



LAW COMMISSION

STRATEGIC PLAN

2021-2025

THEME

**'Greater Support for and
Appreciation of Law Reform for
Improved Governance'**

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ACRONYMS

DP	Development Partner
EU	European Union
ICT	Information and Communications Technology
LR	Law Reform
M&E	Monitoring and Evaluation
MDA	Ministries, Departments and Agencies
MGDS	Malaawi Growth and Development Strategy
NHRAP	National Human Rights Action Plan
ORT	Other Recurrent Transactions
PE	Personal Emoluments
PESTLE	Political, Economic, Social, Technological, Legal and Environmental
SDG	Sustainable Development Goals
SP	Strategic Plan
SWOT	Strengths, Weaknesses, Opportunities and Threats

1. INTRODUCTION AND BACKGROUND

This Strategic Plan (SP) is the fourth SP for the Law Commission (the “Commission”, hereinafter) since inception and it covers the period 2021 to 2025. The first SP for the Commission was developed in 2004 and expired in 2009. The second SP was operational from July, 2010 to June, 2015 and the recently expired SP was implemented from 2015 to 2020. The development of this SP has seriously been impacted by the COVID 19 pandemic which has resulted into a protracted delay in the completion of its development.

This SP is an outcome of a comprehensive consultative process on the Mandate, Vision, Mission, Core Values and Priorities of the Commission. The consultations were aimed at setting a new direction for the attainment of the mandate more efficiently and effectively. The underlying principles guiding successful implementation of this SP include collective action through teamwork in defining key issues and priority strategic interventions; a participatory process to ensure full stakeholder engagement and ownership of the SP; developing innovative mechanisms that will facilitate the smooth realization of the agreed strategic outcomes, objectives and strategic target; strong and committed leadership to champion desired changes through consistent implementation of the SP; and robust measures for measuring performance, reporting and accountability for results.

This SP has been developed on the premise that it is practical and action-oriented based on an examination of internal and external factors, direct goals, objectives and strategy setting and resource allocation in order to achieve meaningful results over the duration of the SP. The SP will also provide strategic direction in resource mobilization, strengthening stakeholder relations, building the capacity of its various components that are able to provide adequate and cost effective law reform and

public awareness, strengthen its financial systems, technical staff capacity building as well as acquisition of modern equipment. The SP is both a living document and rolling plan that will be reviewed and assessed [annually] in order to establish the level of performance and where applicable take appropriate remedial measures. The Law Commissioner, with the support of the Directors, will provide the stewardship and strategic direction as well as oversee the implementation of this SP. Heads of Departments and Sections will provide technical and operational support in delivery of results and will also be responsible for reporting achievements and challenges during progress review sessions. Furthermore, the operationalization of this SP will be guided by Annual Work Plans which will translate into Individual Work Plans. The monitoring of implementation progress will focus on levels of resources deployed; proportion of resources utilised; as well as actual targets achieved at prescribed intervals.

Quarterly review meetings will be held to enable departments report on progress made and ensure internal accountability for results. The quarterly progress reports will be consolidated into an annual progress report. Thereafter, annual review meetings will be held to enable assessment of progress made to achieve annual targets, identify and address implementation challenges and adjust the SP to ensure that it remains on track. During these meetings, an annual work plan for the next coming year will also be reviewed by Management and be approved by the Law Commissioner before it is implemented. Finally, at mid-term and immediately after the expiry of this SP, a mid-term review and an ex-post evaluation shall be commissioned respectively to assess progress made towards achieving the results set in this SP and share lessons that will inform the formulation of a successor SP.

2.LEGAL AND POLICY ENVIRONMENT FOR LAW REFORM IN MALAŴI

2.1 Legal Framework

2.1.1 Constitution of the Republic of Malaŵi

The 1994 Constitution of the Republic of Malaŵi (the “Constitution”) establishes the Law Commission with powers to review and make recommendations relating to repeal and amendment of laws in Malaŵi. Section 135 of the Constitution, lays out the broad framework of the powers and functions of the Commission. The Commission is mandated to discharge its law reform function through special Law Commissions. The core mandate of the Commission is to review and make recommendations regarding any matter pertaining to the Laws of Malaŵi, including the Constitution itself, and their conformity with the Constitution and applicable international law. The Commission is empowered to receive and review any submissions from individuals or institutions calling for law reform. It is mandated to report its findings and recommendations to the Minister of Justice. In terms of section 136 of the Constitution, the Commission has to exercise these powers and functions, independently, without any interference of any other person or authority.

