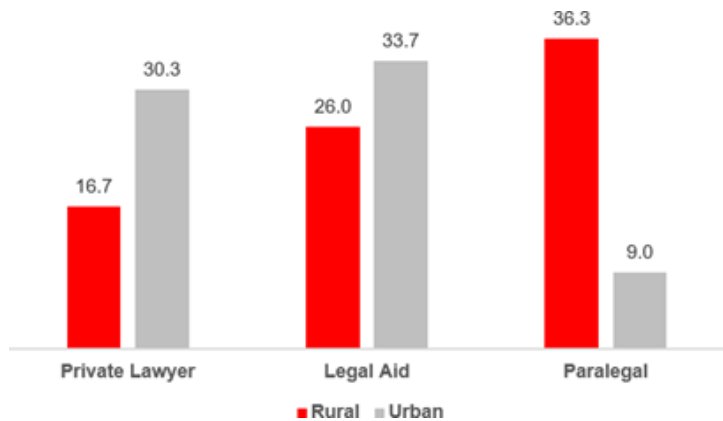


Source: National Statistical Office, J&AS 2025

Urban residents (30.3 percent) used private lawyers (30.3 percent urban against 16.7 percent rural) more, whilst rural residents relied on

paralegals (36.3 percent rural and 9.0 percent urban) (Figure 4.11).

**Figure 4.11:** Type of legal representation by residence.



Source: National Statistical Office, J&AS 2025

Younger respondents (18–24) mainly relied on legal aid (32.4 percent), while those aged 25–34 favored paralegals (33.3 percent). Respondents

aged 45–54 leaned more on legal aid (Figure 4.12).

**Figure 4.12:** Type of legal representation by age group

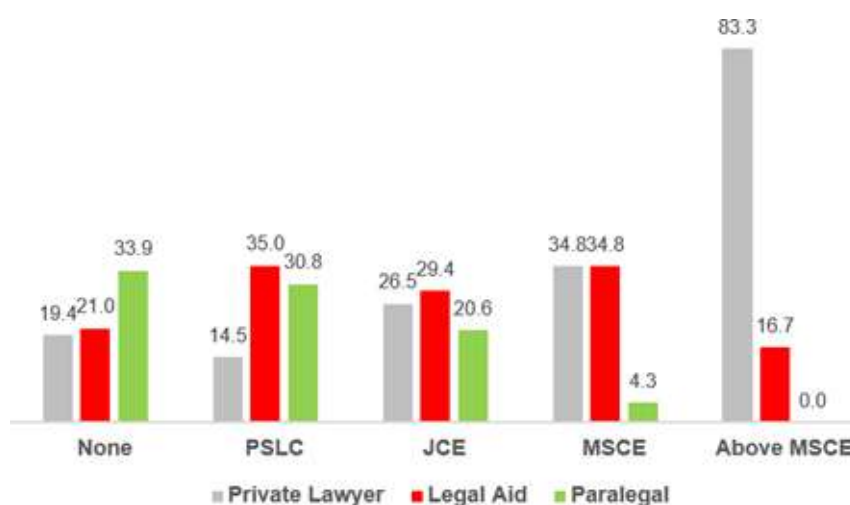


Source: National Statistical Office, J&AS 2025

By education, those with no education (33.9 percent) depended most on paralegals and those with higher education (Above MSCE, 83.3

percent) dependent on private lawyers (Figure 4.13).

**Figure 4.13:** Type of legal representation by education



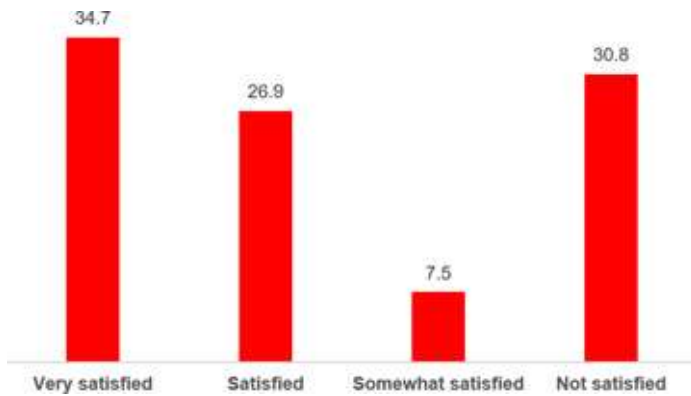
Source: National Statistical Office, J&AS 2025

## 4.7 Level of satisfaction with the justice system

The survey results indicate mixed satisfaction with the formal justice system. About 34.7 percent of respondents were very satisfied, 26.9 percent

satisfied, and 7.5 percent somewhat satisfied, while 30.8 percent reported being not satisfied. This suggests that public perception is polarized, with many respondents expressing either strong satisfaction or dissatisfaction (Figure 4.14).

**Figure 4.14:** Percentage distribution of level of satisfaction with the formal justice system

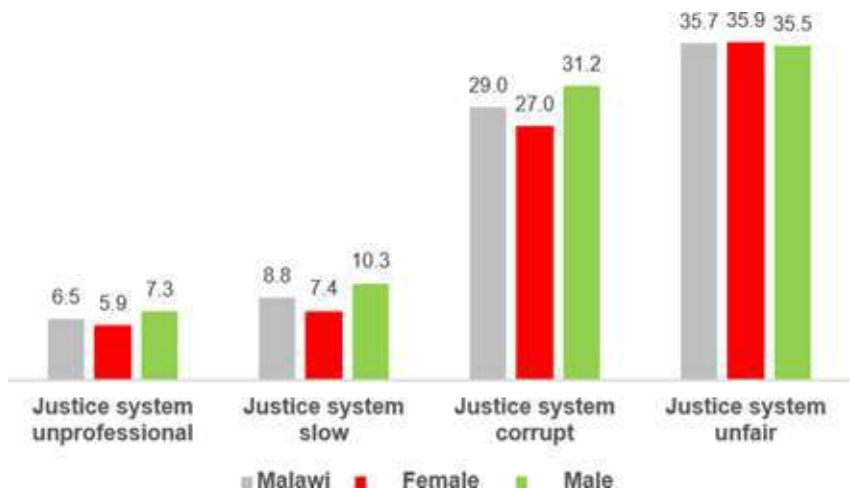


Source: National Statistical Office, J&AS 2025

Respondents who were somewhat or not satisfied with the formal justice system mainly cited unfairness (35.7 percent), corruption (29.0 percent), slow judgments (8.8 percent), and lack

of professionalism (6.5 percent) as key reasons (Figure 4.15). These factors reflect systemic trust issues and inefficiencies in service delivery.

**Figure 4.15:** Reasons for dissatisfaction with judicial outcomes



Source: National Statistical Office, J&AS 2025

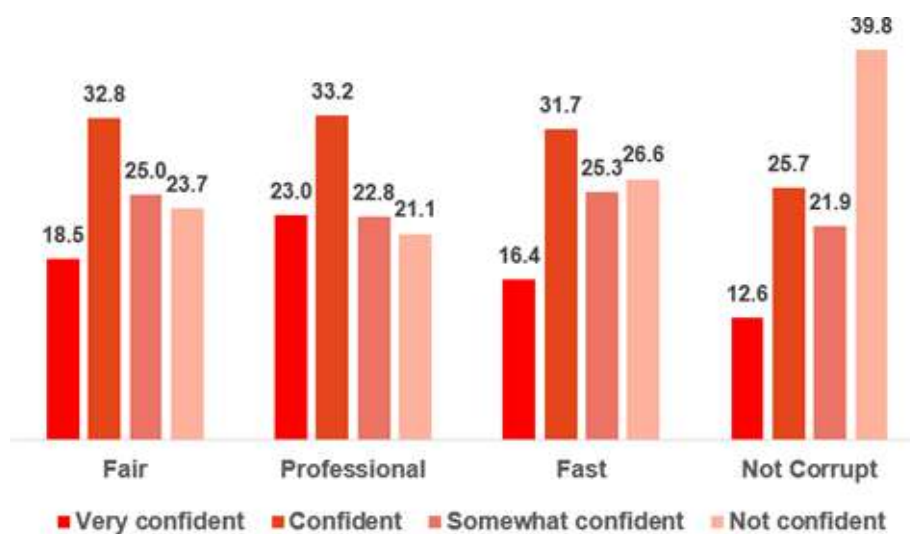
Focus group discussions further highlighted corruption, including nepotism by traditional leaders, bribery of police and court officials, and unlawful payments for services. The absence of local reporting mechanisms compounds the problem, allowing corruption to persist and eroding public trust, especially among those unable to afford bribes.

#### 4.8 Level of confidence in the formal justice system

Respondents' satisfaction with the justice

system varied across dimensions. Confidence was higher in fairness (18.5 percent very, 32.8 percent confident) and professionalism (23.0 percent very, 33.2 percent confident). Lower ratings were given for efficiency (16.4 percent very, 31.7 percent confident) and especially corruption (12.6 percent very, 25.7 percent confident), where 39.8 percent expressed no confidence. Overall, the system is viewed as fair and professional, but concerns persist over efficiency and corruption (Figure 4.16).

**Figure 4.16:** Confidence in the formal justice system



Source: National Statistical Office, J&AS 2025



CHAPTER 5

INFORMAL JUSTICE SYSTEM

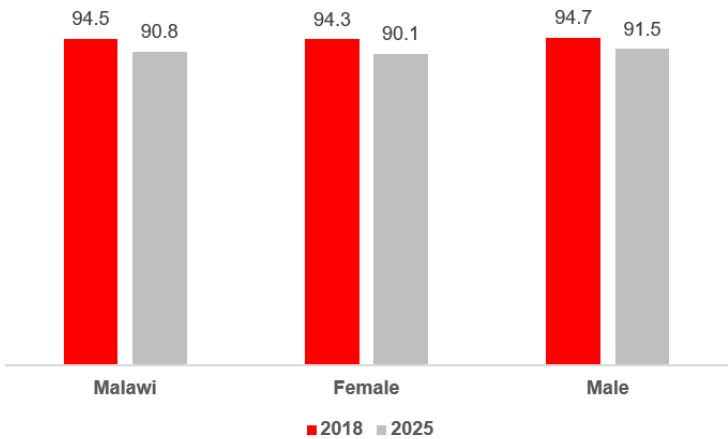
5.1 Introduction

An informal justice system refers to the ways in which communities resolve disputes and maintain order outside of the formal state legal system (courts, police, prisons) (Miles & Raynor, 2024; Ubink & Weeks, 2024). These systems are usually community-based, less formal in procedures, and rely on traditional leaders, village chiefs, elders, religious leaders, mediators, or community committees to resolve conflicts. They often deal with issues like family disputes, land boundaries, minor theft, or interpersonal conflicts.

5.2 Familiarity with Informal Justice System

At the national level, 90.8 percent of respondents reported familiarity with the informal justice system. This represents a 3.7 percent point decrease from the 2018 Malawi Justice and Accountability Survey (94.5 percent in 2018 to 90.8 percent in 2025). Overall, the majority of respondents were familiar with the informal justice system (Figure 5.1).

Figure 5.1: Confidence in the informal justice system

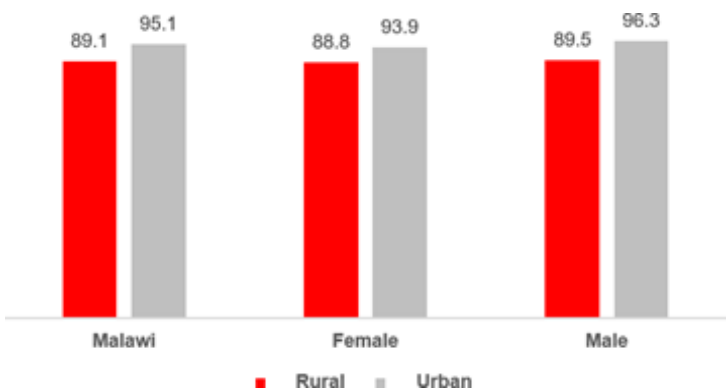


Source: National Statistical Office, J&AS 2025

The survey results show that familiarity with the informal justice system is higher among urban residents (95.1 percent) compared to rural residents (89.1 percent). By sex, urban females (93.9 percent) and males (96.3 percent) reported

greater familiarity than their rural counterparts (88.8 percent and 89.5 percent, respectively), indicating that residence plays a stronger role than gender in shaping awareness (Figure 5.2).

Figure 5.2: Confidence in the informal justice system by residence



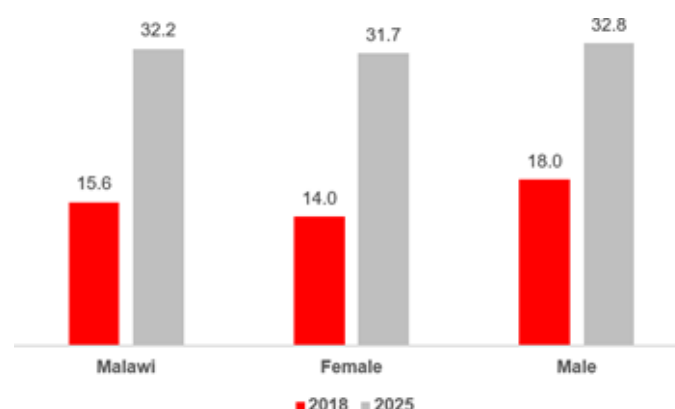
Source: National Statistical Office, J&AS 2025

### 5.3 Use of Informal justice system

The survey collected data on whether respondents used the informal justice system to settle their disputes in the past one year prior to the survey. The proportion of individuals who used the informal justice system to resolve disputes increased nationally from 15.6 percent

in 2018 to 32.2 percent in 2025. By sex, usage among females rose from 14.0 percent to 31.7 percent, while among males it increased from 18.0 percent to 32.8 percent. Although males consistently reported slightly higher usage than females, the results highlight a significant overall growth in reliance on informal justice mechanisms (Figure 5.3).

