



The Malawi Prisons Magazine

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**GOVERNMENT
FOR COMMERCIAL
FARMING WITHIN PRISONS**

**ESCAPING
PRISON THROUGH EDUCATION**

**MINISTER HAILS
CHILUNGAMO
PROGRAMME**





HIS EXCELLENCY

DR. LAZARUS McCARTHY CHAKWERA
PRESIDENT OF THE REPUBLIC OF MALAWI

FOREWORD

MESSAGE FROM THE OFFICE OF THE CHIEF COMMISSIONER OF PRISONS



Dear all our distinguished reader, fellow officers and men, please receive seasonal greetings.

As you go through this magazine, the Office of the Chief Commissioner seizes this opportunity to keep you posted on a number of developments that are taking shape in the Malawi Prisons Service.

To start with, the migration from prisons to a correctional service received a major boost following the approval of the prison function review and the subsequent adoption of new establishment warrant. It is for that reason that the budget for the 2020-2021 fiscal year was deemed to be a transitional budget since it took on board several developments as outlined in the functional review outcome such as the adoption of community service, public works programme, probation, parole and other outreach programmes. It is through the implementation of the function review outcome that the Department will strive to address long standing issues of Congestion,

ineffective rehabilitation services and food insecurity. The migration process has commenced with filling of vacant posts created through the functional review. This activity is projected over a four year period taking into account the element of financing. Simultaneously implemented along with filling of vacant posts are the review and enactment of the relevant laws and policies to reflect the correctional ideology.

Also worth bringing to your attention is the strategic approach the Department has adopted in strengthening institutional capacity. During the year under review the Department continued to partner with different stakeholders to improve its capacity on delivering its key thematic areas. For instance, on the bid to turn prisons into a national food basket, the Department received a boost through the donation of 300 metric tons of basal fertilizer from YARA International in partnership with United Nations Office on Drug and Crime (UNODC). The donation came at a right time when the Department had increased hectorage through acquisition of additional land in Mzimba (553 hectares) and Kasungu (100 hectares). Although the Department did not manage to cultivate the newly acquired land due to construction works that were first to be undertaken, through the donation it managed to cultivate 665 hectares of maize with an anticipated harvest of 50,000 (50 kg) of maize. Still on farming, a Consortium of Save the Children, United Purpose and Concern Worldwide donated a solar-powered irrigation system at Mikuyu Young Offenders Rehabilitation Centre to enhance winter cropping through modern irrigation farming techniques. It is the conviction of the department that if such projects could be fully utilized and cascade into other major prison farms, the Department will soon realize its goal of producing enough to feed all the formations in the country throughout the year.

In the area of the infrastructural development, the department is continuing with the construction of staff houses, additional cellblocks and sewer ponds in selected prison formations through the Public Sector Investment Programme (PSIP). Currently, the construction of five semi-detached houses to accommodate ten (10) families at Rumphu Prison, one (1) at Zomba Central Prisons are at finishing level. The effort is being complemented by government through the construction of 10,000 staff houses for security personnel from which Prisons will benefit 1,000 units. These institutional staff houses will serve to enhance prison security by pulling staff closer to detention facilities hence making it easy to mobilize in times of incidences that threaten security. As for the case of provision of sewer ponds in some of our facilities including Chikwawa, the initiative will improve sanitary hygiene. All these projects will cascade into other prison formations should resources permit. I would be doing injustice and hence failing in my duties if I do not commend the prison stations that provided support through provisions of labour (inmates and staff), part of the construction materials, and all who provided technical and supervisory services.

As regards to safe custody of offenders, I am glad to report that the department registered a few escape incidences closer to the strategic target of 30 incidences per 10,000 population per year. This entails that officers are very much committed at contributing to public security by ensuring that there is maximum security in prison formations at all time. The Office of the Chief Commissioner would therefore like to extend its profound appreciation to all officers across the rank and file for their professionalism and dedication to duty in executing their duly defined noble

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MALAWI PRISONS SERVICE



MISSION

To contribute to public security and safety through effective rehabilitation, reformation, development and community reintegration of offender.

VISION

Professional and excellent Correctional Service that contributes to enhanced public security.

OBJECTIVES

The following are the objectives of the Malawi Prisons Service (MPS)

- Safe custody of offenders
- Humane detention and treatment of offenders
- Provision of development and rehabilitation services to inmates

CORE VALUES

- Professionalism
- Accountability
- Human Dignity
- Collaboration
- Innovativeness
- Loyalty
- Transparency
- Objectivity
- Integrity
- Conscience
- Selflessness
- Impartiality

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EDITORIAL COMMENT



You will notice some changes in design and arrangement of articles, but the content and relevance of the magazine has not been tampered. The content still brings to light the relentless efforts of the Malawi Prisons Service in enhancing reformation, rehabilitation and reintegration programmes as it strives to effectively manage the paradigm shift from being a punitive institution to a correctional facility.

The publication also tackles issues of farming, health, infrastructural development, gender, humane custody and other new developments as they unfold. It is not devoid of creative arts and entertainment as it brings you “The Silent Visitor, Chentapwata and Gang’azi”.

Pleasing to your eye will be a new column titled “Community Corrections Corner”. In the recent revised functions of the department that seek to turn Prisons into correctional facilities, Community Service, Parole and Probation are some of the new critical functions of a Correctional Service. The column, which will be managed by the Service Legal Officer therefore seeks to unpack and discuss them fully so that we are at an equal footing.

We thank you for always being there to feed your eyes on the informative, educative and amazing stories crafted by pen lovers that value the power of ink when mixed with paper. As you lose yourself in the excitement of reading this publication, on behalf of the Publication Crew, I wish you the best of good luck.

Superintendent Chimwemwe Mike Shaba,
Prisons Public Relations Officer
EDITOR

Better late than never, so goes the adage. It is an honor that I bring you our dear reader another publication that has taken on board several pertinent issues worthy feeding your eyes on.

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duties. The Office therefore implores upon officers to continue exercising due diligence in providing safe custody to offenders.

Our distinguished readers, men in uniform, the impact of Covid-19 pandemic on the operations of the department cannot go without a mention. The department had registered over 800 Covid-19 cases cumulatively for both staff and inmates. Sadly for us, two inmates and one member of staff were lost to the pandemic. May we therefore wish for their souls to continue resting in peace. As a response to the pandemic, the Office of the Chief Commissioner of Prisons issued a special standing order on Covid-19 Prevention and Management to control the further spread of the pandemic. Among others, the Order suspended relational prison visits to prevent contact between the community and inmates to reduce the risk of Coronavirus transmission inside prisons. This was extended to other stakeholders such as religious institutions, NGOs and other well-wishers. This, you may notice had limited some activities that demand prisoners' interaction with the community. The department would like to take this opportunity to applaud government and its leadership for coming in to help out the situation with financial and material support through the Department Of Disaster Risk and Management Affairs (DODMA). Using the support, Prisons were able to provide inmates and staff with Personal Protective Equipment, essential drugs and other materials required in the fight against the Covid-19 pandemic. As you are aware the war against the Covid 19 pandemic is far from over, the Office of the Chief Commissioner would like urge all of us to continue strict compliance to all the Covid-19 precautionary measures all the time.

In signing off, the Office of the Chief Commissioner would like to assure you all our readers and staff of the department's commitment in adhering to its mandate and mission of ensuring safe custody, rehabilitation, reformation and reintegration of offenders through implementation and enforcement of sound policies and programmes that respond to the mandate, mission and vision of the Department. The Office further calls for your support in matching forward to achieve the Department's strategic goals and objectives.

ESCAPING PRISON THROUGH EDUCATION

A newspaper extract by Emmanuel Simpokolwe

When 27 year old Michael Caswell Mapanje got arrested in January, 2017 and sentenced to 8 years imprisonment with hard labour, it was the end of life for him, so it looked.

However, his being put behind bars turned out to be the opening of the doors of opportunities for him.

A form three dropout by then, Mapanje from Likoma Island, Mvumu village, Traditional Authority Mkumpha, but born and raised in Chibavi Township in Mzuzu, was arrested for an offence of house breaking and theft.

But after serving only two years, he was pardoned by former president Peter Mutharika for showing good behavior and after becoming the best prisoner student for scoring 14 points in the 2018 Malawi School Certificate of Education (MSCE).

Desire for education helped him escape longer time in prison.

"I escaped my prison life through dedication and hardworking spirit to attaining education in prison. Good behavior also matters if one is to be considered for pardon," says Mapanje.

He says the hardships that he went through in prison somehow inspired him in changing his life. "Life in prison was very tough. There are a lot of things that are lacking in our prisons. There is lack of good food and there is infringement of other fundamental human rights. You are affected emotionally, psychologically, and even physically," he says.

According to a 2019 Malawi Human Rights report, prison and detention centre conditions in Malawi remained harsh and potentially life threatening due to overcrowding and poor sanitation; inadequate food, potable water,

heating, ventilation, lighting, and health care; and torture.

Such hardships seemed to have helped Mapanje his rehabilitation process. "Prison life gave me a chance to re-evaluate my life and start shaping my future. One thing I noted was that most prisoners are there just to do their sentence; there is little that is done to rehabilitate the prisoners," Mapanje says.

According to Mapanje, in prison he learnt how to develop a successful mindset which motivated him to start attending classes while in prison. However, education in prison is not as easy as it is outside. "Education in prison is tough, we were facing a lot of problems including lack of learning and teaching materials, going to class on an empty stomach and lack of experienced teachers," he says.

Following his success at MSCE, Mapanje secured a place at Nalikule College of Education to study Bachelor of Science of Education majoring in Mathematics and Chemistry and Malawi University of Science and Technology (MUST) to study Bachelor of Science in Disaster and Risk Management.

He later opted for MUST where is currently studying



Mapanje captured at MUST campus.

CEO MADE FROM PRISON

By: Sgt. Alfred Damaliphetsa Phiri

Since the operations of the country's prisons changed from punitive to correctional, a lot of successful stories are being registered both from serving inmates and Ex-inmates. The inmates are equipped with several rehabilitation skills that would help them to be self-reliant and responsible citizens of the country to never re-offend.

Enock Kayenda of Bauleni-Nyaka village, Traditional Authority Mlumbe in Zomba district has a sweet song to sing. He testifies on how prison transformed his life. Before being transformed, Kayenda was becoming a habitual offender as he was convicted twice on different offences. The first offence was obtaining money by force pretense which earned him 12 months imprisonment at Zomba Central Prison contrary to Section 319 of the Penal Code. The second conviction was due to theft by servant which attracted a sentence of 21 months imprisonment at Lilongwe Prison contrary to Section 283 of the Penal Code.

While at Zomba Central Prison, Kayenda was considered for presidential pardon upon satisfying some of the conditions to be considered for pardon. Luckily, few months after the release, he got employed by a certain organization. This was where he committed the other offence.

In the course of serving his sentence at Lilongwe prison, something good came on his way. The then Lilongwe prison Station Officer (SO) Senior Superintendent Ibrahim Sinde offered a counseling session to him upon discovering that he could become a habitual offender. Kayenda considers that as the turning point of his life. The SO advised him on the dangers of committing crimes and on how he could be transformed to be a productive citizen and self-reliant after expiry of his custodial sentence. The SO listed down to him several rehabilitation activities that the station offers like carpentry, tailoring, mechanical

engineering, and formal education so that he could choose one trade of his preference and get enrolled.

"As a Station Officer, I was duty bound to counsel inmates who were showing signs of desperation, loneliness and dejection. I was giving them hope that life is full of ups and downs and that they should not worry about their future undertakings. I encouraged them to be focused on what they would want to do in life after prison," says Sinde.

He added that through that arrangement, a lot of inmates had changed their mindset saying those who were causing havoc at the station were seen so changed upon undergoing such counselling sessions.

When Kayenda divulged to the SO that he had a Diploma in Education, the SO gave him a chance to join his fellow inmates at the teaching section so that he could be teaching other inmates who had enrolled for formal education.

"The advice that the SO gave me had helped me a lot to change my way of thinking. When I was attached to education section, I could also interact with fellow inmates with different life experiences. We could enlighten one another on several life skills such as dangers of committing crimes and some business ideas. Again I considers that as a fulcrum of transformation," he narrates.

Although he was committed to the teaching section, Kayenda envisioned achieving something big in life upon finishing serving his sentence. He thought of having his own organization that would be scaling up the plight of prisoners in the country's prisons. This mind-boggling idea made him to start brainstorming on the idea of having an organization. He could do this during his idle time in prison after finishing teaching fellows.