2.1.2 Law Commission Act

The enabling legislation for the Law Commission, the Law Commission Act (Cap. 3:09), was enacted in 1998, two years after the Commission commenced its operations. The work of the Commission is inclusive and participatory; individuals and organisations at various levels take part in law reform.

In terms of section 6 of the Law Commission Act, the functions of the Commission are to review the Laws of Malaŵi with a view to systematically develop and reform the law, including, in particular, the modernization of the laws by bringing them into accord with current national and international conditions and norms; the elimination from the laws of any defects, whether of a procedural, substantive or policy nature; the simplification of the laws; the recommendation of new

or more effective methods and procedures for the administration of the laws; make recommendations for the fusion or harmonization of customary law with other laws of Malaŵi; make recommendations for the codification of any branch of the law or of any customary law; and promote awareness of the laws and the Constitution by the public and by departments of Government and other authorities or bodies.

2.2 Policies

2.2.1 Malaŵi 2063 (MW2063)

The Malaŵi 2063 (MW2063) is the new development blueprint for Malaŵi that aims to transform Malaŵi into a wealthy and self-reliant industrialized upper middle-income country by the year 2063. MW2063 has been developed through an inclusive and participatory multi-stakeholder consultative process involving Malaŵians of different backgrounds from all corners of the country and in the diaspora. The MW2063 outlines collective aspirations and goals of the people of Malaŵi towards the year 2063. It is anchored on the three pillars of:

- (a) Agricultural Productivity and Commercialization;
- (b) Industrialization; and
- (c) Urbanization.

MW2063 articulates the enablers that will propel the country towards achieving economic independence, inclusive wealth creation, self-reliance and a high quality of life for all its citizens.

Further, MW2063 recognizes that the rule of law is important for shared prosperity in any society. It recognizes that as a country, we generally have the laws necessary to advance MW2063. However, adherence to the rule of law and the efficient and effective enforcement of laws remains a challenge. Observance and enforcement of the rule of law empowers and cultivates confidence in the citizenry, especially where those that feel excluded, marginalized or underprivileged are recognized and benefit from its

implementation. There is a commitment in the vision to embrace the rule of law and strictly adhere to its tenets in order to ensure the effectiveness, efficiency, accountability and transparency of Government in the implementation and realization of the vision of MW2063.

2.2.2 Malaŵi 2063 First 10 Year Implementation Plan (MIP I)

The Malawi 2063 First 10-year Implementation Plan (MIP-1) operationalizes the MW 2063 from 2021 to 2030. This is the first MIP in a series of four 10 year plans that will be developed to drive the implementation and realization of MW 2063.

2.3 Other instruments of the Commission

2.3.1 Performance Agreement between the Commission and the Secretary to the President and Cabinet

The Commission and the Secretary to the President and Cabinet entered into a performance agreement with a purpose of establishing clarity and consensus about priorities for management of the Commission in line with Government development agenda. This agreement represents a basis for continuous improvement for the Government to meet the needs and expectations of Malaŵians. The agreement outlines the mandate, vision, mission and strategic objectives for the Commission and its priority programmes and agenda for the year 2021-2022 in line with the manifestos and the priority programmes of Government.

There are three priority programmes and agenda under the agreement. The first one is governance and public administration which will include public awareness on the Constitution and the Laws of Malaŵi, the review of the Public Officers (Declaration of Assets, Liabilities and Business Interests) Act, development of legislation on Judicial Service Commission and review of the Supreme Court of Appeal Act. The second one is homeland security and foreign policy which includes review of the Immigration Act, the review of the Refugees Act, the development

of legislation on national security and development of legislation on counter terrorism. The last one is social development, which includes review of the Witchcraft Act, the Public Health Act and the Probation of Offenders Act.