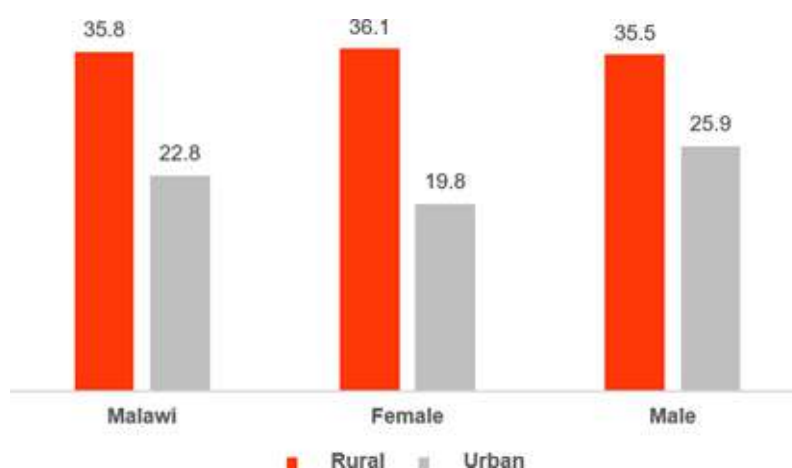
**Figure 5.3:** Proportion of individuals using the informal justice system to settle disputes



Source: National Statistical Office, J&AS 2025

According to residence, rural areas had a higher proportion of respondents who reported to have used the informal justice system (35.8 percent) than the urban areas (22.8 percent) (Figure 5.4).

**Figure 5.4:** Proportion of individuals used the informal justice system to settle disputes by residence

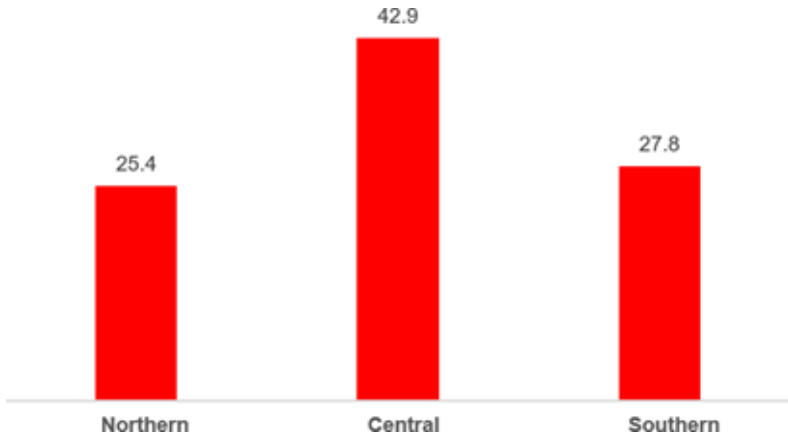


Source: National Statistical Office, J&AS 2025

Central Region had the highest proportion of respondents who used the informal justice system (42.9 percent) followed by Southern

Region (27.8 percent) and Northern Region (25.4 percent) (Figure 5.5).

**Figure 5.5:** Proportion of individuals used the informal justice system to settle disputes by region



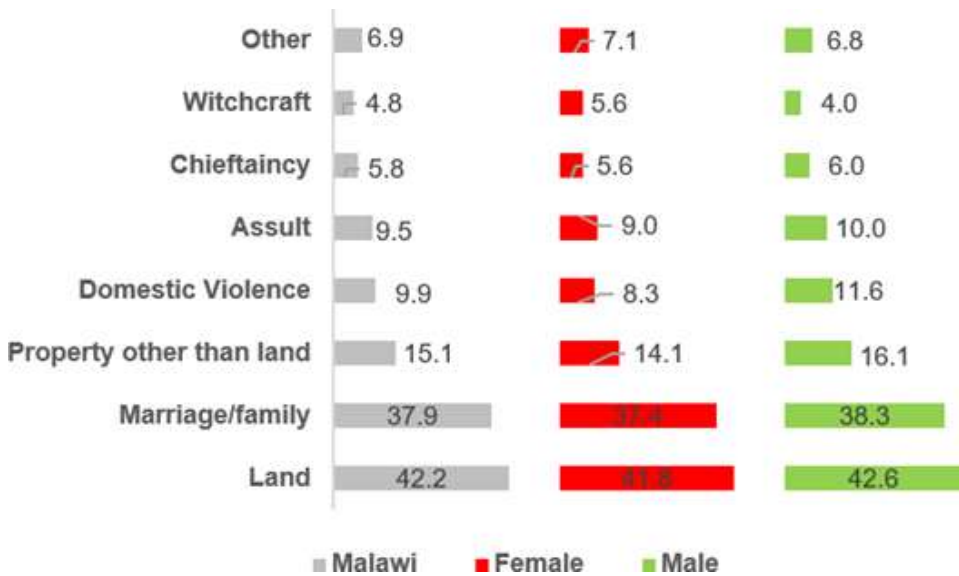
Source: National Statistical Office, J&AS 2025

### 5.4 Type of disputes referred to informal justice system

A higher proportion of respondents reported land disputes (42.2 percent) and marriage/family disputes (37.9 percent) to the informal justice system for resolution. The similar trend was evident in 2018, with land disputes and family/marriage disputes reporting 31.5 percent and 41.2 percent respectively. Reporting land

disputes is increasing at an alarming rate from 31.5 percent in 2018 to 42.2 percent in 2025. Reporting of marriage/family disputes on the other hand has slightly decreased from 41.2 percent in 2018 to 37.9 percent in 2025. The other disputes that were reported to the informal justice system are Domestic violence (9.9 percent), property other than land (15.1 percent) and Assault (9.5 percent) among others (Figure 3.9).

**Figure 5.6:** Types of disputes referred to the informal justice system



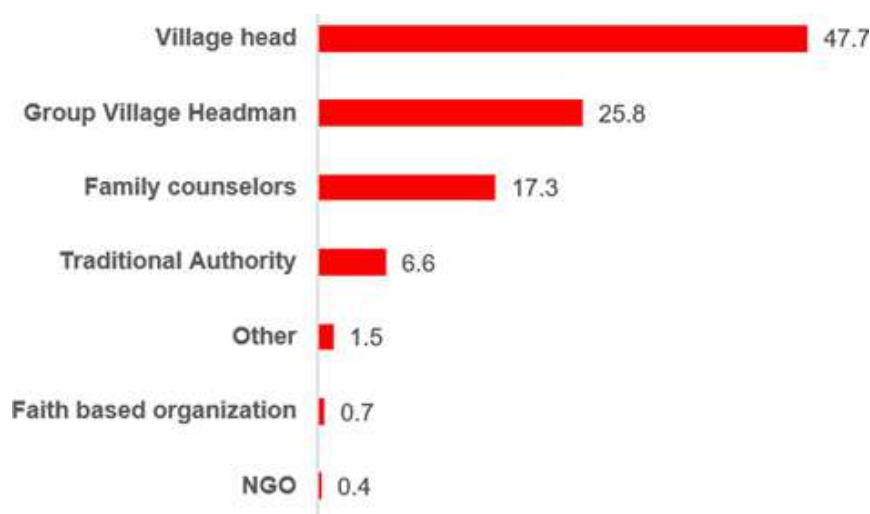
Source: National Statistical Office, J&AS 2025

## 5.5 Dispute reporting to informal Justice System

At national level, 47.7 percent of respondents said they had reported their disputes to village heads, 25.8 percent had reported to the group village heads, 17.3 percent had reported to family counselors and 6.6 percent had reported to Traditional Authorities. This shows that the

number of people who report their disputes to village heads has decreased from 58.3 percent in 2018 to 47.7 percent in 2025. Those that reported to group village heads have also slightly decreased from 27.8 percent in 2018 to 25.8 percent in 2025, whereas those that reported to family counselors increased from 14.5 percent in 2018 to 17.3 percent in 2025 (Figure 5.7).

**Figure 5.7:** Dispute reporting to the informal justice system



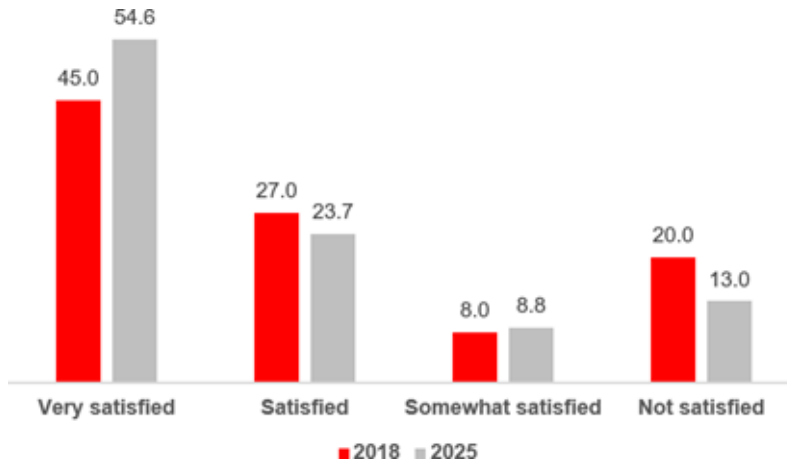
Source: National Statistical Office, J&AS 2025

## 5.6 Satisfaction levels with the informal justice system

Regarding to whether respondents were satisfied with the way their disputes were resolved by informal justice institutions, about half of the respondents (54.6 percent) were very satisfied, 23.7 percent were satisfied, 8.8 percent were somewhat satisfied and 13.0 percent were not satisfied. More than 80 percent of the respondents were satisfied with the way their disputes were resolved in varying degrees. The

proportion of those who reported to have been very satisfied with the way their disputes were resolved is significantly higher (54.6 percent) than it was in 2018 (45.0 percent). Those who were satisfied slightly decreased from 27.0 percent in 2018 to 23.7 percent in 2025 and those that were not satisfied also decreased significantly from 20.0 percent in 2018 to 13.0 percent in 2025 (Figure 5.8). This gives an impression that the informal justice system is now gaining the trust of the people in the country.

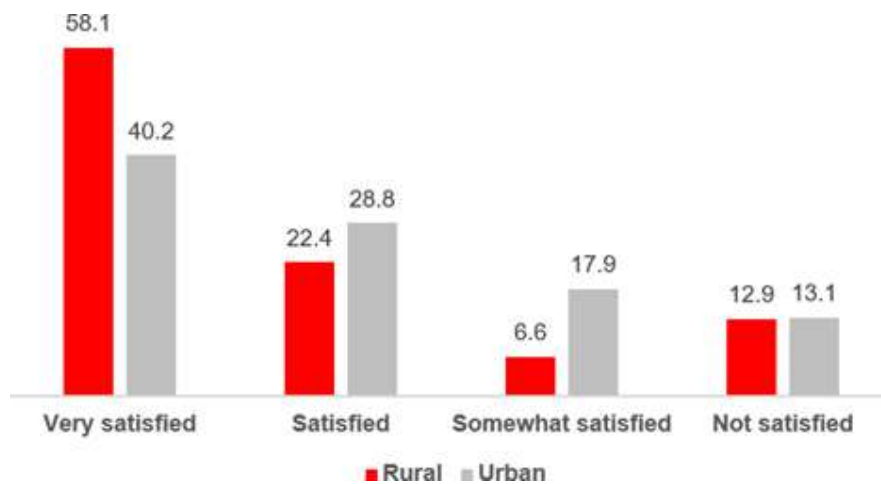
**Figure 5.8:** Percentage distribution of satisfaction levels with the informal justice system



Source: National Statistical Office, J&AS 2025

By residence, rural area residents (58.1 percent) were very satisfied as compared to urban area residents (40.2 percent). Therefore, the results reveal that there is currently more satisfaction with the informal justice system in rural than urban areas (Figure 5.9).

**Figure 5.9:** Percentage distribution of satisfaction levels with the informal justice system by residence



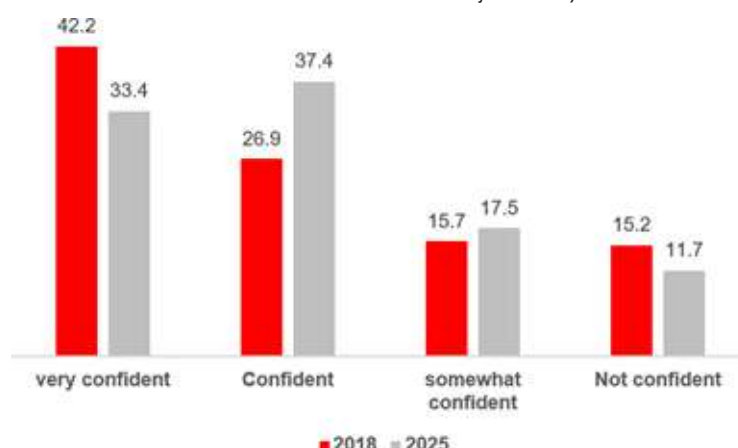
Source: National Statistical Office, J&AS 2025

## 5.7 Confidence in the Informal Justice system

The majority (70.8 percent) expressed confidence in the informal justice system, with 37.4 percent confident and 33.4 percent very confident, while only 11.7 percent were not confident.

This is a 1.7 percent increase from level of confidence (69.1 percent) expressed in 2018 (Figure 5.10).

**Figure 5.10:** Percentage distribution of confidence in the informal justice system



Source: National Statistical Office, J&AS 2025

## 5.8 Level of confidence with the informal Justice system across thematic areas

Respondents were asked to give more details on their level of confidence in settling disputes; supporting investment; doing business and productivity; supporting family issues, facilitating democratization; supporting instruments for accessing credits (e.g. land titles, mortgages); supporting borrowing and enforcement of judgment.