When he was released from prison, the plans to establish the organization were still alive in his mind. Later, after thorough consultations with other technocrats, the vision became



Kayenda in his office.

materialized. He founded his own organization called Prisoners' Destiny Transformation Organization (PRIDETO). Kayenda is now the Chief Executive Officer of that organisation.

Kayenda narrates: "The organization targets both serving and ex-prisoners by imparting them with technical skills to be self-reliant and productive citizens who could contribute to the economy of the country. The successful candidates would be offered Technical Entrepreneurial and Vocational Education Training Authority (TEVETA) certificates."

He adds that among other things, the organization would establish workshops for the inmates to learn such technical skills.

For the mean time the organization will benefit a good number of prisoners in all the prisons in the Eastern Region of the Malawi Prisons Service.

According to Kayenda plans are underway to reach several prisons across the country so that many inmates would benefit from the projects the organization has lined up.

The organization is situated in Zomba district as it is for the mean time targets prisons in the Eastern Region.

Part of the MPS's mission promotes effective rehabilitation, reformation and community reintegration of offenders.

FROM A PRISONER TO A VILLAGE MARVEL

By Wisdom Chimgwede

Symon Muyaya of Njima Village, Senior Chief Nazombe in Phalombe, is an epitome of how prisons are reforming inmates. Born some 53 years ago, he is a marvel in his area albeit his recent return from Mulanje prison where he was to serve a 4-year term for burglary and theft.

Muyaya is among the 2,049 inmates released this year through the Prisons Inspectorate recommendations to decongest prisons amid rising cases of Covid-19. He served barely half of his sentence.

"I couldn't imagine myself going out before the end of my sentence," says Muyaya, smiling, while adding that "I was worried about my children."

He says of life in prison: "it is not the place to be, but I learnt many skills."

Muyaya, a father of six and twice 'divorced', is "different from so many people who return to this area from prison."

"He came back with skills none of us have and cannot indulge in criminal activities anymore because he is busy," says Andrew Likhonda who adds that other ex-prisoners went back to their bad habits when they returned to the village, earlier.

Likhonda, a longtime friend to Muyaya, runs a hawker next to Muyaya's bicycle workshop at a small market next to Chiringa courthouse, just 100 yards away from Fyson Beula or Group Village Headman Makhonja.

Makhonja says "Muyaya is a good example of how prisons change people."

at the shop and he is proud because "my father is transferring the skills he learnt from prison to me."

Apart from fixing bicycles, Muyaya is into sponge making, weaving baskets and door mats, making bicycle mudguard hooks and livestock ropes, among others. He earns about K7000 a week, on average from the sales.

"Since I didn't produce anything the time I was in prison, I use this money to buy food," he says.

Prisons Chief Commissioner Wandika Phiri recently acknowledged the necessity of decongesting prisons amid Covid-19 as imperative in preventing an uncontrollable spread of the Corona Virus.

The emergency Prison Inspectorate exercise, coupled with other initiatives such as Camp Courts, that saw in-mates like Muyaya released before the end of their terms, were

supported by the European Union funded Chilungamo (Justice and Accountability) Programme.

Team leader Sophie Racine once said "decongesting prisons was now more necessary than ever before."

The 48m Euro initiative, is supporting government to bring justice closer to the vulnerable through the Prisons Department, Malawi Police Services, Judiciary, Legal Aid Bureau, Office of the Ombudsman, Malawi Human Rights Commission and the Ministry of Justice and Constitutional Affairs.



Muyaya fixing a bicycle.

"I've not even started using some of my new skills such as pottery making. I can make a Leopard from clay and you will think it is from wood," Muyaya boasts.

He was jailed for "keeping stolen items for friends" who unfortunately escaped from custody leaving Muyaya the only one incarcerated for the offence.

"It was a bitter lesson for me and it affected my children," he recalls.

His Standard 8 son, Keston, buttresses saying "life was tough the time my father was away."

We found him together with his father

Mulanje Prison Intensifies Rehabilitation

TWO PRISONERS GIVE TESTIMONIES

By Sgts. Liviness Mthyoka and
Pitilizani Ng'omba

Life has several secrets; one of them is its ability to cancel the future. The future sometimes sounds abstract but when it holds pain and anger, it becomes a monster.

As for Zion Ndeule life presents to her a mixed bag whose contents are dominated by despair, regrets, and uncertainty.

This state of affairs struck her like lightning when the Mulanje Magistrate Court slapped her with a seven year imprisonment sentence for Grievous Harm.

"It was just like the whole world had collapsed on me. The future abruptly became bleak. Life became tasteless. Fear engulfed me and, for a while, I felt like I was about to faint." Recalls the 35 year-old woman who committed the offence after she and her kinsmen attacked and wounded a suspected wizard in her village in 2017. The setting was Bona village, T/A Njema in Mulanje District.

Ndeule says as she grew up in the village she used to hear about more frightening stories about prisons. She recalls about stories of heavy beatings and killings through gallows.

The 3 years she has spent in prison has taught her that the negative prison stories she used to hear were just myths.

"However, to the contrary, I found life here different. I was well received by both the officials and fellow inmates and in no time I was home and dry. I am now a proud person since during my stay here I have learnt knitting, how to make sanitary pads even modern methods of cooking like one-pot-dish." She said.

The mother of two children and divorced, says she will invest the skills she has learnt from her period of

imprisonment to develop her future.

She is very hopeful that she will now be a better citizen and shall always try to avoid, by all means, being

A similar story is told about a man called George John. He is 33 years of age and comes from Njema village, T/A Chikumbu in Mulanje District.

However, unlike in the Ndeule's story, where her being found in prison could be attributed to a misfortune or failure to control emotions, John presents us with an interesting version of recklessness. He voluntarily joined a gang of thieves as a solution for solving economical problems.

"Without any source of income, life was very unbearable and hence I resorted to stealing so that I could make ends meet," says John.

It is questionable, however, for a man who claims to be a staunch Jehova's Witness and a family man with a wife and four children to engage in malpractices that would eventually lead him into conflict with the law.

It was, therefore, not a taboo when he was eventually caught stealing and sentenced by the Mulanje

Magistrate Court to a five-year jail term for House breaking and Theft.

John concedes now that his imprisonment has subsequently proved to be wastage of time and opportunities. His stay in prison, almost two years now, has literally brought nothing towards the management of his family. "I regret to be in prison because the time that I have wasted here would have been used for sourcing money for my family as I would have been



Ndeule knitting a sweater.

doing some small scale businesses," laments John.

Nevertheless, just like in the story of Ndeule, John feels there are some consolations from his imprisonment. He says during his stay at Mulanje Prison, he has been trained as a tailor and he feels that will act as a ladder to success when he gets out of prison.

Mulanje Prison authorities give testimony to the fact that both Ndeule and John will be useful citizens when they eventually get out of prison.

Inspector Crispine Msika is the Discipline Officer at the prison and confirms: "I can confirm that George John and Zion Ndeule have not only been reformed but they have also something to do which is going to bring bread and butter on their table and they will also contribute to social economic development of the

In its endeavors to reform and rehabilitate offenders, the Malawi Prisons Service uses several interventions including vocational skills namely carpentry, bricklaying, tailoring, welding just to mention a few. Other interventions include formal education and farming.

GOVERNMENT COMMITTED TO MOTIVATE PRISON OFFICERS

By Supt. Chimwemwe Mike Shaba

The Minister of Homeland Security, Honourable Richard Chimwendo Banda, MP, said that the welfare of the Prison Officers is one of the issues that government is seriously working on. He said this at Zomba Central Prison on his familiarization tour across the country's prisons.

"Government knows that there is promotion drought in the Prisons Department as compared to other security institutions in the country. My ministry is working on that to make sure that Prison officers are equally promoted and that their general welfare is taken care of. You can count on me as your minister and shortly you will see some things moving", promised Banda.

He was however quick to remind officers that promotions are not for everyone. *"Promotions are for officers who*

jealously uphold professionalism. There is no point in promoting a rude and a lazy officer. Promotions are meant to motivate people to work hard in what they do. So we cannot promote someone to continue being lazy and rude", emphasized Banda with more sincerity.

The assurance came amidst growing concerns and frustrations by Junior ranked Prison Officers over lack of promotions in the Prisons Department which is a very big demotivation in their work. During the tour, the Minister came across shocking revelations that some officers stay more than 30 years at a rank



Banda interacting with prison officers.

without promotions and in most cases others retire without one while other officers overstay at a rank.

The Minister further assured the Prison Management of his total support towards the implementation of the function review.

CAPACITY BUILDING, A KEY TO SUCCESS IN MPS

By Sgt Alfred Damaliphetsa Phiri

Capacity building in any institution is instrumental to success since employees execute their duties diligently and professionally. Malawi Prisons Service (MPS) through its training school at Mapanga in Blantyre conducted a series of trainings of some gazetted officers in the 2020-2021 financial year in order to equip them with some new skills and developments in the Department.

The trainings which were conducted in phases targeted Station Officers (S/Os), General Duties Officers (GDOs) and Discipline Officers (D/Os) from different prison stations across the country. The trainings covered courses like; Direct and indirect contribution of gazetted officers in the service discipline, Roles and duties of S/Os, GDOs and D/Os, Effective grievances management, parole and community service among others.

Speaking on the sidelines of the trainings, the Malawi Prisons Training School Commandant, Deputy Commissioner of Prisons, Major Nzima said the trainings would enhance effective and efficient service delivery in the Department.



Trainings are very important - Nzima.

"If knowledge that has been attained during these trainings will be effectively utilized, some of the professional gaps in the daily operations will be mended hence contributing to the realization of the mission, vision and the core functions of the Malawi Prisons Service," Nzima said.

He added that the trainings also aimed at equipping officers with knowledge in parole and community service as the Department is in the process of shifting from being a prison service to a correctional one.

Nzima then implored all the participants to work professionally in their respective duty stations for smooth operations of their stations.

One of the participants, General Duties Officer for Zomba Central Prison, Inspector Newton Gomani said the trainings had equipped him with necessary skills on how best he would run the affairs of his station in as far as general duties are concerned.

"These trainings are very important because officers learn some new skills and developments taking place in the Department. We have been energized because we have learnt our duties and responsibilities and this will be utilized accordingly," Gomani said.

He further said as GDO he would be able to know his boundaries when executing duties saying sometimes officers encroach work that are not assigned to them.

He then requested the Department to continue conducting such trainings even to junior ranked officers for the Department to thrive.

The Prison Training School is mandated to provide basic trainings to new recruits and in-service trainings to serving officers to capacitate them in the new developments.



Malawi Prisons Service Now has a Website

By Sgt Jonas Nyasulu

In this 21st Century, the World is now a global village whereby you get to know whatever happens around the world at a click of a button and one such facility that makes this to happen is a Website and the Malawi Prisons Service (MPS) has now become part and parcel of that global village due to the coming in of a fully fledged website in its continued quest of taking prisons beyond the gates to the masses.

Through the Website, the department's internal and external publics will be kept abreast of the new developments happening in the department.

The Website, courtesy of a European Union (EU)'s Chilungamo (Justice and

Accountability) Programme, has come at a right time as the country awaits the operationalisation of the newly gazetted Access to Information Bill to go full throttle which will offer a platform for members of the general public to have an easy reach to information thereby spurring their socio-economic status.

Speaking on Monday this week during the opening of a two day Website Development and Online Content Management training at Hill Springs Lodge in Zomba, Information and Communications Technology (ICT) Officer for MPS, Superintendent Hosea Chinyamunyamu said the prisons department has had no website for a long time making it hard for members

of the general public including those in Diaspora to have access to information.

The training which drew 32 officers working under Public Relations, Information and Communications Technology and Signals in the department.

Chinyamunyamu said a website helps to provide a platform for interaction and information sharing among people as it is an online repository of information.

On his part, the EU's Senior Communications and Visibility Specialist, Mr. Wisdom Nelson Chingwede said the Website development for the Prisons and its presence on various Social Media platforms is going to help the department to be able to showcase its positive strides it is doing to the rest of the world thereby improving its visibility.

Chingwede said under the Programme, EU has also developed Websites for the Office of the Ombudsman, The Malawi Police Service, Malawi Legal Aid Bureau, Ministry of Justice and Constitutional Affairs and The Judiciary in its eight-year K48 million Euros project spanning 2016 to 2022



Wisdom Chingwede (Front row in glasses) pose with the participants after the training.

MULANJE PRISON SAVING TREES THROUGH BIOGAS DIGESTERS



Mulanje biogas plant.

By Charles Pensulo-Freelancer

It's 7:00 am inside Mulanje Prison in southern Malawi. The sound of voices coming from inside the cells signifies yet another day. Donning the customary white shirts and shorts, a dozen of prisoners can be seen doing some errands.

