

1. Introduction

Internationally, Malawi markets itself as the “warm heart of Africa”: a land of lake and stars known for its warm, polite and hospitable people. Malawi though, is one of the world’s most impoverished countries. The latest United Nations Development Programme Human Development Report, which assesses data for 2001, ranks Malawi at 162nd out of the 173 countries measured on its Human Development Index and provides some telling indicators:

- Just 15% of Malawi’s 11.6 million population reside in its four urban areas;
- 45.9% of Malawi’s population is less than 15 years old;
- Life expectancy at birth is short – 38 years;
- Malawi’s per capita GDP, calculated for purchasing power parity, is US\$570;
- A third of Malawi’s population (33%), is estimated to be undernourished; and
- Between 1990 and 2001, 41.7% of Malawi’s population lived on less than US\$1 per day and 76.1% lived on less than US\$2 per day.¹

In addition to this, Malawians face severe health problems related to malaria² and HIV/AIDS³ and have recently experienced wide-ranging food shortages and hunger.⁴

The severity of its poverty and under-development has important implications for the safety and security of Malawi’s people. Indeed, this

1 See Human Development Reports, United Nations Development Programme, at www.undp.org/hdr2003

2 The UNDP Human Development Report reports that a staggering 25,948 cases of malaria were recorded per 100,000 people in 2000. See Human Development Reports, *ibid*.

3 Malawi’s National AIDS Commission (NAC) estimates a national adult HIV prevalence rate of 15%: 25% in urban areas and 13% in the rural areas. The NAC estimates the total number of HIV- infected people in Malawi, including children, is approximately 845,000. See Malawi National Aids Commission. *Joint Review of the National HIV/AIDS Strategic Framework and Operations of the National Aids Commission. Consolidated Report*, March 2003.

4 The Malawi Government declared a “State of Disaster” related to food shortages on the 27th February 2002.

connection has been made explicitly in Malawi's Poverty Reduction Strategy which notes:

"... insecurity makes it too risky for the poor to accumulate assets or wealth, particularly in a rural setting, as any assets or wealth are likely to be stolen. This undermines the ability of the poor to generate their own incomes and reduce their own poverty ...

*Poverty and crime can also be part of a vicious cycle – crime reinforces and increases poverty and poverty causes crime. For the ultra-poor, the only means of survival may be stealing food or assets from other poor people. It is therefore important that this cycle be broken – by poverty reduction efforts ..."*⁵

Over the past few years, Malawi has been the target of fairly sustained poverty reduction assistance from a range of international agencies – in 2001, net disbursements of international aid totalled some US\$401 million or 23% of Malawi's GDP.⁶ Many of these poverty reduction programmes, have made a direct and overt linkage between poverty alleviation and issues of safety and security

In the most recent, substantial and comprehensive of these programmes, the British Department for International Development (DFID) initiated the Malawi Safety, Security and Access to Justice Programme (MaSSAJ), to address key issues in five areas:

- Law, policy and institutional development;
- Customary Justice Fora;
- Malawi Police Service reform;
- Judiciary; and
- Prisons and penal reform.

MaSSAJ interventions in these five areas are intended to result in enhanced service delivery from the institutions of the Malawi criminal justice system

5 See Government of Malawi, *Malawi Poverty Reduction Strategy Paper, Final Draft*, April 2002, pp.92-93

6 See Human Development Reports, UNDP op cit.

and, through this, improved safety, enhanced security of property and greater access to justice, especially for the poor and most vulnerable groups in Malawi.

1.1 Background to the study

Existing information relevant to the effective implementation of the MaSSAJ programme is limited, not readily available and located in a wide-range of institutions throughout Malawi.⁷

To address this, in November 2002, MaSSAJ contracted the Institute for Security Studies to provide technical assistance to the establishment and functioning of a new Crime and Justice Statistical Division of the Malawi National Statistical Office. The Crime and Justice Statistical Division (CJSD) is intended to work, initially, to provide the baseline data required to inform implementation of the MaSSAJ programme, and then, later, to provide a dedicated and continuous research, monitoring and analysis capacity to support implementation of the programme.

This report is the first product of the CJSD and presents the results of the first ever national crime victimisation survey conducted in Malawi.

1.2 The value of a victim survey

Victim surveys have been developed and used over the last three decades to complement police statistics to provide an holistic picture of crime in a particular country. Police statistics, while useful, generally fail to provide an accurate reflection of crime rates, as they depend entirely on crimes reported to the police. For a range of reasons, many victims do not report crimes. Therefore, police statistics present only a partial picture. Victim surveys are

⁷ See Pelsler, E.; Masuku, S. & Kaunda, D. *Establishment of research support for the Malawi Safety, Security and Access to Justice Programme: Report of the scoping exercise, 15-26 April 2002*, ISS project report, 23 May 2002.

valuable in filling in the picture, and in improving the ability of policy-makers to understand the nature and scope of crime in their countries.⁸

Victim surveys provide detail on public experience of crime, on public perceptions of safety, on public views of the performance of a country's criminal justice system and, importantly, what individuals and their communities do, or can be expected to do, in response to crime. The community response to crime, and to the fear of crime, is important for the development of community-police partnerships to reduce crime. However, to ensure adequate community engagement in crime reduction activities, it is essential that information is widely shared. As a policy analyst at the United Nations recently put it:

“crime is no longer solely the concern of the state, nor can an effective crime prevention strategy rest solely on state agencies and programmes. For citizens to participate in crime prevention, it is necessary to provide them with reliable and timely information as well as give them the opportunity to have their say about their own crime concerns as well as about the working of the criminal justice system.”⁹

In Malawi, where there is only very limited data, other than police statistics, on the extent of crime in the country, a victim survey such as the one presented here provides information of value to policy makers in the criminal justice system, development agencies and non-government agencies as they work together to improve public safety.

8 Cantor, D. and Lynch, J. P. “Self-Report Surveys as Measures of Crime and Criminal Victimization”, in *Criminal Justice 2000: Measurement and Analysis of Crime and Justice* Department of Justice, Office of Justice Programs, National Institute of Justice Volume 4 No 85, Washington, D.C.: U.S., 2000.

9 U Zvekcic, *Criminal Victimization in Countries in Transition*, UNICRI Publication 47, Rome, 1998, also J Van Kesteren, P.Mayhew and P Nieuwbeerta, *Criminal Victimization in Seventeen Industrialised Countries: Key findings from the 2000 International Crime Victims Survey*, Research and Documentation Centre (WODC), Netherland Ministry of Justice Series: Onderzoek en Beleid, No. 187, The Hague, 2001.

1.3 Purpose of the study

The purpose of this report is to provide descriptive *baseline information* to the MaSSAJ programme, other policy-makers and non-government organisations involved in the safety and security sector on:

- the scope and nature of crime and victimisation in Malawi,
- public perceptions of personal safety in Malawi,
- the rates of, and reasons for, reporting and under-reporting to the police and traditional systems in Malawi, and,
- public perceptions of the police and courts in Malawi