The Commission has the following commitments and responsibilities under the agreement:

- (a) developing and implementing development programmes linked to Government development agenda;
- (b) providing leadership, managing and controlling of resources of the Commission;
- (c) aligning strategic objectives or programmes with areas of focus in the Government development agenda;
- (d) ensuring appropriate work plans are developed on the basis of Government agenda;
- (e) linking performance indicators with government agenda and the strategic objectives of the Commission;
- (f) setting comprehensive performance targets;
- (g) assigning appropriate weights to key performance indicators;
- (h) signing Performance Monitoring Agreements with the Secretary to the President and Cabinet;
- (i) ensuring that all the officers in the Commission sign individual performance agreements;
- (j) ensuring achievement of the agreed targets;
- (k) conducting in-house periodic review meetings and evaluation at the end of the year and yielding the results, together with evidence in readiness for annual performance assessment; and
- (l) preparing employees in the Commission for the desired changes in working styles, attitudes and work ethics.

2.3.2 Law Reform Manual

The Commission developed a Law Reform Manual which guides law reform officers on the traditional law reform process. However, the Commission has also developed a new abridged law reform process to address the varying needs of its clientele, become

more flexible in discharging its mandate and further address challenges that come with the traditional law reform process. Law reform is a deliberative and highly consultative process; as such it involves the consideration of matters beyond law. Below is the outline of the traditional law reform process as outlined in the Law Reform Manual.

2.4 Traditional Law Reform Process

Once a work programme for a particular year has been published in the Gazette, each area of law that has been identified under the programme to undergo a law reform process involves the following stages:

Stage I: Inception

The inception of a law reform assignment is a two-tier process. The first tier relates to receipt or generation of submissions and the second to the prioritization of the areas for law reform. Submissions can be received from private individuals or institutions, or from public offices or institutions. The Commission may also commence a law reform process out of its own volition by identifying an area that is in need of reform or development. In relation to submissions from public offices or institutions, the Commission may invite the Attorney General, on behalf of Government, or any Minister to refer to the Commission any matter for inclusion in its programme of work for law reform in a particular calendar year.

The prioritization of areas for law reform is also a two-tier exercise. First, the Commission can prioritize an area of law reform through its own initiative in order to ensure conformity with the Constitution; to harmonize the domestic law with international law; or to respond to trends in society. Second, and based on the submissions received from private or public persons, the Commission may prioritize an area of law reform based on the seriousness of the nature of inconsistency with the Constitution; Government's own priorities under its national policy framework; or the urgency of the social phenomenon that, at the time, commends itself to law reform. Third, the availability of resources is equally critical to the process of prioritization. Finally,

consideration is given as to whether the area is suitable for a law reform process.

Stage II: Investigation

Once the Commission has received submissions and areas for law reform that shall comprise the work programme in a particular calendar year have been prioritized, each area of law reform is assigned to a programme officer or officers. Such areas then form a law reform assignment.

Research Paper

The programme officers conduct preliminary research on the law reform assignment in order to develop a Research Paper. The research looks at the Constitution; existing statutes, if any; international law; comparable foreign statutes and case law; international codes or guidelines, if any; and the national policy framework covering the matter under review.

Issues Paper

This is the first paper that is developed under a law reform assignment. An Issues Paper may be defined in terms of its purpose, content and structure. The purpose of an Issues Paper is to announce the inception of the law reform assignment; to clarify the aim and scope of the matter under review; to guide the consultation with the general public, the private sector, development partners, and the public sector and the Government generally, in a systematic manner on the issues that will have been identified through the initial comprehensive research; and to enable the Commission to solicit further issues for consideration by the special Law Commission. Such clearly defined purposes of an Issues Paper ensures that the consultees participate in a consultation process whilst aware of the delineated parameters of the assignment; the issues; and how these issues are affecting the current state of the law.