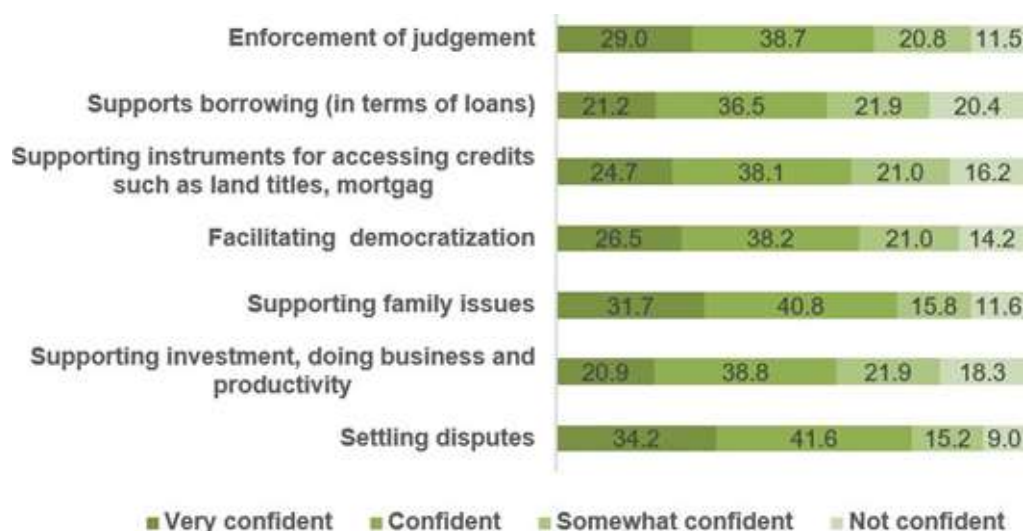
The highest level (91.0 percent) of confidence in the informal justice system was in respect to settling disputes followed by the enforcement of judgments (88 percent) and the support for family issues (85 percent). Confidence in the dispute-settlement component of informal justice systems was also evident in most focus group discussions, where many participants gave several reasons for preferring to refer disputes to village heads for settlement. The reasons include

their physical proximity, which saves transport costs, the familiarity of heads with local rules of customary law, the relatively low payments that village heads demand for dispute settlement, and local traditional leaders are fair because they have a responsibility to maintain peace, among others.

The survey results also show that 9 percent of the respondents did not have any confidence in the dispute-settlement function of the informal justice system. This lack of confidence was

reflected in the focus group discussions where participants gave several reasons for their lack of confidence in dispute settlement by village chiefs and other local traditional leaders. The reasons included corruption among traditional leaders, their vested interests due to familial and blood ties with the members of the community and their increasingly diminishing authority and respect among their subjects which makes it difficult for them to enforce their orders and provide effective remedies to complainants

**Figure 5.11:** Percentage distribution of confidence in the informal justice system



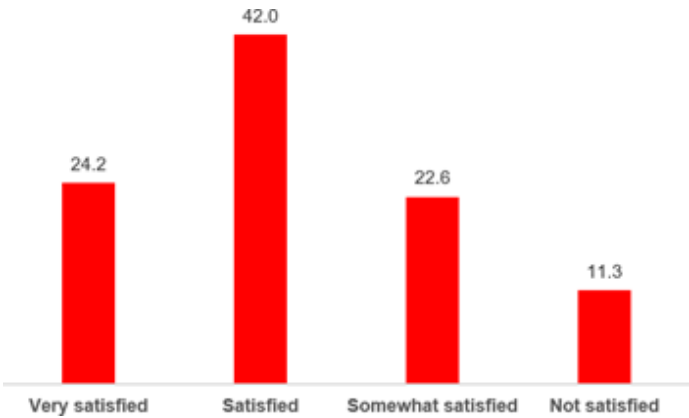
Source: National Statistical Office, J&AS 2025

### 5.9 Level of satisfaction with the overall Informal Justice system

Overall performance of the informal justice system indicated that 24.2 percent of respondents were

very satisfied with the informal justice system, 42.0 percent were satisfied, 22.6 were somewhat satisfied while 11.3 percent were not satisfied (Figure 5.12).

**Figure 5.12:** Percentage distribution of overall satisfaction with the informal justice system



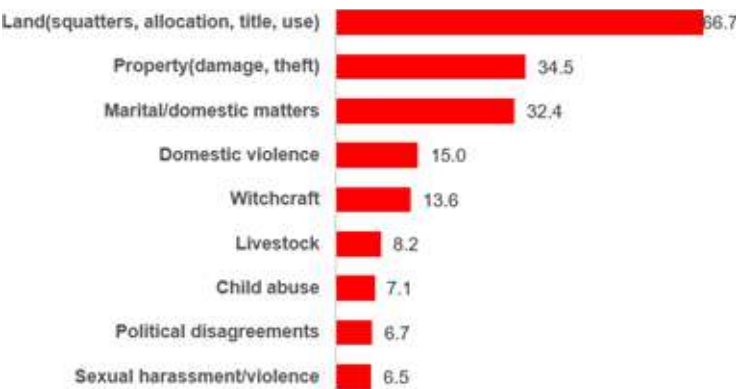
Source: National Statistical Office, J&AS 2025

### 5.10 Causes of disputes

Most of the respondents (66.7 percent) mentioned land issues as the lead cause of disputes in their areas; 32.4 percent mentioned marital or domestic issues, 34.5 percent were of the opinion that property disputes involving damage or theft influence disputes while another 15.0 percent of respondents cited domestic violence as an agent that triggers disputes in

their respective areas. These were also the same issues that were mostly reported to be the causes of disputes during the 2018 Justice and Accountability Survey with 70.0 percent of the respondents mentioning land issues, 54.9 percent mentioning marital/domestic matters, 32.3 percent mentioning theft influence disputes and 26.3 percent mentioned domestic violence (Figure 5.13).

**Figure 5.13:** Percentage distribution of causes of disputes



Source: National Statistical Office, J&AS 2025

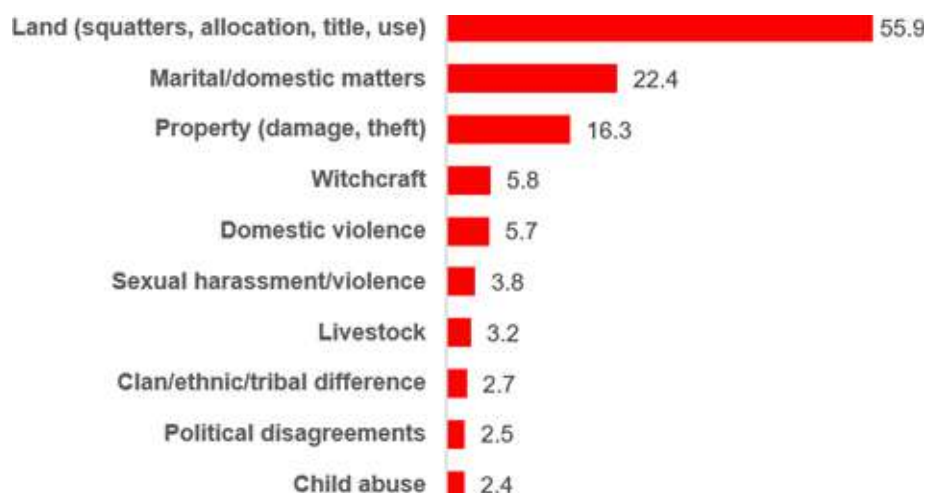


## 5.11 Issues that end up in the informal justice system

Similarly, the very same issues came out as the three notable disputes that respondents

mentioned as issues that end up in the informal justice system. Land issues were the commonly reported (55.9 percent) followed by marital/domestic matters (22.4 percent) and property damage and theft (16.3 percent) (Figure 5.14).

**Figure 5.14:** Percentage distribution issues that end up in the informal justice system



Source: National Statistical Office, J&AS 2025

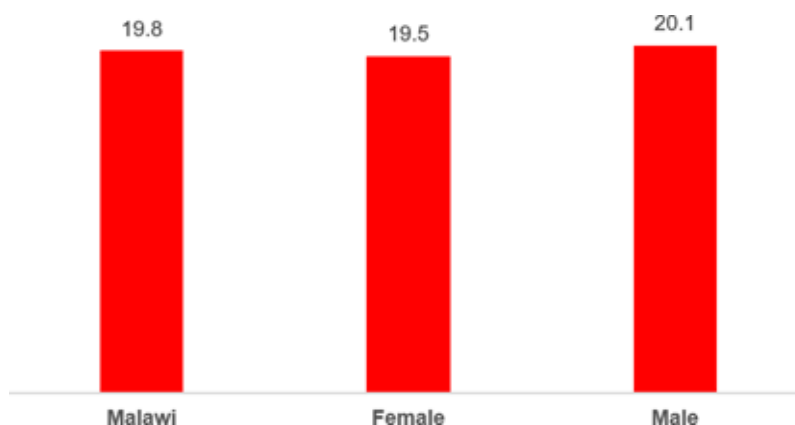
## 5.12 Disputes that needed a third party to resolve in the past one year

Nationally, 19.8 percent of respondents had experienced a dispute which required a third party to resolve, which means that over 80 percent had not encountered a dispute that needed an outside intervention. One of the reasons suggested in focus group discussions was that since most of the disputes involved people

who were related, taking the dispute to outsiders would undermine community cohesion.

In contrast, the results of the 2018 Justice and Accountability Survey had shown that 14.8 percent of the respondents had disputes that needed a third party to resolve. Over the past seven years, therefore, there has been a 5 percent increase in the number of people who seek resolution of their disputes from third parties (Figure 5.15).

**Figure 5.15:** Percentage distribution of disputes that needed a third party to resolve in the past year

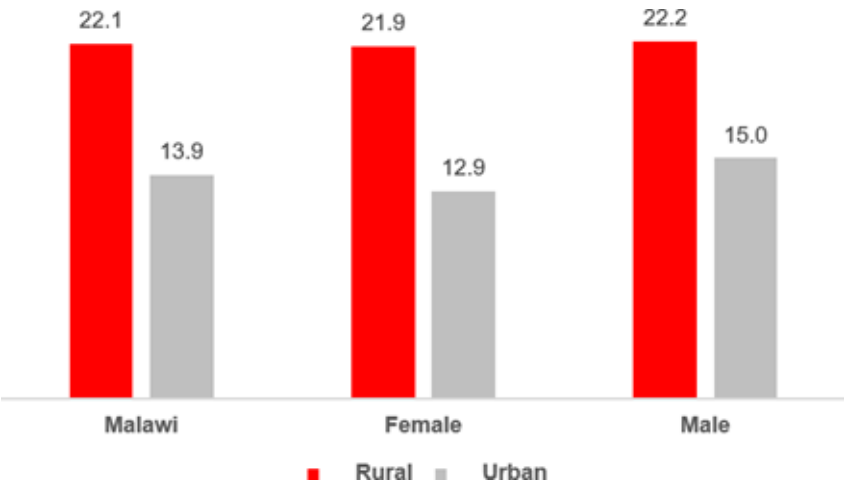


Source: National Statistical Office, J&AS 2025



Overall, a higher proportion of disputes in rural areas (22.1 percent) than urban areas (13.9 percent) needed a third party to resolve. Slightly high proportion of urban male residents (15.0 percent) needed a third party than their rural female counterpart (12.9 percent)(Figure 5.16).

Figure 5.16: Percentage distribution of disputes that needed a third party to resolve in the past year by residence

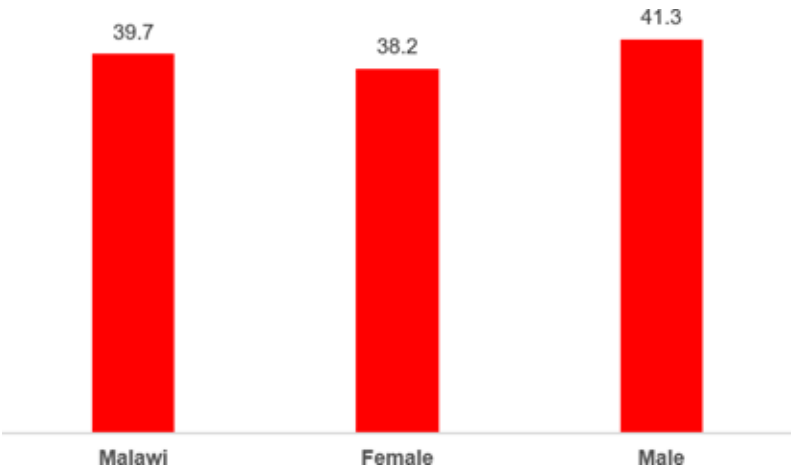


Source: National Statistical Office, J&AS 2025

5.13 Disputes that required intervention from institutions

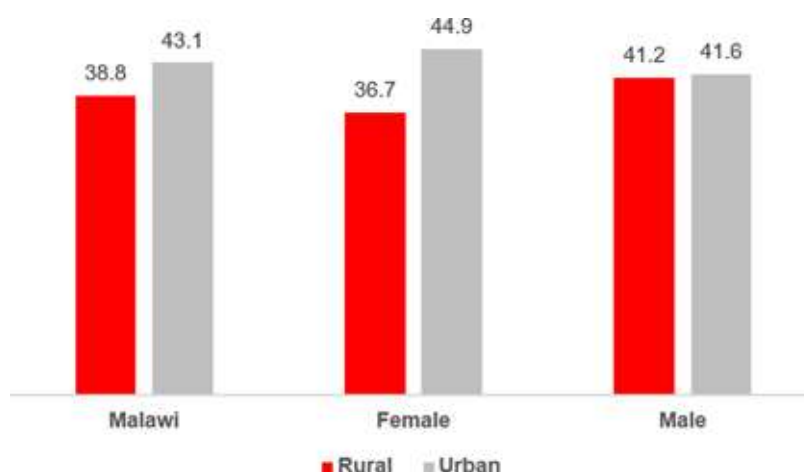
Results further revealed that out of the respondents who experienced a dispute which required a third party to resolve, 39.7 percent reported the dispute to an institution. In terms of gender, more male respondents (41.2 percent) than their female counterparts (38.2 percent) engaged an institution to resolve their dispute (Figure 5.17).

Figure 5.17: Disputes that required intervention from institutions



Source: National Statistical Office, J&AS 2025

By residence, only 43.1 percent of the disputes from the urban residents and 38.8 percent from the rural residents required an intervention from institutions. A higher proportion of urban female residents (44.9 percent) than rural female residents (36.7 percent) sought institutions for their disputes (Figure 5.18).