For inmate Julius Motha, 28, this is the time to operate the biogas digester. The biogas digester, made from plastic and the size of a standard fuel tanker converts organic wastes to gas energy and powers the cooking pot.

The initiative by United Purpose, a local charity, is an attempt to control deforestation in the district and the country which has seen a huge loss of trees for timber, charcoal and firewood for cooking. They trained inmate Motha and other inmates and staff on how to maintain the system. The prisoners said life is easier now than when they had to chop wood.

Malawi relies heavily on wood fuel, as a major energy source for cooking and heating. According to statistics, an estimated 85 percent of the entire population uses fuel wood for cooking, in form of firewood.

Deforestation is a serious problem in Malawi. Between 1990 and 2005, the country lost nearly 13 percent

of its total forest cover due to fuel wood collection and subsistence and commercial agriculture.

Wood cutting has led to extensive runoff which has in turn affected hydro-power systems from the siltation thereby sparking blackouts in the country. Deforestation is also affecting the infiltration of water into the soil and because most of the water gets infiltrated and leads to less volume of water in the fields and leads to dying of crops. Moreover, persistent cutting down of trees has disrupted the hydrological cycle leading to a drop in rainfall.

Esther Mweso, programme manager for United Purpose, says they introduced biogas digesters starting with the local prison, one of the institutions which they say use a lot of wood. The charity also introduced two more digesters in Zomba and Nsanje Districts.

"In prisons, there is high use of firewood which leads to land degradation. We first of all made assessments in the prisons and found out that they were using a lot of firewood, about 60 cubic metres per month. On top of that, they were also spending about 600000 Malawi Kwacha (about US \$760) on payments of bills of electricity and procuring firewood," said Mweso

adding that each digester cost them about \$20000.

George Chibwe, Senior Superintendent of Prison for Mulanje agreed they used to procure a lot of firewood and that the initiative has significantly reduced amount of firewood and saved their bills by half. Currently, the biogas powers on cooking pot while the other run on electricity. For now, they still procure some firewood for backup in case there is electricity blackout.

"For the period we've been using the biogas digester, we've improved in terms of the cooking time and it's efficient. While it used to take 5 hours to prepare the food, it takes 3 hours now", Superintendent Chibwe said.

Tiwonge Gawa, National Chair for the Wildlife and Environmental Society of Malawi applauded the initiative saying similar projects will go a long way in reducing deforestation in the country. Institutions like prison buy firewood from traders who she said add to tree loss.

"When I first came here in 2018, we were struggling to cook because we were using fire woods. We thank the organisation that installed this biogas digester because the cooking process is faster," Felix Chimombo, another inmate said.

Domasi Fights Escapism

Gl. Ivy Makalichi

The citizenry tends to sympathize with escapees. This is perhaps as a result of the chase that follows every escape from a lawful custody. What is less known is that prisoners are expected to serve their full sentence to be fully transformed. Everyone who escapes from prison is harmful to the society because the system has not finished building the desirable character. As such, the society needs to be very careful when they face an escapee.

Domasi Prison is one of the prisons that is surrounded by villages. This entices some inmates to attempt escaping despite being warned and advised on the dangers of escaping custody. Unfortunately, the surrounding villagers come to the aid of the escapees.

“At times, prisoners here unsuccessfully attempt to escape. Some of the people in the villages offer refuge to escapees in their houses so that they should not be recaptured,” complained the Station Officer (S/O) Assistant Superintendent Charles Mkwilula.

Domasi Prison was certain that the

villagers were doing this due to lack of knowledge on the issue. Realizing how dangerous this practice was capable of doing, Domasi Prison has engaged theatre to sensitize the surrounding villages. The theatre group has been staging plays in the villages which are focused on discouraging the citizens from aiding escapees emphasizing that doing so is a crime punishable by law.

Speaking in an interview, the S/O emphasised that it was very crucial to ensure that the surrounding villagers are well-informed. This was going to help in creating a safe and secure environment for both the prison and the villages. The S/O quoted Chapter 94 (1) a of the Prison Act which states that;

“A person other than a prisoner, who aids a prisoner in escaping or attempting to escape, conspires with a person to procure the escape of a prisoner to incite a prisoner to escape from prison in which he is detained shall be liable to imprisonment for seven years.”

The station’s theatre coordinator, Sergeant Helton Kalandamoyo, stressed that the initiative of having a theater group had been made as one way of

A person other than a prisoner, who aids a prisoner in escaping or attempting to escape, conspires with a person to procure the escape of a prisoner to incite a prisoner to escape from prison in which he is detained shall be liable to imprisonment for seven years.

sensitizing people on the role they have in supporting prisons in terms of security and order to create a violence free co-existence. He said the group will be staging plays on how the prison and the public should work together to maintain peace and order in the community.

LILONGWE PRISON COMMEMORATES HUMAN RIGHTS DAY

By: Sgt Samson Dzonzi

Lilongwe Prison joined the global community in the commemoration of Human Rights Day. The function was held at Lilongwe Prison ground on 10th December, 2020 under the theme “Recover Better, Stand Up for Human Rights” focusing on creating equal opportunities for everyone and addressing the failures and disappointments on human rights amid COVID 19 pandemic.

Speaking at the function the Guest of Honour High Court Judge, Justice

Fiona Mwale encouraged and reminded the inmates that they were not forgotten by the outside world.

“It does not take whatever you are, whoever you are or where ever you are, you have your full rights as human beings even if you are in prison,” she said.

Speaking on behalf of the Officer In-Charge for the station, Senior Superintendent Thomas Damba thanked the stakeholders for choosing Lilongwe Prison to host the function and further commended them for their support which included laundry soap

and branded T-shirts.

The function was spiced by drama, acrobatics, poetry, gule wamkulu and quiz focusing on human rights issues.

The function was held under the auspices of Paralegal Advisory Service Institute (PASI), Irish Aid, Rule of Law International and the Irish Embassy in Malawi.

International Human Rights Day is observed on 10 December since the United Nations adopted the Universal Declaration on human rights in 1948.

GOVERNMENT FOR COMMERCIAL FARMING WITHIN PRISONS



Hon. R Chimwendo Banda in symbolic handover of basal fertilizer to Malawi Prisons Service.

Jonas Nyasulu, Eastern Region PRO

His Excellency Dr. Lazarus Chakwera led government has always underscored the need for government ministries, departments and agencies to be innovative and start embracing the concept of doing business unusual. The Malawi Prisons Service has embraced this philosophy by moving from subsistence farming to commercial one.

This is going to be possible because government has assured the department that it plans to empower prisons to intensify commercial farming to ensure that they generate extra funds for smooth operations.

Minister of Homeland security,

Honourable Richard Chimwendo Banda said currently prison facilities are only utilizing 500 hectares of its arable land due to lack of farm inputs and modern farming machinery.

Banda made the remarks recently at the prisons headquarters in Zomba when YARA International and Bayer Limited through United Nations Office On Drugs and Crime (UNDOC) donated 300 metric tonnes of basal fertilizer and 1 000 kilograms of maize seeds valued at K120 million.

Banda said prisons have vast land which if properly utilized would help them to be producing extra farm yields.

“We plan to make the department more productive by generating its own money to address some challenges they face. Government will ensure that

the department is well resourced to boost its production,” he said.

On her part, the Chief Commissioner of Prisons, Wandika Phiri said currently prison facilities are forced to buy maize to cater for over 11, 000 inmates in the country’s 30 facilities.

“With this timely donation, we plan to increase our production and save some funds which can be used for other operations,” she said.

UNDOC’s National Programme Coordinator, Henry Ndindi called on the department to make good use of the items donated so that the prison department should migrate from subsistence to commercial farming.



Inmates in an irrigated maize field.

MIKUYU 2 PRISON TO FEED OTHERS

**By Jonas Nyasulu
Chisomo Gerson**

It is undeniable fact that access to food is a springboard for citizens to fully enjoy other tenets of human rights such as right to movement, good health, and even right to life among others because one cannot embrace these rights fundamentals when hungry.

Right to food highlighted in the Bill of Rights of the Chapter 4 of the country's Constitution, which is the supreme law of the land, is therefore, one of the fundamental human rights which should be enjoyed by all the citizenry regardless of whether one is incarcerated or not.

And any development initiatives such as social, political, economic and cultural among others cannot effectively and efficiently take place in a country where its citizens are hungry souls and the Malawi Prisons Service is not an exception because no reformative and rehabilitative programs can take place when inmates have no access to food.

It is therefore, against this background that with the installation of a multi-

million kwacha solar-powered irrigation system at Mikuyu 2 in Zomba, the station is now going to be able to harvest twice or even thrice in a single farming season, a development which will consequently lead to maximized food security for the inmates.

The irrigation system, whose project works started on June 2, 2019 and ended on July 10, 2020, is designed to irrigate 10 hectares of land with one hectare for drip irrigation while the remaining hectares for surface irrigation.

The department's commissioner responsible for Farms and Industries, Clement Kainja said during the handing over ceremony of the system on November 17, 2020, that installation of the system is a stepping stone towards food security in prisons across the country.

Kainja made the observation when the consortium of United Purpose, Save the Children and Concern Worldwide in conjunction with the Government of Malawi handed over the system to the facility and that the system is valued at K40, 505,602.50 where the government contributed 50% and the

other half was met by the consortium.

"The district irrigation office has been providing technical support to the prison staff regarding capacity building related to scheme maintenance and agronomic practices and will continue mentoring the inmates on the same," he said.

Speaking on behalf of the consortium, United Purpose programme manager, Esther Mweso said the crops grown on the scheme will go a long way in providing food for the inmates and that the surplus vegetables will be sold.

"The income realized will be partly used for the maintenance of the scheme," she said.

According to the station's Agricultural Field Officer, Inspector Ozious Chalusa, on a 10-hectare piece of land under irrigation the station expects to be harvesting 100 bags of maize each weighing 50 Kilogrammes per hectare which, he said, translates to a total of 2,000 bags if the maize is grown twice a year and 3,000 thrice a year.

One of the inmates, Yamikani Mwase, 21, of Chilobwe village in Balaka

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FARM FACTOR & REAFFORESTATION

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said the system has taught him a lot of things regarding irrigation farming citing how to grow various crops under irrigation.

“I have learnt on how to prepare nurseries for various crops. I have also learnt on how to make manure and also to join irrigation pipes among others. I am going to use these skills when I get discharged from prison in December, 2021,” he said.

After all is said and done, one can now crystal clear envisage that if such irrigation systems of this magnitude and sophistication are installed across all the farming prison stations in the



The Solar powered irrigation system at Mikuyu

country, then the department will definitely turn into an enviable food basket for not only the prisons but the

country as a whole thereby fulfilling the right to food for the citizenry as required by the Constitution.

OFFICERS' SPOUSES IN REAFFORESTATION DRIVE

By Sgt. Lizzie Kalowekamo

Spouses of Officers from Ntchisi Prison surprised many people around Ntchisi boma as they took time off their domestic chores to plant trees around Chikwatula hills in a bid to curb the effects of climate change. Clad in their traditional maroon attire, they were led in this tree planting exercise by wife of the Officer-In-Charge of Ntchisi Prison Station Mrs Emmaculate Kapala.

In her remarks Mrs Kapala observed that for a long time the tree planting exercise has been dominated by men while women have always been left behind. On the contrary, women have been in the front using forests as a source of fuel wood, charcoal and other forest related products. She, therefore, felt it wise to mobilize her fellow women in this noble cause which she indicated will be sustained annually.

“We need to replenish the trees by planting as many trees as we can as there are a lot of benefits that come along with this tree planting exercise. These trees will block the winds hence preventing us from natural calamities that strong winds may bring along like destruction of our homes ,fields just to

mention but a few, “She stressed.

“Again, it is apparently clear that women are primary beneficiaries of this exercise as they normally use fuel wood and charcoal for domestic purposes and it is wise and proper for us to take charge in this tree planting exercise which we will be doing annually, “Added Mrs. Kapala.

Speaking in a separate interview, Officer-In-Charge for Ntchisi Prison Assistant Superintendent Constantino Augustine Kapala commended the women for taking the lead in this tree planting exercise.

“Ntchisi Prison lies at a hilly area and the planting of trees is a bold step by our spouses as it will give fresh air, block the winds as well as beautify the scenery among others, “Said Kapala

“Next year, we promise to join forces with these

women so that we plant as many trees as possible. Conserving our forests needs concerted and sustained efforts by all of us,” he indicated.

During the tree planting exercise more than 200 tree seedlings were planted around Ntchisi Prison Premises.