Discussion Paper

A Discussion Paper is the main document for the work of a special Law Commission. The Paper forms the basis for discussion of a special Law Commission in plenary. Hence, a Discussion Paper is a comprehensive analysis of the law and policy framework on

a matter under review. A Discussion Paper expands on the terrain covered in the Issues Paper on the same matter under review. A Discussion Paper is akin to a monograph on the matter under review and the analysis must be persuasive, robust and solid; and must take into account the Constitution; existing statutes, if any; international law; comparable foreign statutes and case law; international codes or guidelines, if any; and the national policy framework.

A Discussion Paper makes tentative recommendations on the direction of the law reform process. These tentative recommendations are meant to inform a special Law Commission in plenary and they must never be drafted in a manner that indicates that a view has already been formed. The tentative recommendations will ensure that the final decision on any point remains with a special Law Commission. In this way, a Discussion Paper equips a special Law Commission with adequate information on the possible direction of the law reform process; and whether or not the law reform process, at the time it is instituted, is necessary or desirable.

Stage III: Appointment of Special Law Commissioners

A special Law Commission comprises individuals appointed by the Law Commissioner in consultation with the Judicial Service Commission to serve as special Law Commissioners on the basis of their expert knowledge of the matter of law under review. Special Law Commissioners are appointed under section 133(b) of the Constitution.

A programme officer, under the direction of the Law Commissioner, ensures the strict adherence to the guidelines on appointment of special Law Commissioners. This ensures that individuals with the relevant expertise are indeed appointed to serve as Commissioners of a special Law Commission :

(a) Once a law reform assignment has been included under a work programme in a calendar year, the Law Commissioner invites the relevant private or public body to nominate a person who may serve as a special Law Commissioner based on their

expertise on a matter under review.

(b) Every nomination of a person to serve as a special Law Commissioner is accompanied by a detailed Curriculum Vitae of the nominee;

(c) A nominee does not qualify as an expert as envisaged under section 133 (b) of the Constitution, if they have less than ten years experience in the field of their purported expertise;

(d) In addition to requirement (c) above, a nominee who is in the civil or public service must be an officer at the P4 Grade or above; by reason of their office, a person who is a traditional authority or in a similar appointment recognized under the Chiefs Act, shall be deemed an expert on a matter that requires expertise on tradition or custom of any area in Malaŵi, or on a matter requiring experience in traditional administration and leadership in Malaŵi;

(e) The Law Commissioner forwards the names of nominees and their Curriculum Vitae to the Judicial Service Commission as part of the process of consultation for purposes of formal appointment of special Law Commissioners under a law reform assignment;

(f) In addition to the expertise specified under section 133 (b) of the Constitution, the Law Commissioner on his or her own volition, or in consultation with the Judicial Service Commission, takes into account gender parity, personal integrity, capability to work in a team and commitment to work, in the appointment of a special Law Commissioner;

(g) The legal authority to appoint a special Law Commissioner, remains with the Law Commissioner;

(h) The Law Commissioner issues formal letters of appointment to persons appointed as special Law Commissioners under a law reform assignment;

(i) The Law Commissioner has the discretion to determine the number of special Law Commissioners under a law reform

assignment; and

(j) A special Law Commission shall not begin to sit in plenary before the formal appointment of special Law Commissioners has been finalized and their names have been published in the Gazette, and in at least two national newspapers with a daily circulation.

Stage IV: Press Release

The Law Commissioner shall issue a Press Release announcing the inception of a law reform assignment; the announcement of the development of the Issues Paper and Discussion Paper respectively under the assignment; the names of the persons appointed as the special Law Commissioners; and call for submissions to enrich the work of the special Law Commission .

Stage V: Consultations

The Commission has generally used the following methods for consultation and data collection: desk research (through library, internet and archival searches); focus group discussions; key informant interviews; participant workshops and, in rare cases, observation. The participant workshops are the dominant method of data collection as a style of consultation. The sampling and selection of participants in the workshops is subject-driven and extremely targeted. This is the case because of the time and cost implication for deeper methods of consultation.

Stage VI: Special Law Commission Meeting in Plenary

The Law Commissioner will convene the first meeting of a special Law Commission where the special Law Commission will receive a briefing from the Law Commissioner in which he or she outlines the mandate and functions of the Law Commission generally, and in particular, the mandate of the special Law Commission. The Law Commissioner will ensure that each special Law Commissioner has received the relevant background documents, especially the Issues Paper and the Discussion Paper for the law reform assignment, and the Law Reform Manual .