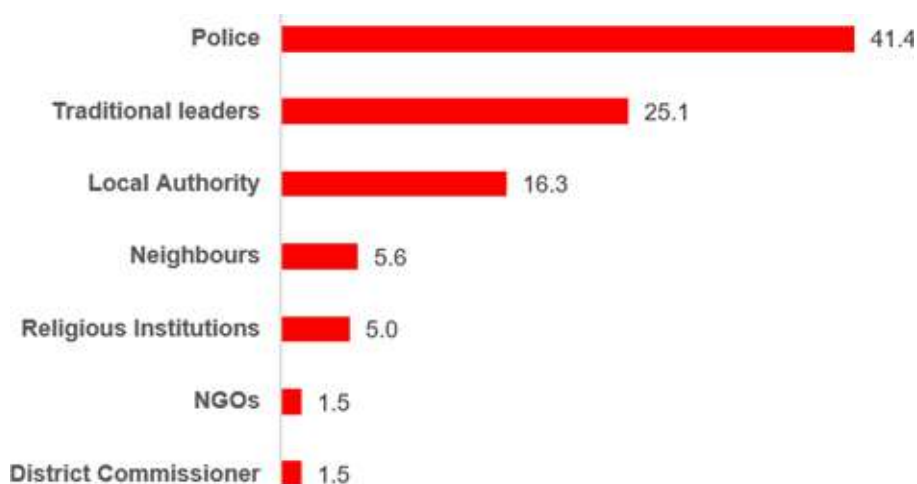
**Figure 5.18:** Disputes that required intervention from institutions by residence

Source: National Statistical Office, J&AS 2025

### 5.14 Institutions engaged in dispute resolution

Nationally, 41.4 percent of the respondents sought a dispute resolution from the police whereas 25.1 percent sought the resolution from

traditional or local leaders. Very few disputes were reported to District Commissioners and NGOs (Figure 5.19). The survey outcome entails that many people engage the police when it comes to disputes resolution.

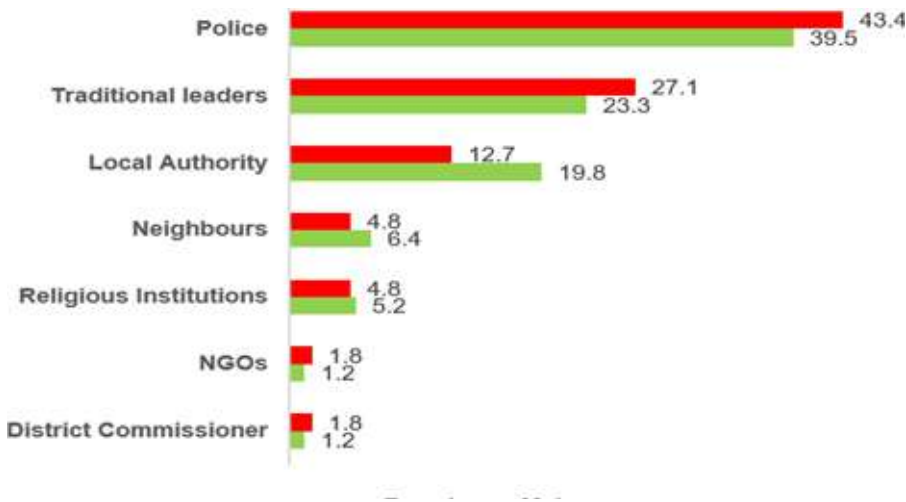
**Figure 5.19:** Percentage distribution of institutions engaged in dispute resolution

Source: National Statistical Office, J&AS 2025

By gender, a high proportion of female respondents reported having used the police for dispute resolution (43.4 percent among females and 39.5 percent among males). However, more males reported to the local authorities as

compared to females (21.0 percent and 14.5 percent respectively) (Figure 5.20). The findings indicated that the form of institution to employ in the dispute resolution is dependent on gender preference.

**Figure 5.20:** Percentage distribution of institutions engaged in dispute resolution by gender



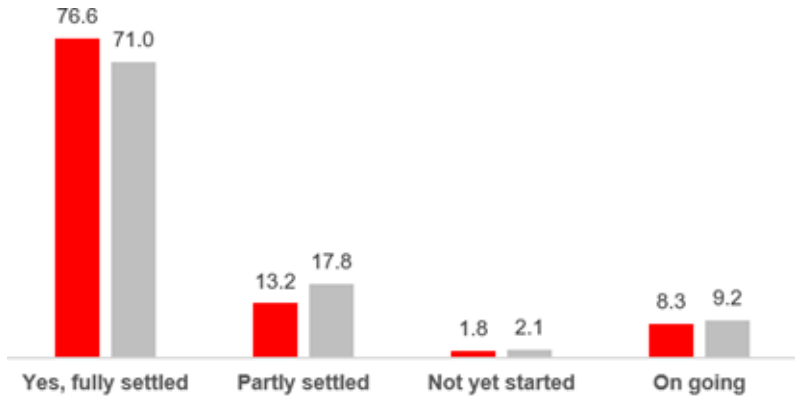
Source: National Statistical Office, J&AS 2025

### 5.15 Outcome of dispute resolution

Respondents who sought dispute resolution from any institution were further asked whether their disputes were fully settled, partly settled, not yet started or on-going. Nationally, 71 percent of the disputes were fully settled, 17.8 percent

were partly settled, 2.1 percent had not yet started, and 9.2 percent were on-going (Figure 7.13). Compared with the 2018 Justice and Accountability Survey, there is a 6.6 percent decrease in the disputes were reported fully settled, thus from 76.6 percent in 2018 to 71.0 percent in 2025 (Figure 5.21)

**Figure 5.21:** Percentage distribution of the outcomes of dispute resolution

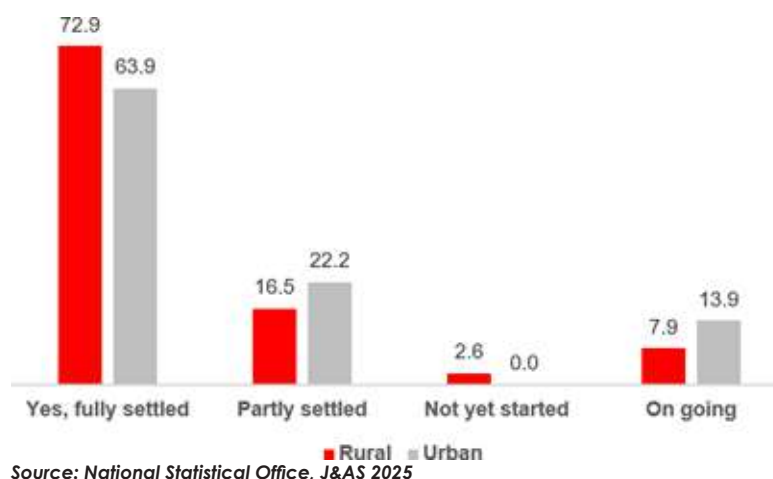


Source: National Statistical Office, J&AS 2025

By residence, a higher proportion of rural residents had their disputes fully settled (72.9 percent rural against 63.9 percent urban). This might be due to the fact that a higher proportion of disputes

in the urban residents were reported to be on going (13.9 percent in urban against 7.9 percent in rural) (Figure 5.22)

**Figure 5.22:** Percentage distribution of the outcomes of dispute resolution by residence

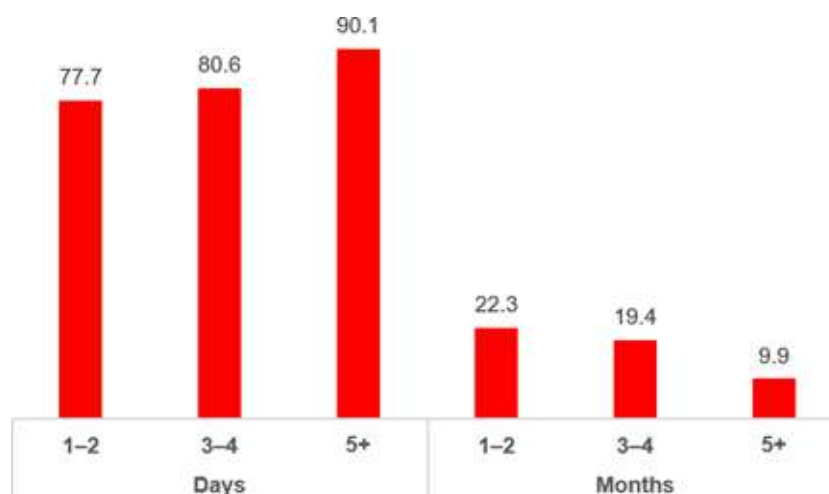


## 5.16 Duration of time in dispute resolution

Those who had their disputes fully or partly resolved were asked to indicate how long it took for the dispute to be resolved in terms of days, months or years. Majority of respondents (77.7 percent for 1-2 days, 80.6 percent for 3-4 days and 90.1 percent for 5+ days). Only 9.9 percent

disputes took 5+ months before its conclusion. This is an indicated that majority of disputes in informal justice system circle are dealt within a shortest time period possible. Unlike in formal justice system which sometimes takes more time before the dispute is concluded. (Figure 5.23).

**Figure 5.23:** Percentage distribution of duration in dispute resolution

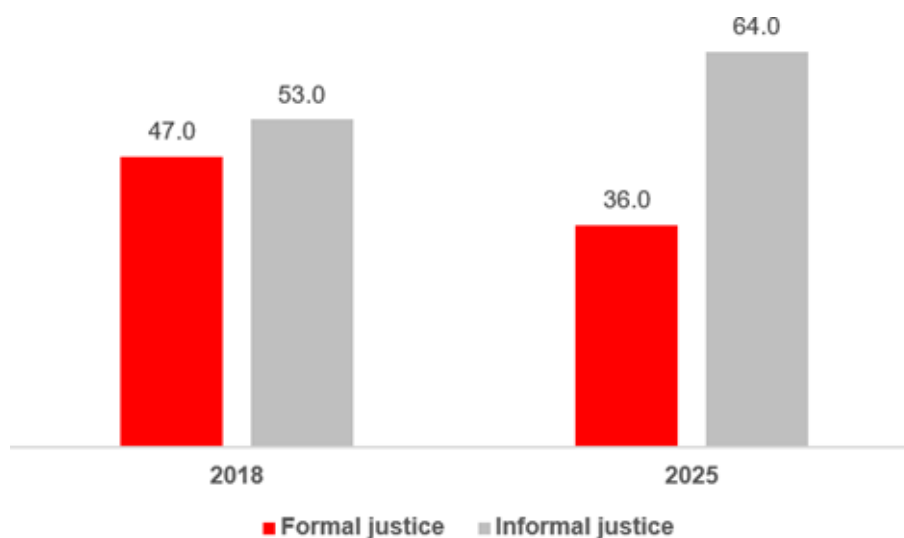


## 5.17 Preferred Justice system

Respondents were asked about their preferred justice system between the formal and informal one. Majority of them (64.0 percent) preferred

the informal justice system to the formal (36.0 percent). Similarly, the 2018 Justice and Accountability Survey indicated the informal justice system to be their preference (53 percent). This indicates an 11 percent increase in preference for the informal justice system (Figure 5.24).

**Figure 5.24:** Percentage distribution of respondents' perception about cost of settling disputes

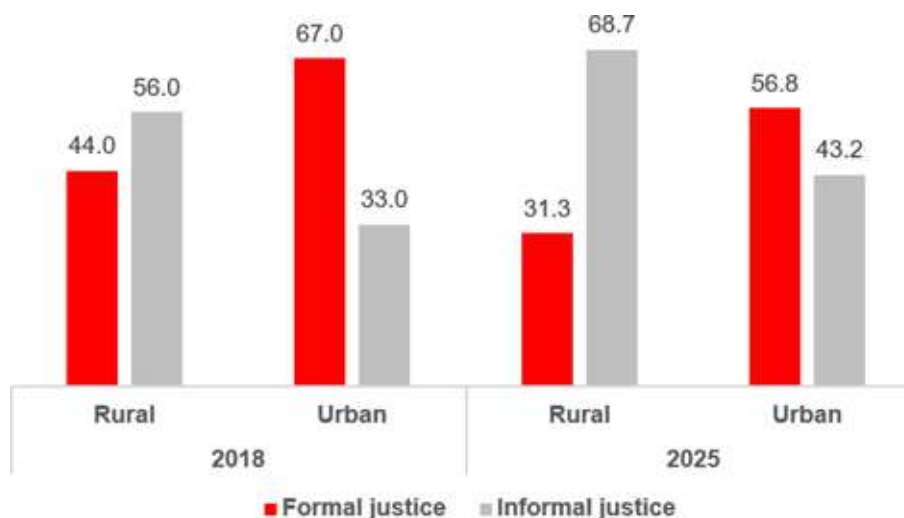


Source: National Statistical Office, J&AS 2025

The results of the current survey also indicated a sharp increase among rural residents who prefer the informal justice system from 56.0 percent in 2018 to 68.7 percent in 2025 while showing an

increase in the percentage of urban residents who prefer the informal justice system from 33.0 percent in 2018 to 43.2 percent in 2025 (Figure 5.25).

**Figure 5.25:** Percentage distribution of respondents' perception about cost of settling disputes



Source: National Statistical Office, J&AS 2025

## CHAPTER 6

## ACCOUNTABILITY AND TRANSPARENCY

## 6.1 Introduction

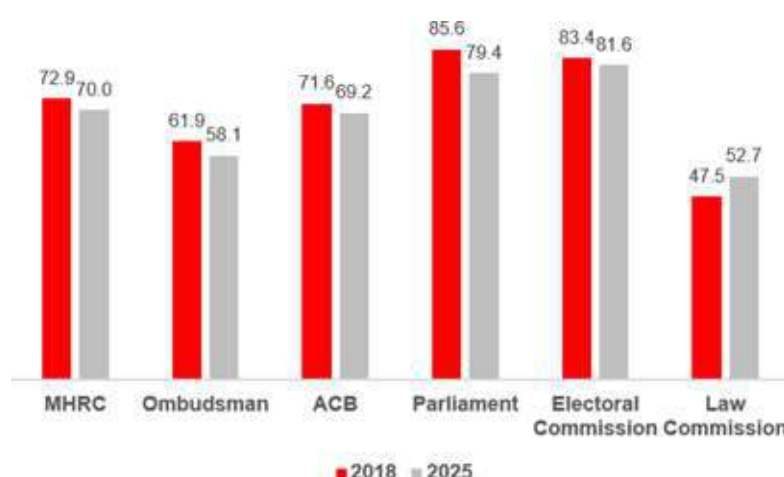
Integrity, accountability, and transparency are key to democratic governance, fostering public trust through honesty and openness (Lyezia & Kapaya, 2024). Integrity reflects strong moral principles, while accountability entails holding officials and service providers responsible and providing justifications for decisions (Hussein, 2023). The survey examined the integrity and accountability of Members of Parliament, local service providers, and district officials, as well as public access to and use of democratic accountability institutions and their effectiveness. In this survey, Democratic Accountability institutions refer to oversight bodies addressing corruption, governance, money laundering, and human rights. These include Parliament, MHRC, the Ombudsman, ACB, the Electoral Commission, the Democracy Consolidation Program, and non-state actors such as CSOs, CBOs, and NGOs. Public awareness of these institutions and their roles is essential for

accountability. The survey assessed knowledge of the Ombudsman, Human Rights Commission, Electoral Commission, Anti-Corruption Bureau, and Parliament.