Officers' spouses Planting trees.

SMALL IN SIZE, BIG IN ACTION

By: *Insp. Steve Meke*

Bzyanzi Young Offenders Reformatory Centre in Dowa district is fast becoming a true maestro in the rehabilitation and reformation of young offenders through the provision of different programmes tailor made to enhance their re-integration into society. Just like many institutions under the Malawi Prisons Service the narrative has changed from punitive to reformative in nature. But what makes this reformatory centre astonishingly great is the ability of its residents both officers and inmates who have fully understood the thinking of producing more with less. Boosting of a total inmate population of not more than 70, the centre is among the list of reliable bread baskets not only in the Central commanding region of the Malawi Prisons Service but has also an enviable record that is hogging the lines even at national level. Apart from crop farming, the rearing of pigs, ducks, fish is a surefire way of providing these young ones with well-nourished food throughout the year which is good for the development of their youthful bodies. Does the centre have any magic wand?

Youthful, energetic and enterprising Officer In-Charge for the centre, Inspector Rodwell Mpangaza, has pushed the centre's name towards the pinnacle of success since he dived into the driving seat a couple of years ago and lays bare his success formula.

"Young offenders that are well trained contribute positively to the socio-economic development of the country thereby curbing re-offending hence we make sure to hit the bull's eye by

targeting things that can accelerate positive change in our young offenders" he explained.

"However, this does not take place without any team work. I strongly believe that every officer under my command has a significant role to play in order to make this place a star performer and by working in unison we drive results that are beyond most people's expectations" he narrated.

"We also register high yields year in year out as we have maximised Irrigation and rain fed farming," Said Mpangaza who is also pursuing Irrigation Engineering at the Lilongwe University of Natural Resources and Agriculture-Bunda Campus.

"We also focus on psychology as it enhances self esteem, positive attitude towards life and this sustains these young ones in their daily living now and even in the real world. Also, we are into brick laying so as to make sure that these youngsters get practical skills that boost their chances of survival upon their release," he added.

Despite making strides in many areas the centre is also facing some challenges that require concerted efforts to resolve as government cannot handle everything singlehandedly.

"We are desperately in need of school blocks and professional teachers as these young offenders have the right to education as enshrined under section of Malawi Constitution. I therefore appeal to all well wishers to come to our rescue and support us in this noble cause," he stressed.

Sergeant Kingsley Doko, a professional primary school teacher,

echoed Mpangaza's sentiments and contended that the construction of school blocks is of paramount importance in as far as rehabilitation and reformation is concerned.

"It becomes much easier to pass on knowledge to someone who knows how to read and write hence the construction of school blocks is a huge step in the right direction but we also need teaching and learning materials as they are crucial towards attaining quality education," emphasized Doko.

Jonasi Tembuzeni (not real name), who was convicted of burglary and slapped with a 6 year jail term, strongly believes that his imprisonment is a blessing in disguise given a variety of skills that he has acquired at the centre.

"I am a proud beneficiary of rehabilitation and reformation programmes that are offered here. Honestly, I thought my future was doomed when I first arrived at this centre but to my surprise the authorities have always been supportive every step of the way. For instance, I have acquired skills in fish, poultry, and irrigation farming among others and I am now well equipped to survive on my own," he said.

However, Jonasi Tembuzeni (not real name) believes the only hurdle ahead of him is the perception that communities have on ex-offenders.

"Most people out there are not ready to receive us back into society as they feel we have not been transformed. This leads to re-offending and in the long run congesting prisons", he bemoaned with deep concern written across his youthful face.

WE ALSO REGISTER HIGH YIELDS YEAR IN YEAR OUT AS WE HAVE MAXIMISED IRRIGATION AND RAIN FED FARMING



Hon. Dr P. Kaliati delivering a key note adress.

MINISTER HAILS CHILUNGAMO PROGRAMME

By Supt. Chimwemwe Mike Shaba

The Minister of Gender, Community Development and Social Welfare Hon. Dr. Patricia Kaliyati hailed the Chilungamo (Justice and Accountability) Programme

for financing the training of District Social Welfare Officers and paralegal advisors across the country on the Probation Law.

She was speaking in Mulanje at Nalipili Lodge when she officially opened and closed a series of trainings facilitated

by the Malawi Prisons Service with the financial support from the European Union through the Chilungamo (Justice and Accountability) Programme.

“I am very grateful to the Prisons Department for sharing its resources with us to equip our officers on the

Probation Law and their role as Social Welfare Officers. It is my conviction that the knowledge gained during this training will be effectively utilized”, said Kaliyati. She further implored the participants to properly utilize the knowledge gained by reaching out to everyone including the rural population to fight against social injustices including gender based violence and child exploitation and abuse.

On his part, the Assistant Commissioner of Prisons responsible for legal affairs who is also the Prisons activity coordinator for Chilungamo Programme, Chapuwala said the implementation of the Probation law will help in the decongestion of Prisons since those on probation will have their conviction withheld. He said this is why it was imperative to train Social Welfare Officers and Paralegal Advisors who will be very key in the implementation of the probation law and monitoring of those on probation.

Commenting on the significance of the training, Benjamin Chikhuta Chunga who is the Probation Officer from the Child Justice Court in Lilongwe under Social Welfare said the training empowered participants with knowledge in probation services. “Currently, probation officers concentrate mainly on children’s cases and on child offenders and not adults in Prisons. The training shall therefore contribute to an increase in numbers of probation officers as the training contributes to their gazettement”, said Chunga.

One of the participants who is the



Participants during practical sessions.

District Paralegal Officer for Salima District John Wilson Mangwalala said the training was very insightful. “The training has benefitted me since it has made me inquire new skills on probation as well as increasing my knowledge in the criminal justice system in general”, argued Mangwalala.

The training which was conducted in two phases, started with participants from the Northern and Central regions at Sandton Conference in Mzimba District before finishing with participants from the Eastern and Southern regions at Nalipili Lodge in Mulanje District.

Some of the topics covered included Introduction to Probation System, Theories and Practice of Probation as practiced in Malawi,

Legal and Regulatory Framework of Probation Service, International legal instruments, domestic legal framework, Structures and Duties of Probation Officers under the Probation of Offenders Act, Roles of Probation Officers in Court, Developing a Pre-Sentence Social inquiry for the Provisions of the Statutes. At the end of the trainings, participants from the Northern and Southern regions went to Mzimba and Mulanje Prisons respectively to practice how to develop a Pre-Sentence Social Inquiry.

The trainings were conducted on the 26th and 27th of April, 2021 and on the 4th and 5th of April, 2021 in Mzimba and Mulanje districts respectively.

...utilize the knowledge gained by reaching out to everyone including the rural population to fight against social injustices including gender based violence and child exploitation and abuse.



Some of the released prisoners pose with their discharge certificates.

CHILUNGAMO PROGRAMME DECONGESTS PRISONS

By: Supt. Chimwemwe Mike Shaba

Overcrowding in country's prisons is one of the major challenges that paralyze effective service delivery for the Prisons department. Originally designed with a holding capacity of about 5 500 inmates, the current prisoners' population fluctuates between 11 000 to 13 000, almost triple the recommended holding capacity, a development that is not only degrading to human dignity, but also hazardous to prisoners' health.

In the wake of Covid 19 pandemic that categorized country's prisons as hot spots for an outbreak of Corona Virus due to overcrowding, the Chilungamo (Justice and Accountability) Programme financed the Prisons Inspectorate to conduct an inspection exercise in all prison formations aimed at identifying eligible prisoners for a possible early release in a bid to reduce overcrowding. This was done through a review of individual prisoner's files to ascertain eligibility for an early release.

The Prisons Act singles out chronically ill prisoners, those that have served half of their sentences and have displayed good conduct during their sentences, and those who had committed petty

offences as some of the prisoners eligible for an early release. Upon the completion of the exercise, 321 prisoners were released of which 305 were placed on suspended sentence condition while 16 ex-prisoners were released unconditionally. Cumulatively, a total of 2302 have so far been released as a result of Chilungamo programme interventions.

Apart from the creation of additional social space and improvement in access to justice along the entire criminal justice path, the Chilungamo Programme interventions also led to the effective prevention and management of Covid-19 pandemic in the country's prisons as they were able to create isolation centers that acted as cut off points for the rapid spread of the pandemic.

Speaking during the Inspection of Blantyre Prison, the Chairman for the Inspectorate of Prisons His Lordship Justice Kenani Manda applauded the Chilungamo (Justice and Accountability) Programme for the financial support.

Said Manda, "Constitutionally Prisons department has the duty to care and house inmates in an environment that upholds human dignity in conformity

to international standards as stipulated in Mandela rules (Standard Minimum Rules for the Treatment of Prisoners). Overcrowding is therefore a total violation of human dignity and rights and should not be condoned, therefore funding from the Chilungamo Programme has gone a long way to address the challenges being faced".

Reacting to the development on behalf of the Prisons department was Commissioner responsible for operations Mr Yafeti Chimodzi. "We are very grateful to the European Union through Chilungamo Programme for financing this activity. Apart from the fact that there will be a decline in food ration expenditure, decongestion of prisons will assist the department to effectively fight and contain the Covid-19 pandemic which has terrorized the country", said Chimodzi adding that it was difficult to prevent and contain the virus in an overcrowded environment.

Malawi Prisons Service is one of the seven beneficiary Institutions of Chilungamo (Justice and Accountability) Programme with a focus on Key Result Area 3, which is "Coordination within the Criminal Justice System is improved".



COMMUNITY CORRECTIONS CORNER

With Bazirial Chapuwala, ACP Prisons Service Legal Officer

Preamble

One subset of criminal justice system is what is commonly called community corrections. It simply means correcting an offender within the community setting without necessarily sending him to an institutionalised treatment facility like a prison. Community corrections are also known as non-custodial measures. Looking at Malaŵi laws, one is left with a conviction that we were an enlightened society before the whole world codified a primary community corrections international instrument covenanted as the United Nations Standard Minimum Rules for Non-Custodial Measures (TOKYO RULES), 1990 adopted on 14 December 1990 by the General Assembly under Resolution 45/110.

Very material to the Tokyo Rules is the stress that the general principle of community correction is that use of non-custodial measures should be part of the movement towards depenalisation and decriminalisation instead of interfering with or delaying efforts in that direction. Another fundamental rule is that the criminal justice system should provide a wide range of non-custodial measures, from pretrial to post sentencing dispositions

in order to avoid the unnecessary use of imprisonment.

In Malaŵi, this is evidenced in two earlier Parliamentary Acts - The Penal Code (Cap 7:01) of Laws of Malaŵi passed into law in 1930 and the Probation of Offenders Act (Cap 9:01) of Laws of Malaŵi which was passed into law in 1945. These show that community corrections were embodiments of our laws before we attained independence and became a self governing Republic.

This corner has been set aside to articulate the legal and regulatory framework of community corrections laws in Malaŵi. The exposition of the corrections law will follow the descending order of punishments listed under section 25 of the Penal Code, which are: fine, compensation, finding security to keep the peace and be of good behaviour, or to come up for sentence, liability to police supervision, forfeiture; suspended sentence, public work, community service, probation, weekend or public holiday and attendance centre orders.

As a starter, I will explain the punishment of fine and its regulatory framework in Malaŵi. A fine is an economic sanction or monetary penalty imposed by the sentencing authority on the offender as a punishment which is

aimed at deterring him or others from reoffending or committing the same by others. There are three underpinning general principles of the law of fine:

Principle 1: Fine is imposed as a diversion of an offender from going to prison for custodial sentence

Principle 2: A fine has to “satisfy the justice of the case” (S. 29 (3) of the Penal Code). The fine should not dilute the justice it wants to give out. The court will always inquire into means of earning and how much does the offender earn in order to determine the value to be levied from him that will effect economic suffering of some extent leading to

Principle 3: Where a fine “should be punitive enough but not prohibitive” of it being satisfied by the offender. To this end, the trial court is required to ask the offender about his means of earning a living and how much he earns from the given means before meting its punishment. Upon getting the means and the estimate amount, he then pronounces the fine and imposes it by ordering the offender to pay it but with certain economic hardships.

Principle 4: Fine is premised on accountability and liability for misdeeds or misconducts.