Stage VII: Report and Draft Bill

The record of the special Law Commission in plenary must be accurate because it forms the basis of the Commission's Report. Once a Report has been finalized and is ready for publication, a programme officer will develop an Executive Summary of the key findings of the special Law Commission. The Executive Summary shall form part of the Report and the Report will be signed by all the Special Law Commissioners.

Stage VIII: Press Statement

A press briefing is arranged on the finalization of the law reform assignment where the Chairperson of the special Law Commission makes a press statement. The press statement highlights the key findings and recommendations contained in the Report of the special Law Commission.

Stage IX: Publication and Submission of Reports to the Minister of Justice

Under section 135 (d) of the Constitution, the Commission must report its findings and recommendations to the Minister of Justice who shall then publish and lay the Commission's Report before Parliament. Section 7 (h) of the Law Commission Act mandates the Commission to assist the Minister of Justice with the publication of its Reports. Under section 9 of the Law Commission Act, the Minister of Justice, with the advice of the Commission, shall publish, in the Gazette, the Commission's Report within sixty days from the date of the Report. The practice has emerged that the Commission is responsible for all logistics around the publication of its Reports. The Report usually has two parts: the narrative and proposed legislation. The Minister is mandated, further, to refer the proposed legislation to Cabinet for consideration and approval as a Government Bill.

2.5 Abridged Law Reform Process

The abridged law reform process follows the first and the second stages of the traditional law reform process except that in the second stage, only a Discussion paper is developed. On stage three, appointment of special Law Commissioners, the process is also the same but the number of Commissioners is limited to five. In terms of consultations, the number

of workshops is limited to a National Consultative Workshop and a National Validation Workshop. The rest of the other processes follow the traditional law reform process.

Role of the Commission during Government's consideration of its Report

Technically, a law reform assignment is completed once the Commission has submitted its report and recommendations to the Minister of Justice under section 135 (d) of the Constitution. The Commission also ensures that the correct number of copies of any Report is available for distribution to members of Parliament when the Minister of Justice is scheduled to lay the particular Report before Parliament.

Further, the Law Commissioner and special Law Commissioners, or in their absence, programme officers, appear before parliamentary committees to present key findings and recommendations of a special Law Commission and respond to queries arising from a law reform assignment. In this regard, the special Law Commissioners may be required to appear before a public authority, the general public, development partners or other persons in order to present their key findings and recommendations. This post-report work may include engagement with the electronic and print media; through newspaper articles, and television and radio programmes of various formats; community-based focus group discussions; and presentations to targeted key stakeholders.

3. PERFORMANCE REVIEW OF THE 2015 – 2020 STRATEGIC PLAN

3.1 Institutional and Organizational Arrangements

3.1.1 Strategic Goal 1: Develop Laws that are consistent with the Constitution and relevant to the country

The Commission planned to undertake eighteen law reform programmes, six of which were on-going programmes from the preceding SP. Five of the proposed twelve programmes were successfully commenced. Funding constraint was the major reasons as to why the other programmes were not commenced. The table below highlights the period in which the programmes were still on-going, new programmes and reports submitted (completed programmes) in each year of the SP.

Table 8: Annual Programmes 2015 - 2020

Year	On-Going Programmes	New Programmes	Reports Submitted
2015	Review of Prisons Act, Cap. 9:02, Laws of Malawi	Development of Legislation on Spent Conviction	Review of the Prevention of Domestic Violence Act, Cap. 7:05
	Review of the Public Health Act, Cap. 34:01, Laws of Malawi	Review of Malawi Citizenship Act, Cap. 15:01, Laws of Malawi	Review of the Law on Abortion,
	Development of Legislation on Sentencing Guidelines		
	Review of the Witchcraft Act, Cap. 7:02, Laws of Malawi		

