



JUDICIARY OPEN DAY

5TH OCTOBER 2023

ADDRESS BY THE HONOURABLE CHIEF JUSTICE RIZINE ROBERT MZIKAMANDA, SC

1. Salutations
2. I feel honoured, privileged and pleased to welcome all the stakeholders in the justice sector and members of the general public who have responded to our invitation to this first ever Judiciary Open Day themed **“SERVING PEOPLE BETTER”**. We value your presence and your participation in this Judiciary Open Day.
3. The Malawi Judiciary is on a trajectory of transformation. This first ever Judiciary Open Day is part of the transformation process of the Judiciary. It is an initiative that has drawn lessons from other jurisdictions that instituted a similar day many years ago and repeat it on an annual basis. If this day is successful, it will be held annually and across the country.
4. This Judiciary Open Day is not a cut and paste activity, but has been designed with the special circumstances of Malawi in mind. This is a day we would like to show-case what we do in the Malawi Judiciary and interact with stakeholders and the general public for feedback.
5. We have come to realise that there is little appreciation of what the Malawi Judiciary stands for, its mandate under

the Constitution as one of the three arms of Government, the role that it plays as a guardian of the Constitution and the bulwark of the rule of law, the Court processes and rules of procedure, the principles of judicial independence and judicial accountability, the output of the judiciary and the challenges it faces in doing its work. These, and many other areas of the work of the Judiciary, remains a mystery to many. Those who sometimes take on the role of explaining the functioning and the workings of the Judiciary, have either failed to do a good job or have misled the public. I share the view that a fair share of criticism of the Courts is ill informed, misconceived, sometimes baseless and speculative.

6. The Judiciary took time to reflect on the matters stated above and came to the conclusion that one way of demystifying the Judiciary is to initiate a Judiciary Open Day and tell its own story. We aspire to having open justice and justice for all in accordance with the law.
7. There are a number of reasons for instituting the Judiciary Open Day. The following are some of the main reasons:
 - i. We believe that a Judiciary Open Day is a step towards improving access to justice;
 - ii. We want to promote open justice on the principles of transparency, public accountability and citizen participation;
 - iii. We want to promote public education on matters of justice and promote public awareness on Court processes;
 - iv. We want to promote public engagement on the administration of justice and to receive suggestions on how service delivery can be improved;
 - v. We want to promote public understanding of the Court system.
8. We are aware that elsewhere Judiciary Open Days have in some cases been used to address confidence crisis. We do

not have confidence crisis of the Judiciary, but we do not want to get to that place. Hence, this pre-emptive Judiciary Open Day. To us open justice is a first step to a fairer justice system. Open justice underpins the rule of law, that is also why we are open to public scrutiny and get constructive as well as informed criticism regarding our work.

9. We understand that in its simplest form, justice is about people receiving benefits, protection and rights guaranteed by law. Justice must entail equality before the law and access to the courts by all manner of persons.
10. We are aware that the justice system is a network of actors and institutions tasked with ensuring that justice is upheld. However, we in the Judiciary remain committed and determined to employ our best efforts in improving service delivery in the administration of justice. This is why we are saying that the holding of this Judiciary Open Day is key to our transformational agenda for we have nothing to hide. We expect other players in the justice sector to promote rather stifle the administration of justice.
11. We invite you all to enjoy the day, ask as many questions about justice delivery as you can and make as many suggestions as you can.

One thing we will not do here, owing to the strict discipline of Court operations, is to discuss live cases or receive any advice on how to decide any case.

Thank you for your kind attention.