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1 The Law of Fine in Malaŵi

1.1 The substantive law

Section 34 of the Penal Code says “When in this Code no punishment is specially provided for any misdemeanour, it shall be punishable with a fine or with imprisonment for a term not exceeding two years or with both”. In other words, a prison term is replaced by a fine as an exchange of custodial stay within the prison walls. This means that any imprisonment that results from the convicted person’s default of fine payment must reflect the amount of fine ordered by the court and it must not exceed 2 years custodial sentence unless explicitly stated so by a specific law. To avoid unregulated custodial sentences, section 29 (3) of Penal Code has codified custodial sentences against fines as follows:

- 1 month for a fine not exceeding MK1000;
- months for a fine that falls within MK1000 to MK5000;
- 6 months for a fine lying between MK5000 to MK10, 000;
- 8 months for a fine ranging from MK10, 000 to MK20, 000 while any fine in excess of MK20, 000 attracts a sentence of 12 months.
- By implication of section 34 of the Penal Code, the longest custodial sentence the court may impose on the offenders in default of a fine is 2 years.

However, when you hold any statutory law, you are encouraged to go to the chapter or section which bears the title penalties in order to know the quanta of fines in that Act.

The implication of Section 29 (3) of the Penal Code is that when the prison sentence imposed by the court is not according to these tariffed values is that, it is a ground for appeal against the sentence for the aggrieved party.

1.2 The procedural law

There are a number of procedures that hinge on the law of fine in Malaŵi. The levying and payment of fine is regulated by a number of provisions across the statutes. The trial of a case whose outcome will end into a fine only or with both the fine and imprisonment, or an option of either a fine, or imprisonment for a period not exceeding three months does not require personal attendance of the offender as long as the offender pleads guilty in writing.

Sections 15 (1) of the Criminal Procedure and Evidence Code, requires the fine exceeding MK1, 000 imposed by the subordinate court to be paid when it has been confirmed by the High Court. What this law states is that the court can levy any fine of the value that does not MK1000. If the person fails to pay the fine, he can be committed to prison there and then to serve the sentence commensurate with MK1000.

Sub-section (2) reads as follows “No person authorised by warrant or order to levy any fine falling within subsection (1) (a), and no person authorised by any warrant for the imprisonment of any person in default of the payment of such fine, shall execute or carry out any such warrant or order until he has received notification from the High Court that it has in exercise of its powers of appeal or review confirmed the imposition of such fine. This section succinctly states in uncertain terms about the following:

1. An offender can instantly pay the fine to the court if the fine ordered is of MK1, 000 or less. An offender who fails to satisfy this fine can be committed to prison immediately without needing the High Court confirmation.
2. Any fine ranging from Mk1, 001 onwards has to be paid to the sentencing court after the High Court has confirmed it and has

issued a Notification of Confirmation of the fine.

3. Where the Subordinate Court imposes both a fine and a sentence of imprisonment, only a sentence of imprisonment imposed by the subordinate court in lieu of fine as long as it is within the court’s jurisdiction, it can start being served before receipt of the notification of confirmation from the High Court.

However, a pertinent question always asked by many people is where should the offender be kept while waiting for the notification from the High Court?

The law has put stringent measures to be satisfied by the subordinate court before finally committing the offender to prison as defaulter of fine. The law is very clear on procedures to be followed by the sentencing court. Section 93 of the Criminal Procedure and Evidence Code allows the subordinate court to pass judgement of fine or imprisonment or both the fine and imprisonment not exceeding 3 months in absence of the offenders if he admits the offence in writing.

On the other hand, section 331 of the Criminal Procedure and Evidence Code is to the effect that after pronouncing the fine, the subordinate court is also supposed to pronounce the corresponding sentence of imprisonment. Thereafter, the sentencing court has to suspend the execution of the sentence of imprisonment but demand that the offender enters into a bond with the court which has to impose some conditions. Upon doing so, it has to release the convicted person and order him to come back for payment of fine on the appointed date which has to be any date within 30 days from the time of executing the bond. However, this has not been the practice in Malaŵi. Magistrates have been committing convicted persons to prisons on the same day they have ordered them to pay a fine exceeding MK1000 on

the ground that they have defaulted the fine. This has been an irregular enterprise and illegal on several reasons.

First a person is not warned in advance that when he is arrested committing that offence he will be charged to pay a fine. As such most persons are arrested while having no money to settle the fine. For example a person can be arrested in Salima enroute to Blantyre while carrying Indian Hemp (cannabis sativa). He is tried and fined to MK150, 000 in default of which he has to serve 12 months imprisonment. He fails to raise the imposed fine there because at the time of arrest, he has spent almost all his money in buying of Indian Hemp in Nkhotakota. Worse still, at the police he was searched and removed all cash. When he was going to court this cash was still at the police. How does the court expect a person in such circumstances to pay a fine there and then? It is against such challenges that section 15 of the CP & EC has prohibited collecting of the fine immediately and that section 331 has provided for suspension of the imprisonment in order to give the convicted person ample time to source the money to settle the fine.

It is only when the sentenced person fails to pay the fine on the dated the court appointed that the convicted person is deemed to have defaulted the payment of a fine, and he becomes a subject of imprisonment in default of payment of fine. This is confirmed by Section 331 (2) of the Criminal Procedure and Evidence Code which says "where a convicted person fails to pay a fine specified under or before the day appointed by the court, the court may, subject to the other provisions of this Code, direct the sentence of imprisonment to be carried into execution forthwith". However, the effecting of a custodial sentence still remains dependent on the High Court's Confirmation of the Fine. If the High Court has not issued a notification to

that effect then the subordinate court is restrained from imprisoning the sentenced person.

Another measure in place is Section 332 (2) of PC & EC which provides for payment of the fine by installment if the lump sum is difficult to be met. So when the court appoints a date to pay the fine and the convicted person has not raised enough funds to satisfy the fine, he is allowed to apply to the court in person to vary the payment mode of the lump sum fine into installments. The court's obligation is to make inquiry as to his means and confirm his financial standing in society if indeed it requires variation of the payment mode into installments. Section 332 (3) of the criminal Procedure and Evidence Code says "A warrant of commitment to prison in respect of the non-payment of any sum of money by a person to whom time has been allowed for payment under section (1), or who has been allowed to pay by installments under subsection (2) shall not be issued unless the court shall first make inquiry as to his means in his presence". So the convicted person will first be summoned to attend the court and explain why he is failing to pay the fine.

If he fails to pay the fine even after being allowed for installments, the sentenced person is further allowed to make another application for the court to even extend the payment period for the fine. By this, it means if the installment was for 3 months the court may adjust it to 5 months or 6 months so that the convicted person satisfies the order. The law envisaged circumstances when the person can promise the court a certain amount of installments but due to other unforeseen factors beyond his control he fails to satisfy the agreed fine installments. The court may extend the period of paying the fine.

The law of fine does not end there. It further provides in Section 333 of PC &

EC that the court may issue a seizure and sale warrant for the property of the convicted person in order to settle the fine. Although the Malaŵi laws do not allow settlement of a fine using livestock, the court can order sale of cattle to settle the fine if it is proved that the convicted person defaulting payment of fine has a heard of them.

If the convicted person has been committed to prison, sections 334 and 335 of the CP & EC are to the effect that fines may be paid into the court or to the Officer in charge of the prison where the convicted person is detained to. When the fine is paid after spending some days in prison, the fine is paid with a reduction of the days spent in prison. Although the law says so, subordinate courts in Malawi have been collecting the whole fine they meted without factoring in the period already spent in prison by the sentenced person.

Conclusion

At law, it is only the High Court that effect the service of custodial sentence in default of fine exceeding MK1000 through issuance of notification of confirmation notice. Offenders can opt not to attend the trial by admitting the charge in advance in writing if the resultant custodial sentence will be 3 months or less. Subordinate courts are required to appoint a different date off from the date of sentencing to allow the offender pay the fine. If the offender fails, the court may vary the fine to be paid by installments. It may vary the installment further by extending the period of payment. The payment of fine may be made to the court or host prison. If the convicted person fails to pay the fine after all these considerations, then the court may issue a warrant of seizure and sale for the property owned by the offender in order to settle the fine.



Officer In-Charge for Mzuzu Prison Senior Superintendent Owen Levi Maharawipa (Seated in Uniform) during the donation of hand sanitizers.

MZUNI ARMS MZUZU PRISON IN COVID-19 FIGHT

By: **Macbeth Wasambo. APRO, Mzuzu Prison**

As the battle against Covid-19 still rages on, Mzuzu University (MZUNI) has scaled up efforts by shouldering up a responsibility to aid vulnerable groups. Mzuzu Prison is one of the beneficiaries.

On 17th March 2021, Mzuni donated 1200 bottles of hand sanitiser to the prison. Speaking in an interview with Malawi Prisons Magazine, Mzuzu University lecturer, William Banda, said that their coming to Mzuzu Prison

was part of their corporate social responsibility to assist the vulnerable groups.

Commenting on the development, the Officer In-Charge for Mzuzu Prison, Senior Superintendent Owen Levi said that Covid-19 really affected operations at the station. "Our capacity is inadequate. These hand sanitisers will help us in the fight against Covid 19. We are very happy for the donation. It will help both inmates and officers". Levi said.

At the time of donation 52 inmates and one officer who tested positive

for COVID 19 were at the station's isolation section.

In response to situation the government bought face masks sanitizers and pardoned some inmates with minor cases in order to decongest prison.

Covid19 has left Mzuzu Prison operations crippled. This is the second time Mzuni has donated sanitisers to the prison in a role since Covid 19 launched its first wave of attack. They are now regarded as a staunch ally in this battle for lives.

NUTRITION TIPS FOR PREGNANT AND BREASTFEEDING WOMAN

By **Aswell Kachidowo (Prisons National Nutrition, HIV and AIDS Coordinator)**

- During your pregnancy, eat one extra small meal or "snack" (extra food between meals) each day to provide energy and nutrition for you and your growing baby.
- Take iron and folic acid tablets to prevent anemia during pregnancy and for at least 3 months after your baby's birth.
- Use iodised salt to help your baby's

brain and body develop well.

- Avoid taking tea or coffee with meals as these interfere with how your body utilises the food. Limit the amount of coffee you drink during pregnancy.
- Attend antenatal care at least 4 times during pregnancy. These check-ups are important for you to learn about your health and how your baby is growing.
- Know your HIV status. If positive, attend to all the clinic appointments

and adhere to medication as advised.

- As an adolescent mothers, you need extra care, more food and more rest than an older mothers as your body is still growing. As such, you need to nourish your own body as well as your growing baby.
- You need to eat the best foods available, including milk, fresh fruit and vegetables, meat, fish, eggs, grains, peas and beans. Drink water frequently.

ELIZABETH MATANDIKA: GRABBING WORK BY ITS HORNS

By Supt. Chimwemwe Mike Shaba

Gone are the days when security institutions undermined the strength of women. The female officers who defy the inferiority complex that has for a long time locked them in the lockers of nothingness, are now spotted and given challenging tasks.

Inspector Elizabeth Matandika, seemingly young but so dedicated to what she does is another example of women who grab work by its horns. Eliza, who holds an Advanced Diploma in Transport and Logistics (Chartered) breaks the institutional record as she becomes the first female officer to head the Transport and Logistics Section at a national level. As a Transport and Logistics Officer, her day to day duties include allocating work to drivers, preparing transport movements, maintaining and completing accurate records, making sure vehicles are timely and properly maintained, inspecting vehicles and ensuring that all drivers and operators in all the prison formations have correct up to date qualifications.

Inspector Matandika, joined the Malawi Prisons Service on 1st April, 2001 as a recruit and thereafter underwent a rigorous one year training at Prisons Staff Training School at Mapanga in Blantyre to become a fully-fledged attested officer. She subsequently rose through the ranks as she got promoted to the rank of a Sergeant in 2012, then Gaoler in 2014 before joining the group



Inspector Matandika working on some logistics.

of Gazetted Officers in the year 2018 when she got promoted to the rank of Inspector.

Despite some challenges, Inspector Matandika leaves a message to fellow female officers. "To all female officers, let's take those challenging tasks than giving baseless excuses. For us to

excel we need to be strong enough to compete and look forward with hope because the most beautiful thing we can wear is confidence", advises Matandika.

Elizabeth Matandika hails from Dowa District, Moya Dioni Village under Traditional Authority Msakambewa.

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HANDS OFF WOMEN IN UNIFORM

Snr Supt. E. Banda (left) participates in the launch of Arms of Liberty Project

By Supt. Chimwemwe Mike Shaba

The Prisons National Gender Coordinator Senior Superintended Ellen Banda has called upon male officers and all men in the Malawi Prisons Service to safeguard the integrity of women in uniform.

She contended that women in uniform suffer in silence as they go through a lot of traumatic experiences both at work place and in their homes. She was speaking this after attending the launch of a project named Arms of Liberty by the Foundation for Rural Development, with support from UN

Women, on 20th May, 2021 at Bingu International Convention Centre (BICC). The objective of the project is enhancing safety, security and rights of women by recognizing, understanding and preventing Violence against women and Girls and Gender Based Violence and also reporting, responding and referring cases of gender based violence.