2016	Review of Prisons Act, Cap. 9:02, Laws of Malawi	Review of Electoral Laws	
	Development of Legislation on Sentencing Guidelines		
	Development of Legislation on Spent Convictions		
	Review of the Public Health Act, Cap. 34:01, Laws of Malawi		
	Review of the Witchcraft Act, Cap. 7:02, Laws of Malawi		
	Review of Malawi Citizenship Act, Cap. 15:01, Laws of Malawi		
2017	Review of Prisons Act, Cap. 9:02, Laws of Malawi		Review of Electoral Laws
	Development of Legislation on Sentencing Guidelines		
	Development of Legislation on Spent Convictions		
	Review of the Public Health Act, Cap. 34:01, Laws of Malawi		
2018	Review of Prisons Act, Cap. 9:02, Laws of Malawi	Review of the Supreme Court of Appeal Act, Cap. 3:01, Laws of Malawi	Development of Legislation on Spent Conviction
	Development of Legislation on Sentencing Guidelines		
	Review of the Public Health Act, Cap. 34:01, Laws of Malawi		
	Review of the Witchcraft Act, Cap. 7:02, Laws of Malawi		
	Review of Malawi Citizenship Act, Cap. 15:01, Laws of Malawi		
2019	Review of Prisons Act, Cap. 9:02, Laws of Malawi	Review of the Immigration Act, Cap. 15:03 of Laws of Malawi	Development of Legislation on Sentencing Guidelines
	Review of the Witchcraft Act, Cap. 7:02, Laws of Malawi		
	Review of the Supreme Court of Appeal Act, Cap. 3:01, Laws of Malawi		

3.1.2 Strategic Goal 2: Well informed public on the law reform process and matters of law.

The Commission continued to execute its public awareness function in line with the 2015-2020 SP. The Commission:

- (a) provided information on the laws being reformed to the public through media briefings during regional and national workshops; and during press briefings on completed programmes;
- (b) provided information on the Laws of Malawi to the public through workshops; community meetings; production and dissemination of information, education and communication (IEC) materials; and annual reports; and
- (c) provided information on the law reform process and achievements of the Commission through print and electronic media, website and social

media platforms. The Commission upgraded its website into an interactive one.

However, the Commission was unable to raise awareness on some proposed legislation from law reform programmes due to inadequate funding

3.1.3 Strategic Goal 3: Strengthened research capacity

- a) Increase in capacity to undertake legal research.

While no specific training on legal research was undertaken during the period of the SP, LROs, in order to improve their capacity in undertaking law reform work pursued short term training in legislative drafting, management courses and postgraduate training in various fields of law.

	2015	2016	2017	2018	2019	2020
Total Establishment	14	14	14	14	14	14
Filled	10	10	10	11	11	8
Master's training	1	3	1	-	1	2
Training in Legislative Drafting	1	1	1	-	1	-

- b) Increase in legal resources internally and externally.
 - i) Formalise linkages with external sources of legal materials. A trial phase with an online database was conducted in 2018 with donor support, however weak internet connectivity made it difficult to access the study contents.
 - ii) Formalise relationship with Faculty of Law of Chancellor College on matters of legal research. Although there is a working partnership with the law faculty, no official MoU on legal research was signed.

3.1.4 Strategic Goal 4: Strengthened institutional capacity

This would be undertaken through the following:

- a) Review management structure and system in view of Commissions works and new Strategic Plan. The proposal to create a position of Deputy Law Commissioner was not accepted by the functional review team.
- b) Upgrading computing capacity and internet connectivity. After moving to the Government Wide Area Network (GWAN) in 2018, internet access was significantly

upgraded, increasing from 100 Mbps to 1 Gbps. As a result, increased access speed to external resources on online databases expanded research capability.

The IT plan was developed in 2019 and the skills needs of the personnel were assessed. The plan is yet to be implemented.

- c) Lobby Treasury to introduce a Development Budget for the Commission.

The Department of Economic Planning and Development indicated that the expenditure for the Commission is ORT in nature hence does not qualify for provision of a development budget.

The financing arrangements present the trend in budgeting as well as the actual funding for the operations and administrative support for the Commission over the last five years.