## 6.2 Knowledge of the Democratic Accountability institutions

Nationally, most people were aware of democratic accountability institutions, with the Malawi Electoral Commission at 81.6 percent, Parliament at 79.4 percent, and the Law Commission at 52.7 percent. However, awareness of most institutions declined since 2018: the Electoral Commission (83.4 percent to 81.6 percent), Human Rights Commission (72.9 percent to 70.0 percent), Anti-Corruption Bureau (71.6 percent to 69.2 percent), Ombudsman (61.9 percent to 58.1 percent), and Parliament (85.6 percent to 79.4 percent). Only the Law Commission saw a modest increase, from 47.5 percent to 52.7 percent (Figure 6.1).

**Figure 6.1:** Awareness of oversight institutions

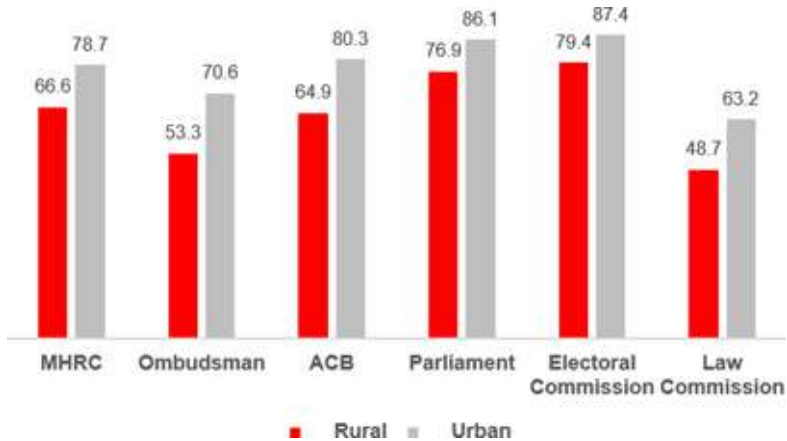


Source: National Statistical Office, J&AS 2025

Urban residents were generally more aware of oversight institutions than rural residents. The largest rural-urban gaps were seen for the Law Commission (63.2 percent against 48.7 percent)

and the Ombudsman Office (70.6 percent against 53.3 percent), reflecting greater urban access to information on democratic institutions (Figure 6.2).

**Figure 6.2:** Awareness of oversight institutions by residence

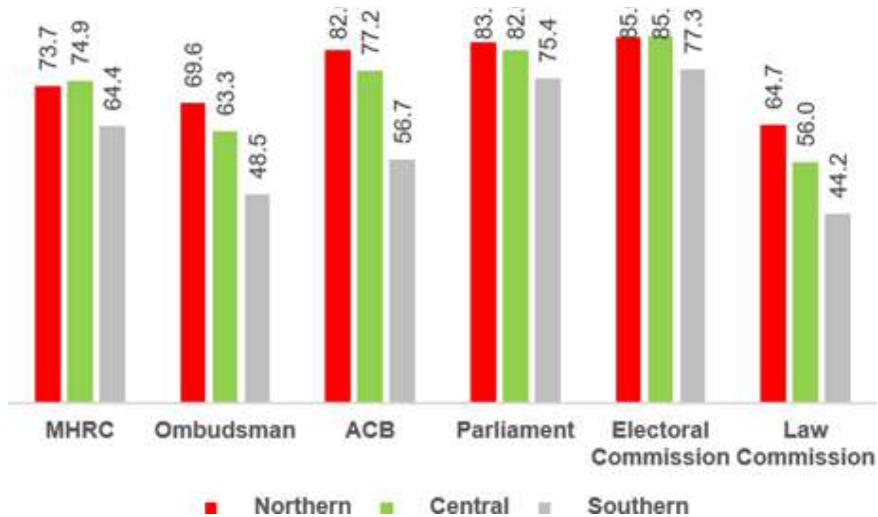


Source: National Statistical Office, J&AS 2025

Awareness of oversight institutions was lower in the Southern Region than in the Northern and Central Regions. For example, knowledge of the Law Commission and Ombudsman Office

was 44.2 percent and 48.5 percent in the South, compared to 64.7 percent and 69.6 percent in the North, and 56.0 percent and 63.3 percent in the Central Region (Figure 6.3).

**Figure 6.3:** Awareness of oversight institutions by region

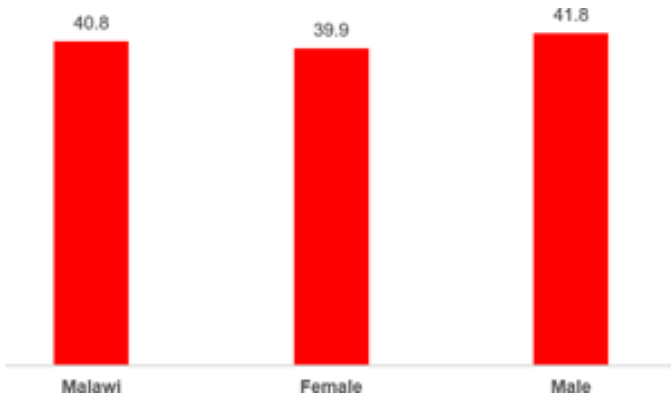


Source: National Statistical Office, J&AS 2025

### 6.3 Accessibility of Democratic Accountability Institutions

Nationally, only 40.8 percent of the population were aware of Civil Society Organizations (CSOs) supporting democratic governance, with 39.9 percent among females and 41.8 percent among males (Figure 6.4), indicating that less than half of the population had such knowledge.

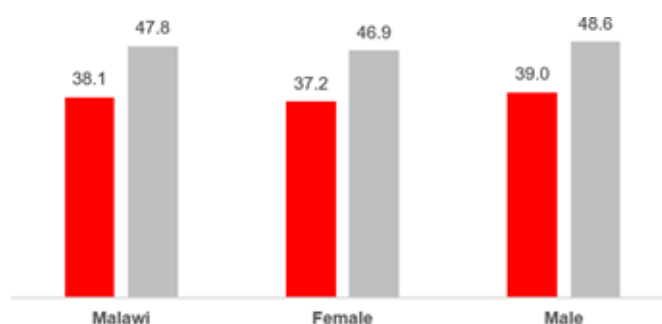
**Figure 6.4:** Knowledge of CSOs working on democratic governance issues



Source: National Statistical Office, J&AS 2025

Urban residents were more aware of CSOs (47.8 percent) than rural residents (38.1 percent), likely due to greater access to information and civic networks in urban areas (Figure 6.5).

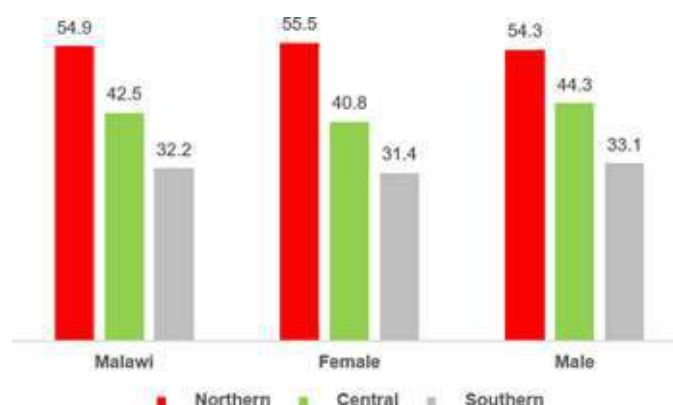
**Figure 6.5:** Knowledge of CSOs working on democratic governance issues by residence



Source: National Statistical Office, J&AS 2025

Knowledge of CSOs varied by region: 54.9 percent in the North, 42.5 percent in the Central, and only 32.2 percent in the South, indicating uneven geographic access to information (Figure 6.6).

**Figure 6.6:** Knowledge of CSOs working on democratic governance issues by region



Source: National Statistical Office, J&AS 2025

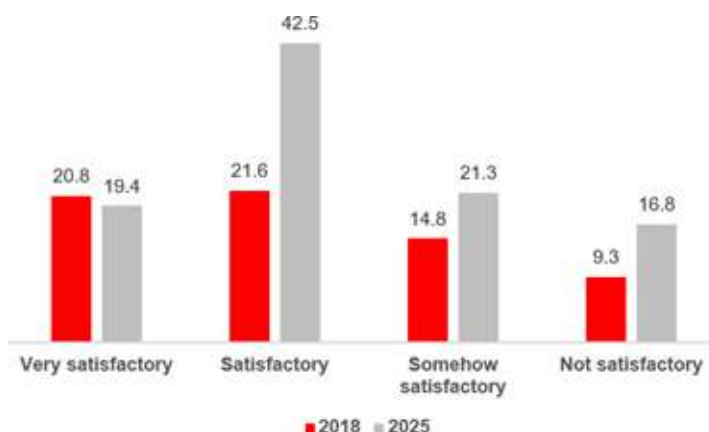
## 6.4 Satisfaction with handling of cases by DA institutions

### 6.4.1 Handling of cases by Malawi Human Rights Commission

Most respondents were satisfied with the Human Rights Commission's case handling: 19.4 percent

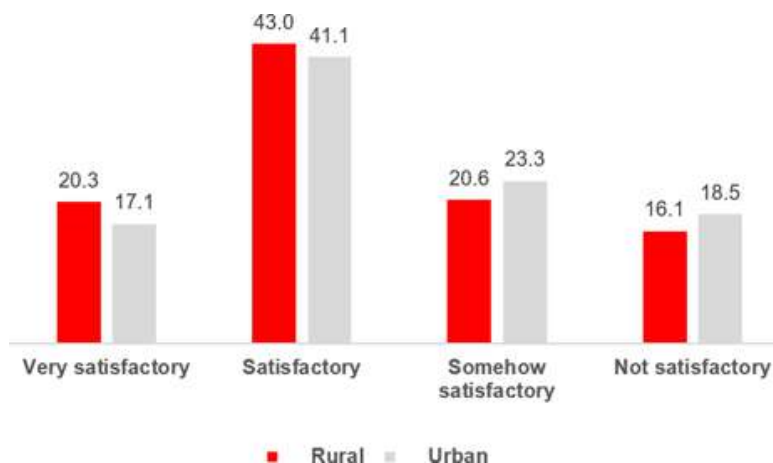
very satisfied, 42.5 percent satisfied, and 21.3 percent somehow satisfied, while 16.8 percent were dissatisfied. Compared to 2018, very satisfaction slightly declined (20.8 percent in 2018 to 19.8 percent in 2025), and dissatisfaction increased (9.3 percent in 2018 to 16.8 percent in 2025) (Figure 6.7).



**Figure 6.7:** Satisfaction with case handling by the Malawi Human Rights Commission

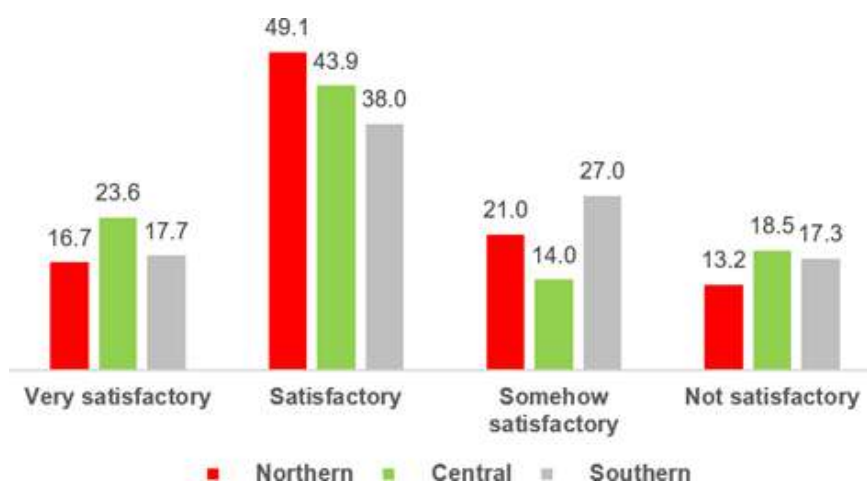
Source: National Statistical Office, J&AS 2025

Satisfaction with the Human Rights Commission was similar across residences: 16.1 percent of rural and 18.5 percent of urban residents were dissatisfied, meaning over 80 percent in both areas expressed some level of satisfaction (Figure 6.8).

**Figure 6.8:** Satisfaction with case handling by the Malawi Human Rights Commission by residence

Source: National Statistical Office, J&AS 2025

Regional satisfaction with the MHRC was high, with few expressing dissatisfaction: 13.2 percent in the North, 18.5 percent in the Central, and 17.3 percent in the South, indicating that over 80 percent of respondents in all Regions were satisfied (Figure 6.9).

**Figure 6.9:** Satisfaction with case handling by the Malawi Human Rights Commission by region

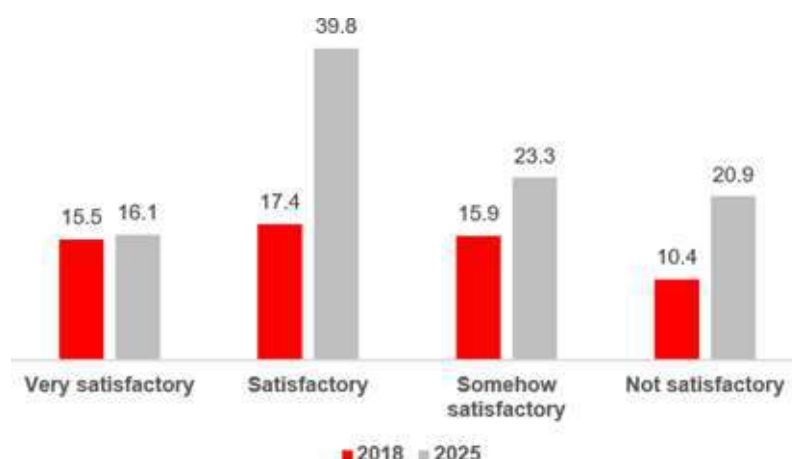
Source: National Statistical Office, J&AS 2025

### 6.4.2 Handling of cases by Office of the Ombudsman

Most respondents were satisfied with the Ombudsman Office: 16.1 percent very satisfied,

39.8 percent satisfied, and 23.3 percent somehow satisfied, while 20.9 percent were dissatisfied. Compared to 2018, dissatisfaction increased from 10.4 percent in 2018 to 20.9 percent in 2025, and very satisfactory rose from 15.5 percent to 16.1 percent (Figure 6.10).