It was observed in the baseline survey that, women in uniform working with the security organizations despite being security officers, them too are being victims of gender based violence in their work places and homes. The intervention, therefore, will also benefit

female prison officers who are facing the same challenges as other women in uniform from other organizations in provision of a common platform for sharing the challenges as well as amplifying their voices collectively in order to find common solutions.

As a way of contextualizing the project in the Malawi Prisons Service, Banda said the department plans to operationalize the Malawi Prisons Women's Network, develop and Implement the Malawi Prisons Service Gender Equality Policy and establish a Gender Mainstreaming Committee.

TEVETA CERTIFIES ZOMBA CENTRAL PRISON VOCATIONAL PROGRAMMES

By Sgt. Angella Daka

Following the Germany's D.V.V International through the Ministry for Economic Cooperation and Development's injection of close to K45 million for the refurbishment of the Rehabilitation Workshop at Zomba Central Prison, the Technical Education and Vocational Entrepreneurial Training Authority (TEVETA) certified 80% of the Vocational Programmes at the facility.

The workshop at Zomba Central Prison offers various vocational programmes that include Carpentry and Joinery, Brick-laying, Electrical Installation, Motor Vehicle Mechanics, Painting and Decoration, Plumbing, Pottery, Tailoring, Tin-smith as well as Welding and fabrication.

Upon inspecting the workshop, TEVETA officials who were led by Mr. Benson Zigona from the Department of Technical and Vocational Training in the Ministry of Labour was impressed with both the learning environment and the teaching and learning materials for each trade. "From what we have



observed, the institution has qualified and competent staff to deliver the curriculum for the various trades. Apart from the conducive learning environment, the teaching and learning materials are also enough and relevant for the trades" commended Zigona. However, he advised the management of the institution to work and improve on the areas they had pointed out during the inspection.

In his remarks, the Workshop In-Charge Senior Superintendent Tarsizio Nameta thanked TEVETA for certifying the facility and its programmes. He

said this implies that inmates learning various vocational trades will now be awarded certificates upon completion of their various courses.

Malawi Prisons Service offers free vocational education training to inmates to equip them with hands on skills that will enable them to financially sustain themselves upon expiry of their sentences. It is the department's conviction that apart from contributing to the socio-economic development of the country, such skills will also go a long way in reducing recidivism.

EAGLES FEED INMATES

By Sgt. Macdonald Migolo

A prayer grouping comprising of women from Nkhatabay and Mzuzu calling themselves Prayer Eagles on December 28, 2020 just did it the Eagles way by feeding inmates at Nkhata-bay prison with food and assorted items valued at MK300,000.00.

The provision of the food was preceded by a preaching from the book of Mathews 13 verses 25 to 30. The preacher, Tiwonge Mwafulirwa encouraged the inmates to focus more

on rehabilitation and less on worries.

The Officer In-Charge of the station, Senior Superintendent, Ibrahim Sinde commended the women for their effort in helping to reform the inmates through preaching the word of God while addressing their health standards by providing food among others.

"God has blessed you with the talent to spread the Gospel to vulnerable people like inmates. This compliments the Department's mission to reform, rehabilitate and reintegrate offenders back into the society. The office appreciates what you have just done

today considering that just a week ago you also came with cartons of laundry soap," expressed Sinde.

Speaking on behalf of other inmates, Paul Chiwawa thanked the women for their kind gesture and ask them to continue coming with their assistance.

Prayer Eagles is a grouping comprised of women from Mzuzu and Nkhatabay district which support itself with little earnings they get through various businesses as well as monthly salaries from different organizations they work with.

THE SILENT VISITOR

By Supt. Chimwemwe Mike Shaba

"This Court finds the defense wanting in several aspects. Most of the arguments are not only childish and absurd, but also vexatious, frivolous and derisory", read part of the judgement with fierce legal language. At this moment Mzamani's ray of hope was freezing and retiring to bed. He hoped to win the case no matter what. Not that he was innocent, but a bunch of young lawyers he had engaged in his unlawful wounding case made him believe so. He forgot that some lawyers are there for money. Win or lose, all they want is to cash in.

His wife at the farthest corner of the Court was spotted wiping tears of grief. Close to her was her mother who was playing the Pastor's role of comforting and giving hope to the hopeless. The wife had genuine reasons to worry. The conviction of her husband would not only mean losing the breadwinner, but a launch of endless wrestling with debtors. Mzamani, the popular butcher man had accumulated debts that would leave the family behind in economic tatters. Obviously his son would be kicked out of school and most of his properties would be confiscated by the angry debt collectors. There will be chaos.

Mzamani zoomed his daughter who was seemingly trembling. She was the most loved kid of all. She had the character and manners that could win any competition for the best mannered kids. She bested all her brothers in school. She loved his father but hated his kick-boxing behaviour. It is the same behaviour of disfiguring people's faces without apparent reasons that had brought him before Judge Mpeketula.

Mpeketula was a no nonsense Judge more especially on gender-based

violence cases. Mzamani needed not just luck, but a miracle to escape jail before the Judge who had won numerous accolades for decisively dealing with gender-based violence cases. The judge had a reputation to protect. He had a legacy to build. For sure, he would not exchange his reputation and legacy with sympathy for a man whose action would have sent a well-built beautiful Zinyengo to an early grave. Sympathy was not an option at a time when Human rights organizations were calling for the judiciary to dish out stiffer punishments to the offenders.

Outside the court were angry villagers carrying placards that called for justice on Zinyengo's battering. Of course justice to them would mean nothing else apart from sending Mzamani to rot in jail. The public court had already passed the judgement. Nevertheless, at law, the Judge takes not on board the public opinion in his judgement. And this was made clear at the beginning of the judgement reading by the presiding Judge himself. *"This court will not be swayed by the public opinion. Judgement will solely be based on the facts and evidence presented in this court",* said Judge Kauzanga Mpeketula.

Zinyengo, popularly known as *"beautiful Onyinye"* by her admirers was mercilessly pounded by Mzamani not for turning down his proposal, but for informing his wife of his clandestine nasty behaviour of proposing little girls. Just like that, as vulnerable and defenseless as she was, she was heavily manhandled by Mzamani, the beast. The wheels of justice seemed to be slow, but the time was ripe for Mzamani to face the constitution and dance to the tune of justice.

The most awaited moment came. There would be joy to some and grief

to others. The Judge was approaching the final deciding moments of the judgement. He flipped to the last page, slowed his tone, lowered his glasses and read the final page with surgical efficiency. Mzamani faced down and unbuttoned his jacket. It was hot. Not because of the weather, but tension.

"Upon critically analyzing all the facts and evidence provided in this Court by both parties, this Court finds Mzamani guilty of an offence contrary to Section 80(3) of the Criminal Procedures and Evidence Code. I therefore sentence Mzamani Chinyeka to 8 years of Imprisonment with Hard Labour. The convict reserves all the rights to appeal against the judgement within fourteen (14) working days. Court dismissed", pronounced the highly revered Judge.

It was game over for Mzamani. Though there was an option for appeal, but history and precedence had it that no one has ever succeeded appealing the judgement of *"Chi Machine"*, as people used to call the Judge Mpeketula.

As expected, reaction varied. Outside the court there was too much jubilation as people danced and chanted ignoring the heavy downpour of rains. In unison they repeatedly sang *"Justice has won"*. But it was somber mood for Mzamani and his family. Justice had plucked down Mzamani from the towers of lawlessness and placed him on the stools of the rule of law. The moment he tried to think that it was a dream, the handcuffs were already finding peace in his hands. The police were already tired and the last thing they wanted was to handover Mzamani to the prison authorities and then go back to their homes to rest. It was a long day. In no time Mzamani was already in the new world opening a new chapter of his life. Mzutu Maximum Prison was his new home. The rest was history for the folks to tell.

His early days at the prison were hell. He struggled to accept the reality and prison life. The thought of spending 8 years behind the bars made him purge. He lost weight and prayed for death. But with time he accepted, adjusted and acclimatized to prison life. He was amongst the well behaved and he enjoyed several leadership roles among his fellow prisoners. His behaviour was impeccable and impressed the authorities. He successfully completed the anger management course offered by the prison formation. Anger was what brought him to prison. Nothing else. He transformed into a fully matured saint. The beast in him evaporated and condensed to the unknown. He offered no threat to the society.

After 5 years, that is 3 years before the expiry of his sentence, Mzamani tiptoed into his village silently like a thief. He went past some 4 houses without being noticed. It was dark and many villagers had retired to bed. His heart was not beating, but vibrating. He feared the village folks. They were unforgiving. Of course with what he did, the villagers' anger was justified, they hated beasts like Mzamani masquerading as humans. His aim was to first visit the Village Chief to present himself before facing the angry mob.

He was ten meters away from Village Chief's house when the unthinkable happened. He was grabbed by the neck and slashed down. *"Thief! Thief! Thief!"* shouted one of the villagers who had grabbed him. The villagers came out as if they were not asleep, but waiting for the whistle. Mzamani had his hands tied behind his back and his body baptized by fists that were showering all over his body.

"Let's take him to the Village Chief", one of the villagers suggested. Mzamani felt good. He knew that going to the Chief meant no more panel-beatings. The Chief was an honorable and civilized man. He abhorred mob justice and upheld the rule of law.

In a brink of an eye they were at the

Chief's house. The sack they had covered his face with was swiftly removed. *"Look, unbelievable, it's Mzamani. He has escaped jail"*, screamed Kapsati the village Sniper as popularly known amongst his fellow hunters. Everyone was perplexed. The *"how"* of his escaping jail was at a far distance to make any sense? Mzutu Maximum Prison was one of the best fortified and secured prisons to succumb to any prison break. Mzamani could not escape from that facility if not aided by the prison authorities.

There were so many questions. But the wise Chief in the class of King Solomon calmed down the ever talking and confused Villagers. *"Mzamani, we all understand that you have three more years of your jail term. What are you doing here? Why have you come at night like a thief? In short what happened?"* Asked the Village Chief.

This was the moment for Mzamani. To hit or miss. *"Thanks my Chief"*, mumbled Mzamani as he was struggling to gather himself from the pains of beating to the courage of explaining.

"Let me first apologize to Zinyengo, the girl I hurt and almost killed five years ago. That was bad. I curse such moments a million times and my hurt bleeds. Apologies to all of you for denting the image of the village. Even if it means being killed for what I did, I surrender my soul unto you, and I am ready to pay for what I did. If I were you, I would have reacted the same, may be more brutal than what you are doing", explained Mzamani in a tone that was diluting the anger of the village mob.

Villagers could not believe this. Mzamani looked more transformed. Five years ago he was a beast that never had any word close to *"sorry"* in his dictionary. He was so violent and uncompromising. He was simply a beast.

Mzamani explained that he didn't escape jail, but he was paroled by the

Prison authorities. *"There is a Parole Programme by the Malaki Prisons Service. Parole means the temporary or permanent release of a prisoner before the expiry of a sentence, on the promise of good behaviour. So I am on a conditional release from prison and I will be overseen by the state's correctional system. If I commit crimes while on parole, I will be taken back to jail and serve the remaining sentence plus the days I will be on parole"*, finished Mzamani. He further explained that there are Probation Officers who are assigned to monitor those prisoners released on parole if they are displaying reformative behaviour. He added that his probation officer will be coming to the village to meet the village chief and other villagers who will be asked questions on his behaviour. Mzamani then flashed out a discharge certificate which had a genuine Malaki Prisons Service stamp and another document that had parole information.

The mood changed. Villagers exchanged glances in a forgiving fashion. Mzamani looked changed and seemed not to pose any threat in the village. The Chief turned to the villagers and said with utmost authority, *"That's it, it's the law that sent him to prison. The same law has brought him back. He is not a threat at all. If he will be, he will be taken back. Let's all respect the Law"*.

Everyone was convinced. They all agreed that to err is human but to forgive is divine. *"Welcome home son"*, the villagers shouted. Mzamani smiled, hugged the Chief and exchanged some hugs with some villagers.

The last one was for his wife, quite a long hug coupled with tears of joy. She then whispered, *"Welcome home hubby, our silent visitor"*, they laughed as they shared pleasantries on their way home.

GANG'AZI AYANKHULAPO ZA MLILI WA KORONA

Linali tsiku losakoma kwa Gang'azi pandendeyi chifukwa kunali kukuzizira kwambiri. Nawonso achibale omwe adamulonjeza kuti abwera kudzamuona patsikuli adangomupaka msuzi pakamwa. Ukaidi unali ukumupweteka chifukwa anali wopanda kalikonse koti mkutsukira mkamwa momwe amamva kuti ndere zinali zikuvinavina. Kenaka Gang'azi adapichira sanza nkuyatsa ndikumakoka utsi wakewo ngati fodya pofuna kupha chibaba cha chingambwe chamgonagona chomwe chinali kumukoka khwiko ngati ngolo pa khosi la bulu.

Monga kabwerebwere, Gang'azi anali kudziwa bwino bango logwira nyengo ngati imeneyi ikamufikira. Chomwe chimatheka ndi kukamba nkhani ndi kusangalatsa anzake mu ndendemo. Gang'azi anali munthu oti akayamba kukamba nkhani, anzake amachita naye chidwi ndikumamugaila zakudya. Pomunyadira, anzake amangoti "filimu shoo!" akamuona.

Iye ngati mwana wokulira ku Limbuli; anayamba kulongosolapo nkhani ya Dziwe la Nkhalamba uku anthu akuseka ndikumunyadira. Gang'azi adayiyamba nkhanayi motere;

"Filimu shoo magaye?"

"Yonsee!" Akaidi ochulukira adayankha.

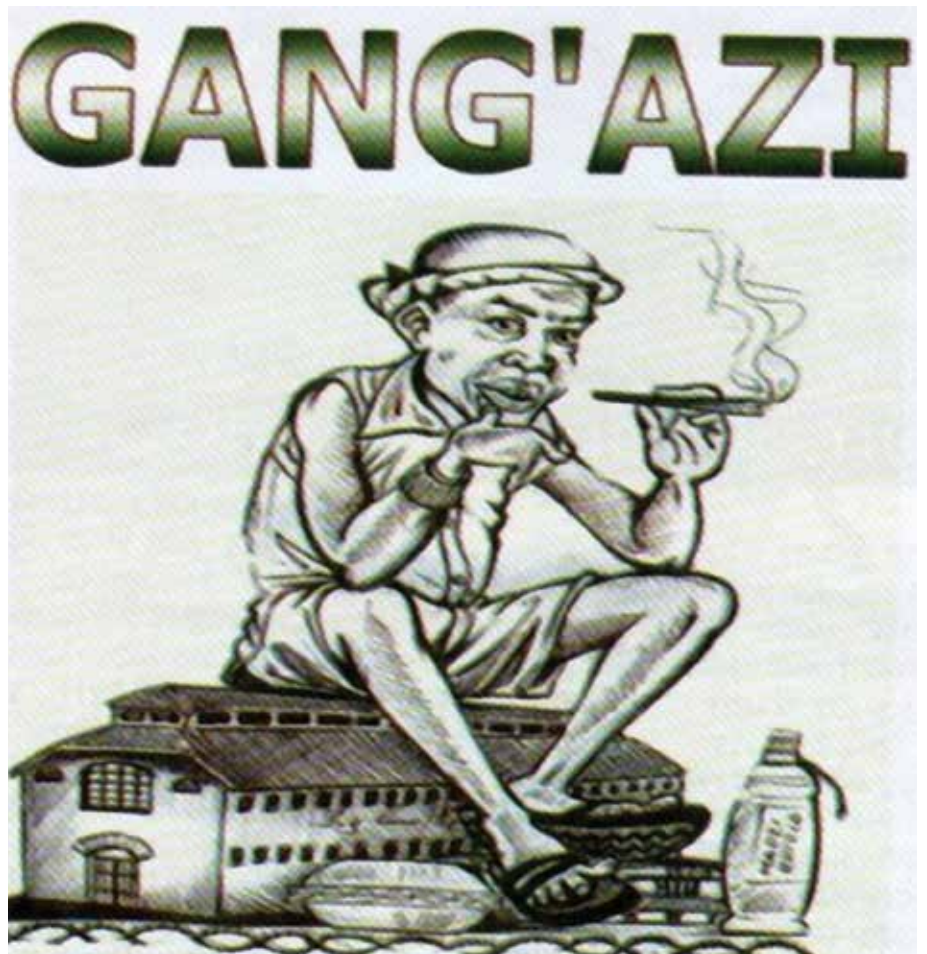
"Ikwere, itsike?"

"Ikwereeee!" Onse tsopano adakuwa, ndipo panalira malikhweru amamvekedwe osiyanasiyana, mmene kumachitira kuphiri madzulo mbalame zikamakalowa ku zigono.

Izi zinamuchititsa Gang'azi kuyankhula ndi mawu a dzitho, omamveka ngati akung'amba kholinga.

"Enanu milandu yomwe munapalamula ija, phiri lakwathu simungakwere chifukwa mizimu itha kukusowetsani. Pa Dziwe la nkhalamba ndipamene mungasambe chokweza."

Anzake anayamba kumugaira



OLEMBA INSP. JULIUS MAGOMBO

chimanga chokazinga komanso kumutchaitsa fodya kuti apitilize nkhanayi. Apatu nkuti diso lake likuoneka psuu nkachisisira ka tsikulo!

"Filimu shoo?" Gang'azi anakokanso chikoka cha onse.

"Yonsee!!" Anamuyakhanso anzake.

"Dzina la dziweli silinangobwera lokha. Amayi ena otola nkhu ni mu phirili ndamene anatulukira kuti kuli dziweli. Ndipo atapenyetsa pamwamba pa chithanthwe chomwe chili pafupi ndi dziweli, anaona nkhalamba yomwe inali itakhala pa mwalapo kumaothera dzuwa. Koma itaphana maso ndi amayiwa, inadumphira m'dziwemo. Komatu chodabwitsa chinali choti nkhalambayi itadumphira m'madzimo sinaonekenso. Inazimirira. Thupi lawo linachita tsembwe ndipo anali

othuthumira ndi mantha."

Anzake adamuyang'ana Gang'azi mwa mantha ngati kuti nawonso ali pamalo pomwe padachitika zodabwitsanso.

"Dziwelo ndi lalikulu bwanji?" Wina adafunsa.

"Mwina litha kumeza ndende yonseyitu!" Winanso adathira ndemanga.

Gang'azi adawasiya akambirane za ukuluwo, chifukwa amadziwa kuti ngakhale akanayakha, panalibe phindu lenileni. Nkhani inali pa dzina la dziwe ndi zakudya zomwe anzakewo amamupatsa.

"Atadikirira kwa mphindi zingapo kuti awonetsetse," Gang'azi adapitiriza nkhanijja. "anaonakulichuu, nkhalamba

ija wosatulukira. Panalibenso zodikira munthu wina kumuza nzake, mmodzimodzi, analiyatsa liwiro la mphika wapserera. Liwiro lomwe anang'amba pamenepo, zinali ngati wina amawathamangitsa.”

“Atafika kumudzi, amuna amphamvu komanso ogona kukhomo kuli pululu, anakhamukirako kuti akazionere okha. Koma iwo atafika pamalopo, analandiridwa ndi kunukhira kochuchitsa dovu kwa ndiwo zakhuli. Ataunguzaunguza, anaona mbale zovundikiridwa zitayandama mozungurira mphete mwa dziwe lija. Aliyense anangoti chala ga!”

Anzake a Gang'azi anachita mphokoso lonukhiza. Gang'azi adapitilliza nkhanu yake;

“Tsiku lina adabweranso ndipo anapezanso mbale zija zili chiyandamire. Kuteroku mukakhala enanutu bwezi mutaphwanyanya phakisiyitu apa, koma madolowo pozindikira za kuopsa kwa mizimu, sanasusukire chakudyachi. Anangochiyang'ana.

Gang'azi pofuna kuyipatsa moto nkhanu anakuwanso; “Filimu shoo magaye!!!”

Akaidi onse amvekere “yonse!!!”

“Ikwere, itsike?!”

Iwo amvekere; “Izingokwererakwererabee!”

“Nde mzungu wina magaye atamva izi anakakamira kuti akazionere yekha ngakhale adauzidwa kuti nkhalambayi inasamukiraso dera lina. Iye ananyamula bread ndi madzi akumwa ngati kamba wache wapaulendo. Atayenda mtunda wautali ndiotopetsa anafika kumaloko ndipo anaona njoka zikuluzikulu zitatuluka ndikuwamungulira. Kenako anyani ochuluka anatulukira kumphanga kwawo ndikuwamungulira. Mmenemotu mkuti mnzathu oyera khunguyi ataumiratu ndimantha ndipo adamamatira kumbuyo kwa munthu wopelekeza alendo.”

“Kenako nkhalamba ija inatulukira ndipo zinyama zones zija zitayiwona zinatalikira ndikukakhala moyandikana ndi nkhalambayi ngati muja achitira asilikali ndi mfumu yawo. Izi zinapatsa mantha kwambili mzunguyi ngakhale woperekeza alendoyu, ndipo ananjenjemera ngati bango mu mtsinje. Chifukwa cha manthawa, phukusi lawo la kamba wawo wa paulendo lija linapululumuka nkugwera mu dziweli.”

“Patapita mphindi zingapo nkhalambayi inazimilila nkukalowaniso kumphanga kwake. Awiriwo monyang'ama adayenda chamfutambuyo, kenako phazi thandize, mosasamalanso kuti adali woperekeza nzake anali ndani. Ndatitu n'chifukwa chake malowa amatchedwa Dziwe la Nkhalamba!”

“Filimu shoo madolo!”

“Yonse!”

“Kutereku madolo enanu muli ngati mzungu ameneyi simukhululupirira anthu akamakuwuzani. Mumafuna muonetsetse kaye. Mabwana akutiwuzwa kuti kwabwera corona tisamale, tizisamba mmanja pafupipafupi kuti timupewe, inu osakhululupirira mapeto ake tiona zoopsa tidwala. Pano a ndende ayimitsa kaye abale athu kudzationa kuti muliliwu asatipake nawo, ife akaidi tikudandaula. Dziwani kuti iyi ndi nkondo ndipo pankondo sumadya ngati uli pamtendere. Umalolera kubisala pa chitedze kuti usaphedwe ndipo pamawa umadzasangalalanso. Enafeso makolo athu ankatuza za kuipa kwa moyo waumbanda, sitinafune kusintha mpaka zinatilowetsa kundende.”

“Filimu shoo majida?”

Akaidi ena adamukuwiza pomwe ena adamasangalira ndikuvomereza mokokomeza kuti “teteliii”.

“Zigonani amphwanga kwada!” msilikali wandende adathetsa macheza. ake.



Welcome Me, Home

By: Joseph Daniel Sukali

I left this village like a pig
Hated and disliked by most
I unknowingly dug a pit
by destroying without remorse
I ate from the sweat of your poor
hands

Leaving you cackling predator
alerts

like a mother-bird
in guard of the newly hatched

Silent winters have crawled
trimming my arrogance to size
My soul has been reinstalled
Chasing darkness inside

Creep, beep, while asleep
I felt my lazy bones hardening
Self-control sat on the throne,
guarded by honesty and integrity

I know this comeback scares you,
home

I am not the same, been properly
baked

Allow the butterfly I am, to fly like
a drone

for I am displaced, reshaped and
built

As I strive to right my wrongs
Give me a chance, home

SOUR SALAD AT CHIDIDI

Patriotism and heroism are some of the incredible credentials to partly describe my uncle, Chentapwata. He is a man of impeccable integrity, vision, and professionalism. A man of unbelievable slowness to anger, one who acts with the accuracy of an eagle and the decisiveness of a lion.

It was not surprising, therefore, that whenever he opened his mouth at Chididi Leisure Centre in Chitakale, all attention became his monopoly.

We had literally surrounded him in one of the summer huts located very close to the counter as we enjoyed listening to Gides Chalamanda songs and chewing utaka snacks simultaneously.

While, sipping his favourite *Chill* and puffing embassy menthol cigarettes almost at equal intervals, the old man tackled several issues including Covid-19 woes, unprofessionalism at the workplace and his favorite, women.

"Fellow *Chididians*, can you imagine a world without this monster called Corona virus and its cousin Covid-19?" His question chilled the spinal cords and completely captured the attention of all of the night queens and us imbibers.

As I digested the question from my old uncle, I realized that in the absence of the pandemic there would have been more interactions between the Prisons Department and the society. Prison visits and interdenominational prayers, ingredients of better prison life, would exist and flourish. The society plays a very crucial role in as far as supplementing government's efforts in reformation and rehabilitation of offenders are concerned. Contributions towards formal education through the provision of school materials, soap, spiritual books, and vocational skills



trainings, amongst many, are some of the interventions.