**Figure 6.10:** Satisfaction with case handling by the Office of the Ombudsman

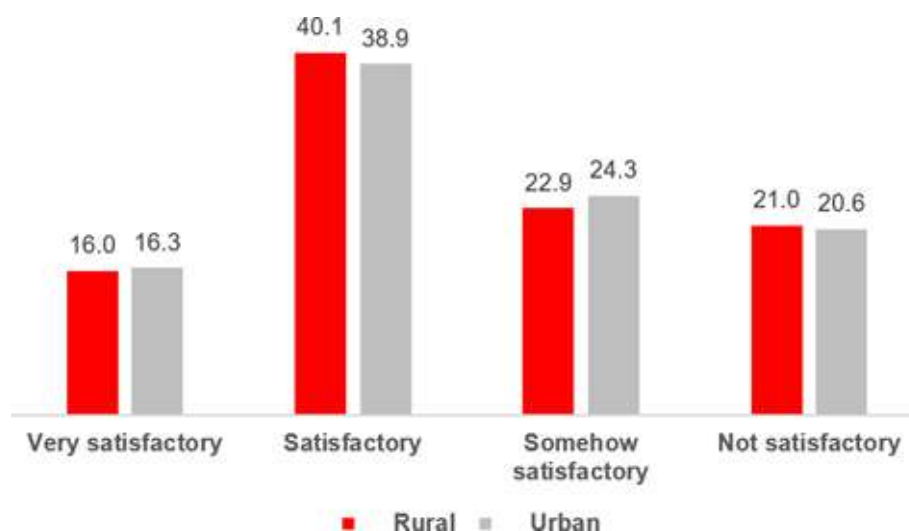


Source: National Statistical Office, J&AS 2025

Satisfaction with the Ombudsman Office was similar across residences: 21.0 percent of rural and 20.6 percent of urban residents were

dissatisfied, while 16.0 percent and 16.3 percent respectively were very satisfied (Figure 6.11).

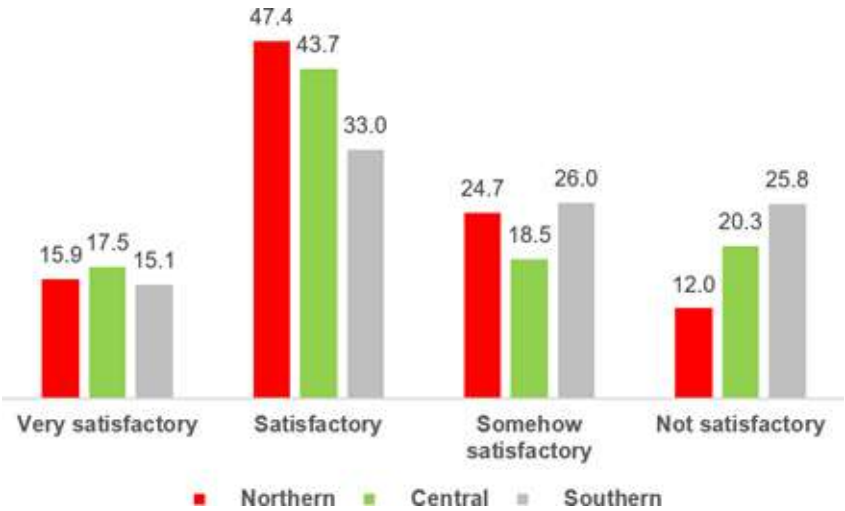
**Figure 6.11:** Satisfaction with case handling by the Office of the Ombudsman by residence



Source: National Statistical Office, J&AS 2025

Satisfaction with the Ombudsman Office was highest in the North (88.0 percent), compared to 79.7 percent in the Central and 74.2 percent in the South. Correspondingly, dissatisfaction was lowest in the North (12.0 percent) and highest in the South (25.8 percent) (Figure 6.12).

Figure 6.12: Satisfaction with case handling by the Office of the Ombudsman by region



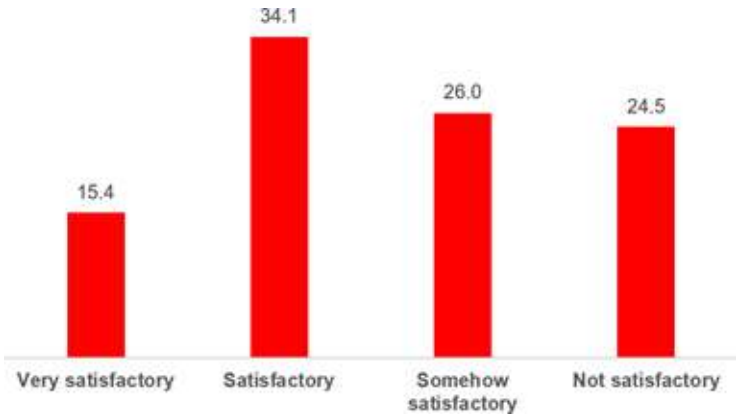
Source: National Statistical Office, J&AS 2025

6.4.3 Handling of cases by Anti-Corruption Bureau

The Anti-Corruption Bureau, established under the Corrupt Practices Act to prevent and

prosecute corruption, received mixed ratings: 15.4 percent very satisfied, 34.1 percent satisfied, 26.0 percent somehow satisfied, while 24.5 percent were dissatisfied with its case handling (Figure 6.13).

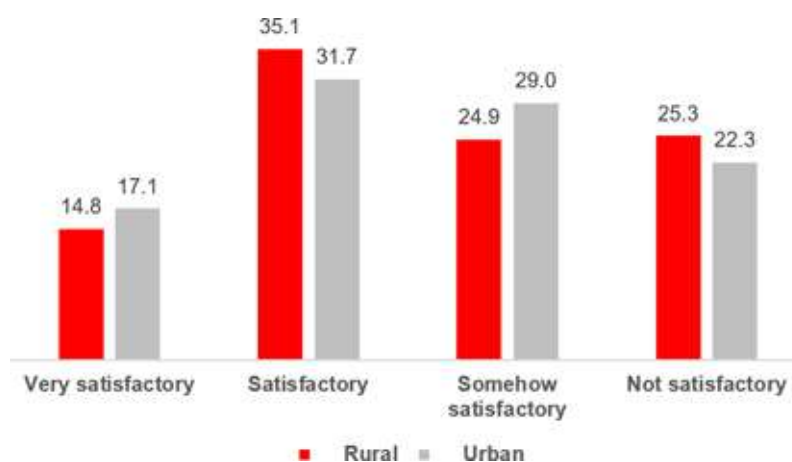
Figure 6.13: Satisfaction with case handling by the Malawi Anti-Corruption Bureau



Source: National Statistical Office, J&AS 2025

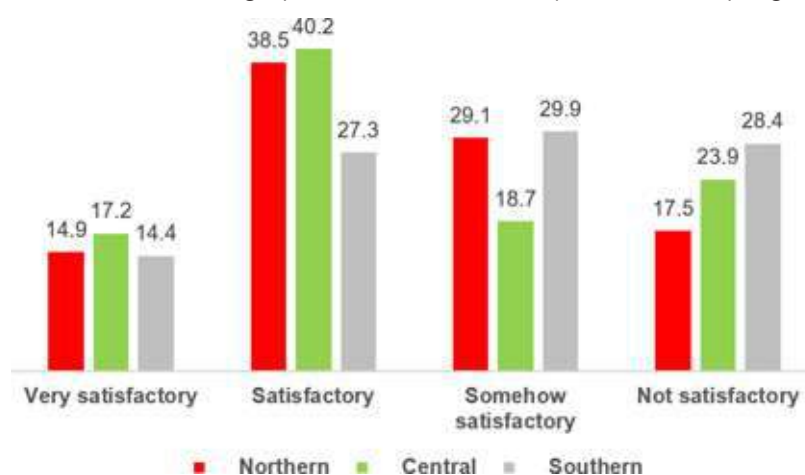
Satisfaction with the ACB was similar across residences: 74.8 percent of rural and 77.8 percent of urban residents expressed some satisfaction,

while 25.3 percent and 22.3 percent respectively were dissatisfied (Figure 6.14).

**Figure 6.14:** Satisfaction with case handling by the Malawi Anti-Corruption Bureau by residence

Source: National Statistical Office, J&amp;AS 2025

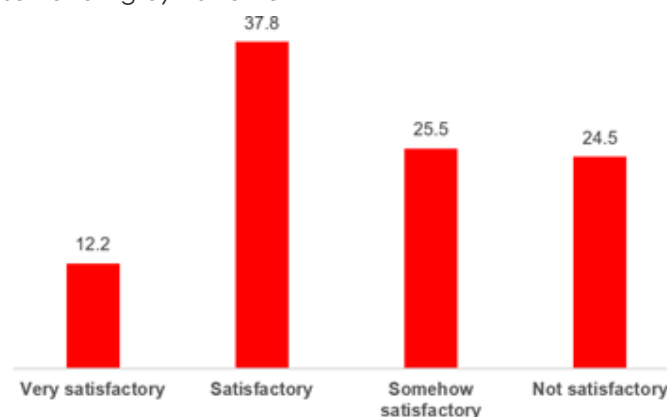
Dissatisfaction with the ACB was highest in the South (28.4 percent), compared to 23.9 percent in the Central and 17.5 percent in the North (Figure 6.15).

**Figure 6.15:** Satisfaction with case handling by the Malawi Anti-Corruption Bureau by region

Source: National Statistical Office, J&amp;AS 2025

#### 6.4.4 Handling of issues by Parliament

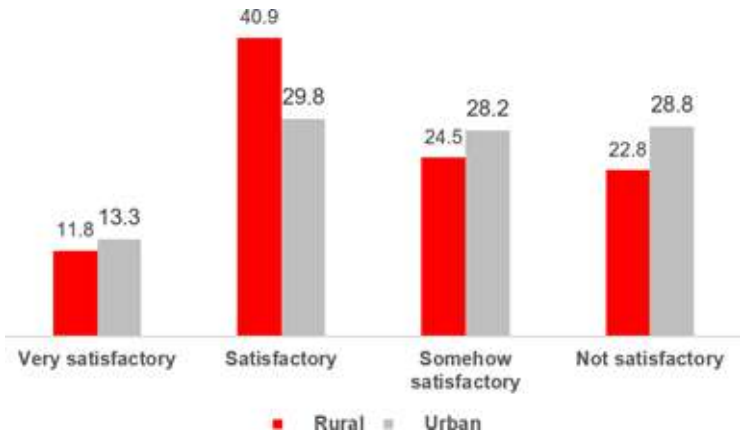
Nationally, 12.2 percent were very satisfied and 37.8 percent satisfied with Parliament's handling of issues, while 24.5 percent were dissatisfied (Figure 6.16)

**Figure 6.16:** Satisfaction with case handling by Parliament

Source: National Statistical Office, J&amp;AS 2025

Satisfaction with Parliament varied by residence: 40.9 percent of rural against 29.8 percent of urban residents were satisfied, while dissatisfaction was higher among urban dwellers (28.8 percent) than rural dwellers (22.8 percent) (Figure 6.17).

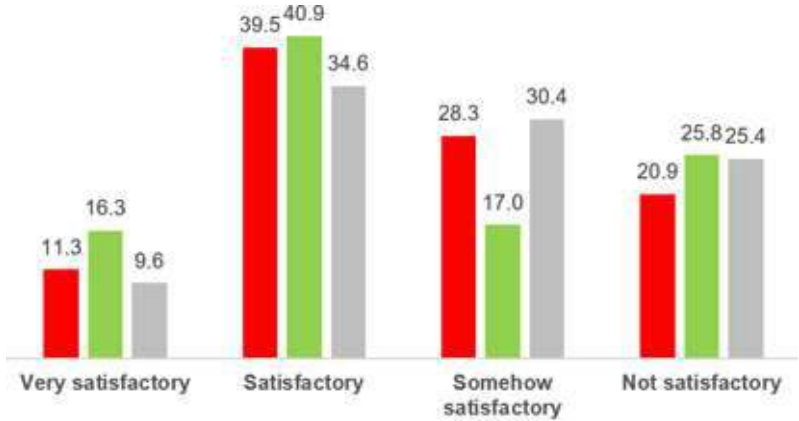
**Figure 6.17:** Satisfaction with case handling by Parliament by residence



Source: National Statistical Office, J&AS 2025

Regional variations in satisfaction with Parliament were evident: 20.9 percent of respondents in the North were dissatisfied, while those “somewhat satisfied” were 28.3 percent in the North, 17.0 percent in the Central, and 30.4 percent in the South (Figure 6.18).

**Figure 6.18:** Satisfaction with case handling by Parliament by region

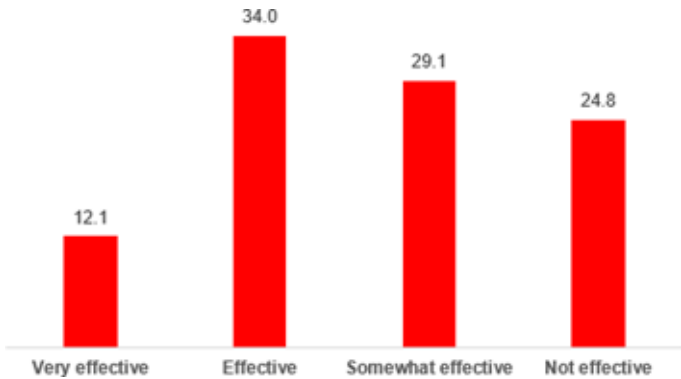


Source: National Statistical Office, J&AS 2025

#### 6.4.5 Handling of cases by Malawi Electoral Commission

Nationally, 74.2 percent of respondents viewed the MEC as effective, while 24.8 percent considered it ineffective in managing its responsibilities (Figure 6.19).