Chentapwata generously threw a round of drinks to the excitement of all of us, about seven in number, before he switched topics of discussion. "My heart bleeds when I hear that some hardhearted souls of our societies are still treating ex-prisoners as persona non grata in their communities." Lamented my uncle, his eyes rolling with rage, the way a chameleon does.

The lamentation fascinated the attention of Namgwagwa and her few female members present. "You are absolutely right *Chentaps*. As a matter of fact, my own cousin is a living testimony of victims of segregation in our society. The time he got released from prison nobody welcomed him home. He left and later on he was sent back to prison for committing another crime. This was the case because he was not welcomed after release by his kinsmen. The only option for him was to go back to street gangs for survival!" "Aaaaaaaa!" We all screamed in a melancholy chorus. I wondered how a segregated, marginalized, victimized, and hopeless ex-offender could really showcase the skills he learnt in prison to contribute to the development of our beloved country.

Suddenly, Namgwagwa swiftly left her seat for the counter. She walked provocatively as her 'sitting plan' swung with desirous magnetism cracking hearts of most of the bar patrons. Her libidinous actions seemed to have caught

Chentapwata off-guard as he abruptly shifted topics from the workplace malpractices to the woes of night queens. In a sudden turn of events and an elastic line of thinking, Chentapwata expressed sadness on how men mistreat women at the work places and homes. He accused the men folk for continuing taking

women for sex objects and like a less-human species.

My old uncle observed that, be it at the workplace or homes, most women were still finding it hard to excel because of men's greediness for both money and positions. He accused some men for over-burdening women and girls with child-bearing saying that was dangerous to both mothers and children. He said it was also sinful but without any explanation.

Sarcastically, the old man also attacked some women for ill-treating their husbands saying this leads to the abused men failing to perform at the workplace. He further demonized women who abandon their husbands upon attaining further education or/and getting employment.

The time was fast approaching 8 pm and we all had to guzzle our drinks as soon as we could and head to our respective homes otherwise we risked facing the long arm of the law.

"Kwabwera mahule!" the DJ raised the volume and Namgwagwa threw herself to the dance floor shaking her hips provocatively leaving most of us salivating profusely.

Chentapwata looked at her, shook his head twice, caressed his grey beard and, at the speed of lightning, somersaulted towards the uniquely created Namgwagwa.

MALAWI PRISONS SERVICE TOP COMMAND



MADAM WANDIKA G. PHIRI
**THE CHIEF COMMISSIONER
OF PRISONS**



MR. CLEMENT KAINJA
**COMMISSIONER
RESPONSIBLE FOR FARMS
AND INDUSTRY**



MR. YAFFETI CHIMODZI
**COMMISSIONER
RESPONSIBLE FOR
OPERATIONS**



MR. DENZIO MAKUMBA
**COMMISSIONER
RESPONSIBLE FOR
ADMINISTRATION**



MR. MZIMA (DCP)
**PRISON TRAINING SCHOOL
COMMANDANT**



MR. B. SIMWERA
**(DCP)-REGIONAL
COMMANDING OFFICER-
EAST**



MR. CLEMENCE CHIWERA
**(DCP) REGIONAL
COMMANDING OFFICER-
SOUTH**



MRS. SALILIKA (DCP)
**REGIONAL COMMANDING
OFFICER-CENTER**



AARON KAUNDA
**(DCP) REGIONAL
COMMANDING
OFFICER-NORTH**



MRS. C. NAMAKUPULA
**(SACP) - OC LILONGWE
PRISON**



DR. CHIWALA (SACP)
**THE CHIEF MEDICAL
OFFICER**



MR. B. CHAPUWALA (ACP)
**NATIONAL PRISON LEGAL
OFFICER**

UNMASKING THE ROLE OF SERVICE CHAPLAINS

By Supt. Brian Kondowe

Malawi Prisons Service is a colonial construct established by early colonial administration to deal with criminal behavior occurring at the time of European settlement. Like other government structures, prison chaplaincy had its origins in the colonial experiences from the United Kingdom where Chaplains are employed to meet the spiritual needs of people in institutions such as schools, hospitals, colleges, the military, and prisons among others. Since the establishment of Malawi Prisons Chaplaincy unit in 2007, many officers have not fully appreciated the significance of office to date. Quite often the designated chaplains are often assigned to other duties at the expense chaplaincy duties.

A chaplain is understood differently by different institutions. In the Malawi Prisons Service context, a chaplain is a spiritual care giver who is concerned in offender rehabilitation, chiefly from God's point of view; reconciling of the client (prisoner/staff) to the friendship of God and imparting in them the knowledge that will enable them to accept the present situation by

refocusing on the future. A chaplain serves as a counselor to staff and prisoners. Chaplains are like pastors who listen with care and attention and are always available to those in need.

The main purpose of the prison chaplaincy service is to support and serve the religious needs of the prison population. The role of prison chaplain is relatively diverse and can involve anything from the provision of religious services through support and counseling services to provision of courses of religious education. Prison Chaplaincy has grown in importance year by year. Chaplains' interface with the community is at much greater rate than any other staff members. The role of prison chaplains continues to change in response to the socio-cultural, political and economic climate it operates in. Some of their roles include; counselling prisoners on admission, during stay and on release, visiting prisoners who are sick, prisoners under psychological stress and ensuring that necessary religious books are available for use. Where prisoners belong to a denomination for which no any minister visits them, chaplaincy office facilitates for them to be visited regularly by ministers of their denomination.

There are several success stories linked to chaplaincy section since its establishment. A number of prisoners who got converted while in prison are now running ministries, businesses, schools, organizations and churches. One example is a case of a Blantyre based Apostle Emmanuel Moses Lumwira, an ex-prisoner who is a founder of Apostolic Prophetic Royal Assembly (APRA). Another good example is a case of a Zomba based Enoch Kayenda, an ex-convict who is a founder and Executive Director of Prisoner's Destiny Transformation Organization (PRIDETO). Some of the initiatives by chaplaincy office include; promotion and provision of effective inmate character change through the interrelationship of denominations, prison staff and stakeholders; and initiating effective spiritual rehabilitation services through counseling, interfaith discussions, trainings, discipleship meetings and prayers.

Currently, there are 57 prison chaplains working in 31 prison formations across the country serving a multi-faith prisoner community of whom 60% are Christians, 38% are Muslims and 2% belonging to other religions.



Supt. Kondowe (seated right) during a Chaplaincy Conference at Nalikule College of Education organised by Council of Chaplaincy Ministry. Also in attendance were Chaplains from Malawi Police Service and Malawi Defence Force.



The Saluting Dice lies in ruins.

IRATE SOUTH AFRICA RETURNEES TERRORISE PTS

By Supt. Chimwemwe Mike Shaba

Disagreements between the Malawians who returned from South Africa and the Ministry of Health officials left the Prisons Staff Training School in ruins.

Government through the Department Of Disaster Management Affairs (DODMA) had identified the Malawi Prisons Service Training School in Mapanga-Blantyre as an Isolation Centre where Malawians who were returning from South Africa under government initiative would be hosted to undergo a COVID-19 test before proceeding to their respective homes. The initiative aimed at reducing the risk of transmission of Coronavirus taking on board the fact that South Africa was one of the African countries that was hit hard by the pandemic.

The over five hundred Malawians who arrived at Mapanga in five buses on the 9th of January, 2021 disagreed with the Ministry of Health officials on the arrangement that they should

wait for the test results before being ferried to their respective destinations. The arrangement was that after being tested, those found positive of COVID-19 should be taken to Isolation Centers by Military Vehicles that were already at the Training School, while those tested negative should proceed to their homes.

But the health officials said the returnees wanted to access the results whilst in the comfort of their homes. “The returnees wanted to abort the process. It could be pointless to let them go home without knowing their COVID-19 status. What could happen to those found positive but they had already slipped off of the hands of the authorities with no proper tracing and monitoring? It could be disastrous”, commented one of the health officials. He argued that aborting the process could have rendered the whole process useless hence putting Malawians at the risk of contracting the virus.

Efforts to reason with the returnees to subscribe to the due process proved

futile as they went on rampage setting ablaze the structures at the training school including the Saluting Dice and two hostels. They further blocked the Limbe-Zomba road where they pelted stones at the passing vehicles. It took the joint effort by the Prisons and Police officers to employ a reasonable force to retain sanity at the facility. More than 30 returnees were arrested to answer the charges of inciting violence and malicious damage.

The Commandant for the Training School Deputy Commissioner of Prisons Major Nzima bemoaned the incident which had left the department in need of MK87 million to renovate the place. “Should we resume the trainings, it means the number of officers to be accommodated would be limited to only few because part of what was damaged were hostels. It will also mean that we will need to suspend other activities and divert the money to renovations. This a huge draw back on our part”, complained Nzima.

PICTORIAL FOCUS



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1. The Minister of Homeland Security Hon. Richard Chimwendo MP. (in blue suit) appreciating some products made by ex-inmates at Balaka Half-way house in Balaka.
2. Malawi Prisons Brass Band captured in action during Commemoration of the World's Cities Day which was held at Gymkhana Ground in Zomba City.
3. Prayers are deemed to be a powerful weapon for reformation to inmates. In the picture, inmates submit their lives to God at Zomba Central Prison during one of the prayers Organised by the Prisons Chaplaincy office.
4. Presidential Task Force on Covid-19 inspects Zomba Central Prison to assess the COVID-19 status quo at the facility (second from right, Hon. Ken Kandondo MP).



5. Inmates at Bangula prison are equipped with skills in animal husbandry as part of rehabilitation activities.
6. The ground breaking ceremony for the construction of Prison Chapel that was presided over by the Moderator of Zomba CCAP Rev. C. K Masambuka on 2nd May, 2021 at Zomba Central Prison.
7. Poultry farming at Chitipa prison.
8. Some inmates in the country's prisons received Covid-19 vaccination.

RETIREMENTS



Insp. Letson Ngwata
Retired: 08/08/2020



Insp. Willy Mtalika
Retired: 15/12/2019



Sgt. Mirriam Nabwenje
Retired: 25/12/2019

ORBITUARY



Insp. Rodwell Mpangaza
DOB: 02/02/77
DOD: 29/04/2021



Sgt. George Mphepo
DOB: 23/07/1983
DOD: 19/12/2021



Sgt. Khumbo Moyo
DOB: 20/07/1993
DOD: 16/12/2020



Sgt. Maxwell Damazio
DOB: 23/09/1983
DOD: 26/02/2021



Sgt. Voice Masache
DOB: 29/08/74
DOD: 24/12/2020



Sgt. Angel Gondwe
DOB: 27/02/77
DOD: 12/02/2021



Sgt. Gladys Makawa
DOB: 18/04/1985
DOD: 09/07/2020

MZUZU PRISON EMBRACES 'WALKING' FOOTBALL



Walking Football players pose before the match.

By: Macbeth Wasambo

Mzuzu Prison has set a mark in Prisons sports history books for becoming the first prison formation in the country to embrace walking football. The sport started towards the end of 2020 with the aim of promoting good health, sports rights and humane custody.

The station refuses to subscribe to the conventional negative perception that nothing good can come from prisons. Inmates overwhelmingly welcomed the development with both hands when authorities broke the news. The sport has been introduced to allow the elderly and the weak to be involved in the world of sports.

Walking football is a variant of association football that is aimed at keeping people aged above fifty involved in football if, due to a lack of

mobility or for other reasons, they are not able to play the traditional game. The sport is very common in European countries. For example, in Britain there are associations that run leagues for the sport.

Regional Sports Development Officer for the North (RSDO), Georgina Msowoya commended the station for the development. She said that it is very much pleasing that Mzuzu Prison has given a platform to the elderly and the weak to be taking part in sports. These are the groups that rarely engage in exercise.

“This type of an exercise is a good initiative for the proper functioning of the body. You can eat good food but without exercises you will still experience body problems”, she said.

On her part, Northern Region Prisons Nutrition Coordinator, Sergeant, Esther Mtayamo said that introduction

of walking football is a milestone as far as health matters are concerned at the station because it has covered a certain section of people who were not involved in any sporting activity in the past. “This is a very important achievement when it comes to health matters. Sports exercises helps in food digestion, enables free flow of blood and oxygen supply for the whole body, stress relief, fastens cure especially to those on treatments and they are taking drugs on daily basis”. She said.

Since prevention is better than cure, Mzuzu Prison management thought outside the box by recommending these categories of people to be doing physical exercises at least twice a week. Apart from walking football, they also do a variety of exercises such as walking, simple jogging, and Netball for females just to mention but a few.

Over 60 inmates both male and females are involved in this project.

CONSTRUCTION OF STAFF HOUSES USING PRISONERS' LABOUR



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