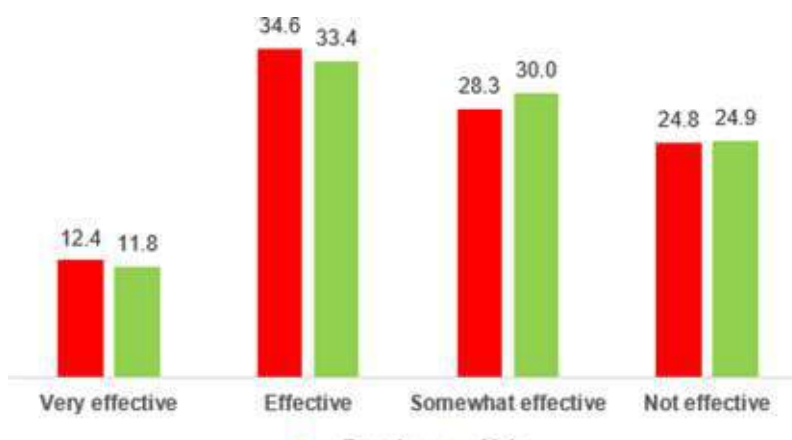
**Figure 6.19:** Effectiveness of the Malawi Electoral Commission in handling cases



Source: National Statistical Office, J&AS 2025

Perceptions of MEC effectiveness were nearly identical by gender, with 24.8 percent among females and 24.9 percent among males rating it as ineffective (Figure 6.20).

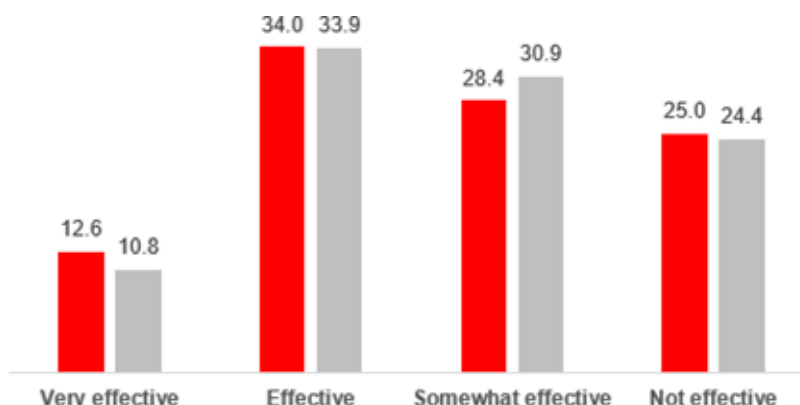
**Figure 6.20:** Effectiveness of the Malawi Electoral Commission in handling cases



Source: National Statistical Office, J&AS 2025

Perceptions of MEC effectiveness were similar across residences: 25.0 percent of rural and 24.4 percent of urban residents considered it ineffective, while 75.0 percent and 74.6 percent respectively viewed it as effective to some extent (Figure 6.21).

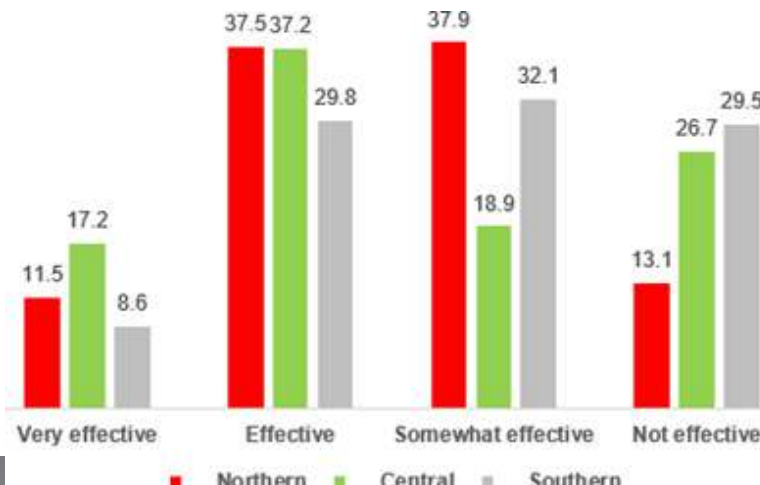
**Figure 6.21:** Effectiveness of the Malawi Electoral Commission in handling cases by residence



Source: National Statistical Office, J&AS 2025

Effectiveness of the MEC was highest in the Northern Region (86.9 percent), compared to 72.3 percent in the Central Region and 70.5 percent in the Southern Region (Figure 6.22).

**Figure 6.22:** Effectiveness of the Malawi Electoral Commission in handling cases by region



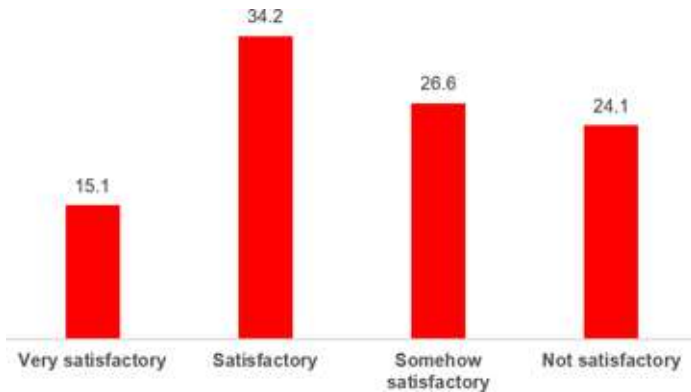
Source: National Statistical Office, J&AS 2025

### 6.4.6 Handling of cases by Law Commission

Nationally, 15.1 percent rated the Law Commission's case handling as very satisfactory,

34.2 percent satisfactory, and 26.6 percent somehow satisfactory, totaling 75.9 percent expressing some satisfaction, while 24.1 percent were dissatisfied (Figure 6.23).

**Figure 6.23:** Satisfaction with case handling by the Law Commission

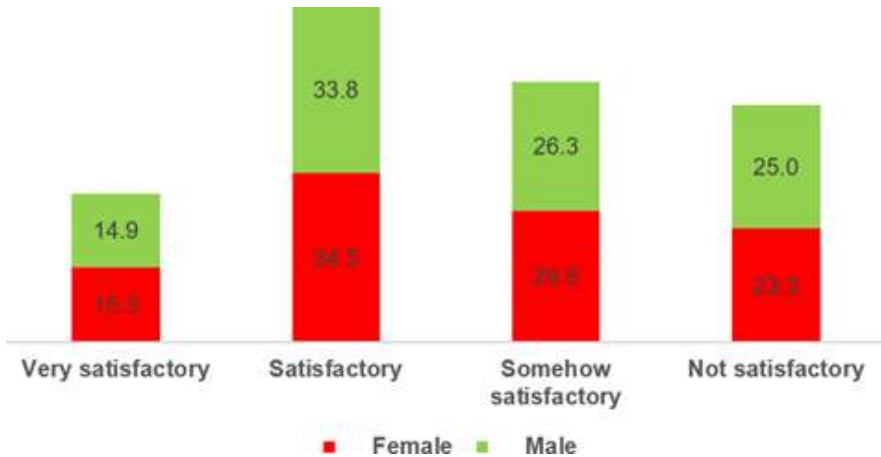


Source: National Statistical Office, J&AS 2025

Satisfaction with the Law Commission was similar by gender, with "satisfactory" being the most

common rating: 33.8 percent among males and 34.5 percent among females (Figure 6.24).

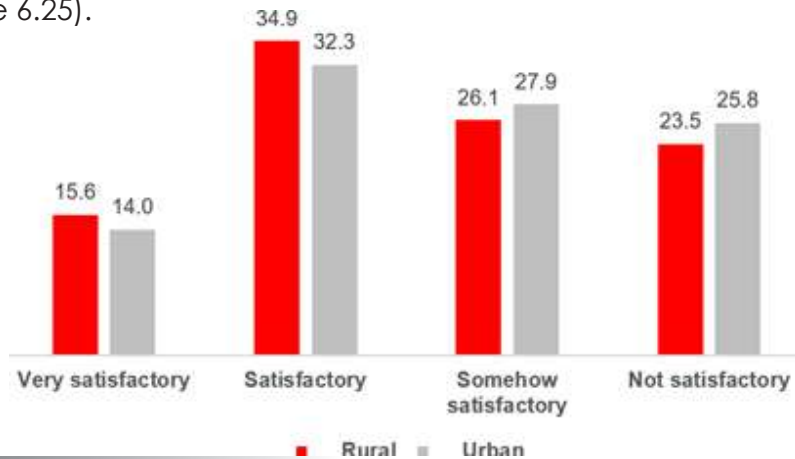
**Figure 6.24:** Satisfaction with case handling by the Law Commission by gender



Source: National Statistical Office, J&AS 2025

Rural and urban residents had similar perceptions of the Law Commission's case handling, with no notable disparities (Figure 6.25).

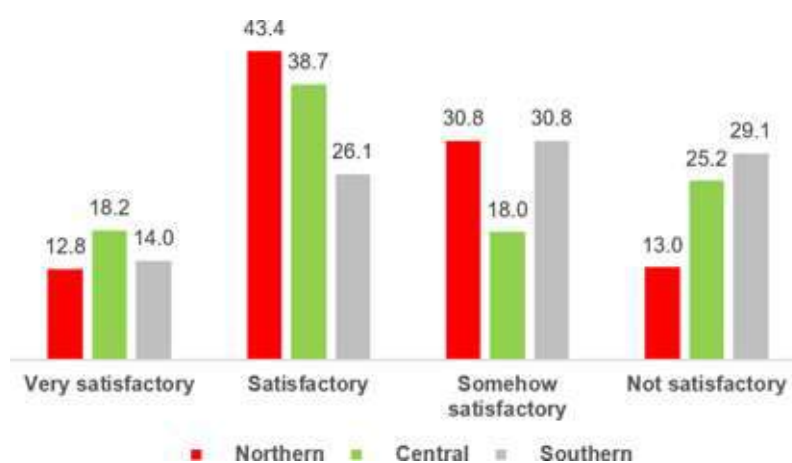
**Figure 6.25:** Satisfaction with case handling by the Law Commission by residence



Source: National Statistical Office, J&AS 2025

Dissatisfaction with the Law Commission was higher in the Central (25.2 percent) and Southern (29.1 percent) Regions than in the Northern Region (13.0 percent), where 87.0 percent expressed some level of satisfaction (Figure 6.26).

**Figure 6.26:** Satisfaction with case handling by the Law Commission by region



Source: National Statistical Office, J&AS 2025



## CHAPTER 7

## CONCLUSIONS AND RECOMMENDATIONS

## 7.1 Conclusions

The 2025 Malawi Justice and Accountability Survey (JAS) reveals both persistent structural challenges and emerging opportunities across the justice and accountability landscape. While progress has been made in expanding access to legal services and strengthening institutional frameworks, the findings underscore significant disparities in awareness, access, and trust, particularly among rural populations, women, and youth. The report highlights the urgent need for decentralized, gender-responsive, and digitally enabled interventions that bridge the gap between formal and informal systems, and between citizens and oversight institutions. The summary below distills key insights across the five study focus areas:

1. **Human Rights and Freedoms:** Awareness of basic human rights stands at 85.7%, down from 90.7% in 2018, with rural areas lagging at 83.0%. The Northern region leads in awareness (92.4%), while the Southern trails (83.2%). Over half of respondents (56.7%) experienced physical rights violations in the past two years, yet only 29.4% reported them—primarily to police (51.5%) and community leaders (46.6%). While 85.1% feel free to express opinions publicly, only 34.5% report being able to exercise their right to demonstrate.
2. **Rule of Law:** National awareness of the rule of law is 73.2%, with urban residents (76.8%) and the Northern region (86.4%) reporting the highest levels. However, only 10% believe public authorities consistently follow the law, and 39.6% say they rarely do. Participation in law-making remains low, with fewer than 15% involved in consultations over the past two years. Television and radio remain the dominant sources of legal information (72.8%), while paralegals are the least accessed.
3. **Formal Justice System:** Access to formal justice is constrained by cost, distance, and limited legal representation. Only 29.4% of

those experiencing violations sought formal redress. Satisfaction with the formal system is mixed, with confidence levels varying by region and gender. Legal aid remains unevenly distributed, and court processes are perceived as slow and costly, especially for vulnerable groups.

4. **Informal Justice System:** Usage of informal justice mechanisms remains widespread, particularly in rural areas. However, standardization is lacking, and referral pathways to formal institutions are weak. Chiefs and community leaders often resolve disputes without written records or oversight. Women's access to informal justice is constrained by cultural norms and limited representation in dispute resolution forums.
5. **Accountability and Transparency:** Awareness of oversight institutions such as the ACB, MHRC, and Ombudsman is critically low, only 19% in rural areas. Satisfaction with case handling varies widely, and digital platforms for complaints remain underdeveloped. Coordination among institutions is fragmented, and public reporting on case outcomes is limited. Citizens face geographic and informational barriers in accessing accountability mechanisms.

## 7.2 Recommendations

Based on the findings of the 2025 Justice and Accountability Survey, the following recommendations are proposed to strengthen justice delivery, promote accountability, and enhance public trust in governance institutions:

1. **Expand Civic and Human Rights Education:** Intensify community-based civic education in rural areas using local languages and culturally relevant platforms to address declining awareness and promote rights literacy.
2. **Strengthen Legal Aid and Paralegal Services:** Increase the presence of legal

aid officers and trained paralegals at district and community levels, particularly in underserved and remote areas.

3. **Improve Access to Justice through Mobile and Circuit Courts:** Deploy mobile magistrate courts and reintroduce circuit courts to reduce distance and cost barriers, especially for land, marriage, and GBV-related cases.
4. **Institutionalise Gender-Responsive Justice Services:** Ensure all police formations have functional Victim Support Units staffed with trained female officers and adopt gender-sensitive protocols across justice institutions.
5. **Standardise Informal Justice Practices and Oversight:** Develop and enforce national guidelines for traditional dispute resolution, including referral protocols, record-keeping, and annual performance audits by District Councils.
6. **Enhance Public Legal Awareness and Participation;** Revamp legal literacy campaigns using multimedia platforms and promote inclusive participation in law-making processes at district level.
7. **Digitise Justice and Accountability Systems:** Introduce e-filing, SMS case updates, and digital complaints platforms across formal and informal systems to improve efficiency and transparency.
8. **Improve Reporting and Redress Mechanisms:** Establish toll-free, multi-platform reporting systems (voice, SMS, WhatsApp) linked to MHRC and Police, and publish regular feedback reports to build public trust.
9. **Strengthen Oversight Institutions and Coordination:** Enhance the operational capacity of the ACB, MHRC, Ombudsman, and Law Commission, and establish a sector-wide coordination platform for joint investigations and reporting.
10. **Promote Transparency and Public Confidence in Anti-Corruption Efforts:** Publish disaggregated data on case initiation, investigations, prosecutions, and asset recoveries, and expand regional ACB offices to improve accessibility.
11. **Mainstream Gender and Inclusion Across All Interventions:** Ensure that all justice and accountability reforms explicitly address gender disparities and promote equitable access for women, youth, and marginalised groups.
12. **Invest in Data Systems and Periodic Monitoring:** Strengthen disaggregated data collection and institutionalise the Justice and Accountability Survey as a regular monitoring tool every 2–3 years.

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## APPENDIX

## 1. Tables

**Table 1:** Awareness of basic human rights and freedoms

	Male (%)	Female (%)	Total (%)	N
Malawi	85.5	86.0	85.7	4,306
<b>Residence</b>				
Urban	92.8	92.7	92.8	1,200
Rural	82.5	83.5	83.0	3,106
<b>Region</b>				
Northern	93.1	91.7	92.4	982
Central	84.6	84.6	84.6	1,415
Southern	82.1	84.2	83.2	1,909

Source: National Statistical Office, J&amp;AS 2025

**Table 2:** Proportion of adults aware of the Rule of Law

	Male (%)	Female (%)	Total (%)	N
Malawi	72.7	73.7	73.2	4,306
<b>Residence</b>				
Urban	77.5	76.0	76.8	1,200
Rural	70.8	72.9	71.9	3,106
<b>Region</b>				
Northern	86.8	85.9	86.4	982
Central	67.2	69.4	68.3	1,415
Southern	69.5	70.7	70.1	1,909

Source: National Statistical Office, J&amp;AS 2025

**Table 3:** Percentage of respondents aware of their responsibilities

	Male (%)	Female (%)	Total (%)	N
Malawi	72.8	72.5	72.7	4,306
<b>Residence</b>				
Urban	78.0	78.2	78.1	1,200
Rural	70.7	70.5	70.6	3,106
<b>Education level</b>				
None	68.9	66.8	67.8	1,919
PSLC	72.0	74.0	73.0	1,546
JCE	77.3	80.3	78.9	365
MSCE	83.3	87.1	85.0	359
Above MSCE	90.0	91.5	90.6	117
<b>Region</b>				
Northern	87.5	85.7	86.6	982
Central	71.7	70.7	71.2	1,415
Southern	65.9	67.3	66.6	1,909

Source: National Statistical Office, J&amp;AS 2025

**Table 4:** Percentage of respondents aware of the nearest court

	Male (%)	Female (%)	Total (%)
Malawi	86.6	86.6	86.6
<b>Age group</b>			
18–24	85.4	88.7	87.2
25–34	84.9	84.2	84.5
35–44	85.8	83.4	84.5
45–54	84.8	87.3	86.1
55–64	89.0	88.3	88.6
65+	89.3	87.6	88.5
<b>Education level</b>			
None	82.9	84.0	83.5
PSLC	91.0	89.7	90.3
JCE	84.3	85.5	84.9
MSCE	88.2	90.3	89.1
Above MSCE	88.6	80.9	85.5
<b>Residence</b>			
Urban	84.5	82.3	83.4
Rural	87.4	88.1	87.8
<b>Region</b>			
Northern	79.3	78.3	78.8
Central	91.2	90.4	90.8
Southern	86.9	87.9	87.4

Source: National Statistical Office, J&amp;AS 2025

**Table 5:** Proportion of adults who believe laws are applied equally to all

	Male (%)	Female (%)	Total (%)
Malawi	34.0	34.9	34.5
Age group			
18–24	31.4	34.0	32.8
25–34	31.4	30.7	31.1
35–44	36.2	37.0	36.6
45–54	29.1	31.0	30.1
55–64	40.3	41.8	41.1
65+	37.2	37.4	37.3
Education level			
None	35.4	37.2	36.3
PSLC	38.0	38.2	38.1
JCE	31.0	30.7	30.8
MSCE	23.9	18.3	21.5
Above MSCE	19.6	18.9	19.4
Residence			
Urban	22.8	22.4	22.6
Rural	38.2	39.5	38.9
Region			
Northern	28.3	27.1	27.7
Central	45.5	49.6	47.6
Southern	28.0	27.8	27.9

Source: National Statistical Office, J&amp;AS 2025



**Table 6:** Perceived influence of different actors in society

	Rich	Politically connected	Political Leaders	Community Leaders	Religious Leaders	Other
Malawi	76.5	35.8	43.5	18.0	13.2	9.9
<b>Sex</b>						
Male	76.2	36.3	43.6	18.8	14.4	9.4
Female	76.6	35.4	43.3	17.3	12.2	10.3
<b>Age group</b>						
18–24	76.1	36.1	43.4	17.9	13.7	9.2
25–34	77.2	37.1	40.6	13.8	11.0	9.7
35–44	78.6	36.6	49.1	22.3	14.3	8.0
45–54	75.5	34.4	40.2	18.7	14.2	9.4
55–64	75.7	38.9	46.2	18.8	15.3	11.1
65+	75.7	33.8	43.4	18.6	12.8	11.4
<b>Education level</b>						
None	75.5	24.0	36.5	10.5	6.7	11.4
PSLC	75.5	43.6	48.7	24.9	18.2	10.8
JCE	77.8	50.0	55.3	22.2	17.3	4.9
MSCE	81.6	45.9	45.6	22.6	19.0	5.9
Above MSCE	82.8	52.5	46.5	24.2	24.2	1.0
<b>Residence</b>						
Urban	82.0	40.5	44.5	21.3	16.7	2.2
Rural	74.0	33.8	43.0	16.6	11.7	13.2
<b>Region</b>						
Northern	86.7	62.5	46.8	32.8	30.7	3.4
Central	65.3	28.5	38.3	12.1	8.7	20.9
Southern	78.1	26.5	45.0	14.1	6.9	6.4

Source: National Statistical Office, J&amp;AS 2025

**Table 7:** Proportion of individuals involved in law-making in the past two years

	Male (%)	Female (%)	Total (%)
Malawi	9.8	10.3	10.1
<b>Age group</b>			
18–24	8.0	10.2	9.2
25–34	9.1	8.8	8.9
35–44	10.6	9.3	9.9
45–54	10.0	9.8	9.9
55–64	11.0	11.2	11.1
65+	11.0	12.0	11.5
<b>Education level</b>			
None	9.5	9.2	9.3
PSLC	10.4	12.5	11.5
JCE	10.5	8.3	9.3
MSCE	9.8	9.0	9.5
Above MSCE	7.1	6.4	6.8
<b>Residence</b>			
Urban	8.9	8.1	8.5
Rural	10.2	11.1	10.7
<b>Region</b>			
Northern	19.2	15.5	17.3
Central	10.9	13.2	12.1
Southern	4.0	5.5	4.8

Source: National Statistical Office, J&amp;AS 2025

**Table 8:** Percentage of respondents who had legal representation in court

	Male (%)	Female (%)	Total (%)
Malawi	23.5	24.0	23.8
<b>Age group</b>			
18–24	32.3	19.9	25.9
25–34	16.3	23.1	20.2
35–44	25.3	27.0	26.2
45–54	17.6	33.0	25.9
55–64	19.7	24.6	22.2
65+	24.7	21.0	22.9
<b>Education level</b>			
None	25.7	25.7	25.7
PSLC	22.4	23.1	22.8
JCE	29.1	27.3	28.1
MSCE	20.6	20.4	20.5
Above MSCE	12.9	11.8	12.5
<b>Residence</b>			
Urban	23.8	27.9	25.9
Rural	23.4	22.7	23.0
<b>Region</b>			
Northern	27.1	21.6	24.5
Central	19.6	20.2	19.9
Southern	25.7	28.9	27.4

Source: National Statistical Office, J&amp;AS 2025

**Table 9:** Percentage distribution of courts most recently used by respondents

	Supreme Court	High Court	Industrial Relations Court	Magistrate Court	Child Justice Court
Malawi	3.4	8.7	2.0	81.0	4.8
<b>Sex</b>					
Male	2.9	8.3	2.9	78.8	7.1
Female	3.9	9.1	1.2	83.1	2.8
<b>Age group</b>					
18–24	3.6	9.9	1.8	79.3	5.4
25–34	3.3	8.8	1.1	84.6	2.2
35–44	2.9	11.4	–	80.0	5.7
45–54	3.8	5.7	3.8	77.4	9.4
55–64	0.0	2.4	2.4	88.1	7.1
65+	4.7	9.4	3.1	79.7	3.1
<b>Education level</b>					
None	2.6	10.3	2.6	83.5	1.0
PSLC	2.7	7.6	0.5	79.5	9.7
JCE	5.6	3.7	1.9	85.2	3.7
MSCE	6.0	8.0	6.0	76.0	4.0
Above MSCE	8.3	25.0	0.0	66.7	0.0
<b>Residence</b>					
Urban	1.4	13.1	0.0	77.9	7.6
Rural	4.3	6.9	2.9	82.3	3.7
<b>Region</b>					
Northern	0.0	13.8	4.6	66.9	14.6
Central	0.0	0.0	0.0	100.0	0.0
Southern	8.5	12.5	2.0	74.5	2.5

Source: National Statistical Office, J&amp;AS 2025

**Table 10:** Proportion of individuals perceiving democratic governance (DG) institutions as accessible

	Male (%)	Female (%)	Total (%)
Malawi	48.6	49.0	48.8
<b>Age group</b>			
18–24	46.6	52.1	49.5
25–34	49.6	48.1	48.8
35–44	51.5	47.9	49.5
45–54	50.4	50.0	50.2
55–64	44.0	53.6	48.8
65+	48.6	45.5	47.1
<b>Education level</b>			
None	44.7	43.4	44.0
PSLC	52.8	53.3	53.0
JCE	49.4	54.4	52.1
MSCE	52.0	53.5	52.6
Above MSCE	42.9	59.6	49.6
<b>Residence</b>			
Urban	49.6	52.4	51.0
Rural	48.2	47.8	48.0
<b>Region</b>			
Northern	52.8	53.9	53.4
Central	57.3	57.8	57.5
Southern	39.6	40.4	40.0

Source: National Statistical Office, J&amp;AS 2025

## 2. Survey Staff

No	Name	Sex	Designation	Institution	Duty Station
<b>Management and Technical Team</b>					
1	Shelton Kanyanda	M	CS	NSO	
2	Hector Kankuwe	M	DAES	NSO	
3	Alick Mphonda	M	DDAS	NSO	
4	Grace Shawa	F	SSA	MoJCA	
5	Sautso Wachepa	M	PSA	NSO	
6	Jeremot Masoambeta	M	PSNRS	NSO	
7	Godwin Nyirongo	M	Economist	MoJCA	
8	Leonard Nyanjagha	M	SA	NSO	
9	Joseph Smith	M	SASA	NSO	
10	Steve Pakundikana	M	ASA	NSO	
<b>Team 1</b>					
<b>1</b>	<b>Donald Mchombo</b>	<b>M</b>	<b>Team Leader</b>	<b>NSO</b>	<b>Nkhotakota</b>
2	Annie Chilala	F	Enumerator	MOJCA	Lilongwe Rural
3	Euster Getrude Wella	F	Enumerator	MOJCA	Dowa
4	Chifunilo Kanyundo	M	Enumerator	MOJCA	
5	Machiru Moyo	F	Enumerator	MOJCA	
6	Canton Nyirongo	M	Enumerator	NSO	
<b>Team 2</b>					
<b>7</b>	<b>Mixon Banda</b>	<b>M</b>	<b>Team Leader</b>	<b>NSO-Agriculture</b>	<b>Nsanje</b>
8	Esther Chikopa	F	Enumerator	MOJCA	Neno
9	Levi Mphonda	M	Enumerator	NSO	Blantyre City
10	Gerald Kaulembe	M	Enumerator	NSO	
11	Ivy Chinomba	F	Enumerator	MOJCA	
12	Geofrey Gama	M	Enumerator	MOJCA	
<b>Team 3</b>					
<b>13</b>	<b>Esmie Dandaula</b>	<b>F</b>	<b>Team Leader</b>	<b>NSO-Agriculture</b>	<b>Blantyre Rural</b>
14	Tendai Payesa	F	Enumerator	NSO	Thyolo
15	Wezzie Njinga	F	Enumerator	MOJCA	Phalombe
16	Peter Mapunde	M	Enumerator	MOJCA	
17	Stella Chankhaza	F	Enumerator	NSO	
18	Mtisunge Nyongopa	F	Enumerator	NSO	
<b>Team 4</b>					
<b>19</b>	<b>Walinato Kisowa</b>	<b>M</b>	<b>Team Leader</b>	<b>NSO-Agriculture</b>	<b>Karonga</b>
20	Mc Andrew Mphande	M	Enumerator	MOJCA	Rumphi
21	Lunjika Moyo	M	Enumerator	MOJCA	Mzuzu City
22	Think Longwe	M	Enumerator	MOJCA	
23	Bridget Mzuzi	F	Enumerator	MOJCA	
24	Modester Mwanza	F	Enumerator	NSO	
<b>Team 5</b>					
<b>25</b>	<b>Davie Nsanja</b>	<b>M</b>	<b>Team Leader</b>	<b>MOJCA</b>	<b>Dedza</b>
26	Iness John Moyo	F	Enumerator	MOJCA	Lilongwe City
27	Memory Chikonyani	F	Enumerator	NSO	Zomba Rural
28	Henderson Thole	M	Enumerator	MOJCA	
29	Katrina Makwinja	F	Enumerator	NSO	
30	Florence Mailosi	F	Enumerator	NSO	