3.2.1 Law Commission Budget

The Commission has been developing a standard budget in line with the government requirements for MDAs. The budget has maintained two main budget lines i.e. personnel emoluments (PE) and other recurrent transactions (ORT). ORT is further broken down into several budgetary sub-programmes composed of Law Reform, Administration, Financial Management & Audit, Human Resources Management and ICT. Table 3 and Figure 1 below present the budget trends over the period of the 2015 – 2020 Strategic Plan.

3.2 Assessment of Financing Arrangement

Description	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019/2020
Personal Emoluments	268,470,740	204,401,593	215,247,423	243,779,080	274,322,294	351,440,386
Other Recurrent Transactions	189,000,000	260,000,000	600,000,000	720,000,001	672,800,001	706,881,747
	457,470,740	464,401,593	815,247,423	963,779,081	947,122,295	1,010,853,442
ORT Breakdown						
Law Reform	80,853,030	141,380,514	358,026,986	393,063,369	58,568,369	353,877,467
Administration	54,572,968	66,663,044	139,734,847	132,406,404	140,456,656	184,316,890
Financial Management & Audit	17,012,955	11,955,372	21,726,908	55,457,818	55,047,818	33,981,050
Human Resources Management	27,231,732	29,979,155	68,614,381	90,225,403	76,135,151	79,822,950
ICT	9,329,315	10,021,915	11,889,878	48,847,007	42,697,007	54,883,390
PE Proportion of Total Budget	59%	44%	26%	34%	29%	35%

ORT Proportion of Total Budget	41%	56%	74%	64%	71%	75%
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3.2.2 Key Observations

The following are observations from the review of the funding arrangement for the Commission:

(a) The budget is prepared following the government template in principle but does not provide details especially as regards to law reform allocation. It would be helpful to allocate the ORT on law reform to specific programme for law reform as per demands of the public.

(b) The budget allocation to administrative, human resources and other related expenses seem to be always taking an upward trend over the years. While there is nothing wrong with this, the allocation for law reform seems to be taking a downward trend. This is worrisome as it means that the core business of the Commission does not get the allocation that is ideal for its implementation

(c) The absence of funding allocation to specific law reform programmes (as is the case with the HR and administration budgeting) makes it difficult to attract funding partners who may be interested in funding specific programmes.

(d) There has been a continuous financing gap between Commission budgets and the actual funding from government. This has in the past been filled up by Development Partners but DPs have also reduced their support in the recent years causing most of the law reform programmes to stagnate.

(e) The unpredictability of funding from the government has greatly affected law reform programming as the Commission is unable to plan effectively for its programmes.

3.3 Assessment of Commission Operational Environment

This section highlights the internal and external situation analysis of the Commission using the SWOT (Table 4) and the PESTLE (Table 5) analysis tools that were largely administered among management and staff of the Commission. The analysis has also taken into account information obtained from some progress reports, additional feedback received from management and staff members within the Commission and contributions received during the stakeholders' consultations.

Table 2: SWOT Analysis

Strengths	Weaknesses
<ul style="list-style-type: none"> • The operational independence of the Commission. • Quality of its products and services. • Participatory and consultative approach in law reform. • Commission has a team of well trained professionals. • The Commission's mandate is statutory. 	<ul style="list-style-type: none"> • Commission staff operate from one central office. • The Commission is not visible enough. • Non-competitive staff terms and conditions of service resulting in high attrition. • dependence on donor funding. • Poor visibility and knowledge about the Commission by communities. • There are limited opportunities for career progression.

Opportunities

- Existence of social media and ICT platforms that can be utilized in law reform and civic education activities in order for the Commission to increase its visibility and outreach to stakeholders.
- Willingness from development partners to support the Commission.
- Existence of regional and district government offices which can be capitalized on by the Commission in its activities.
- Commission brand is one that many organizations want to associate with.
- Willingness of the general public to be engaged in consultations during law reform work.
- Increasing public demand for law reform.
- Support towards good governance from development partners.
- Existence of the constitution and national policy frameworks.
- Existence of local and international bodies focusing on law reform.
- Public confidence in the work of the Commission.
- Adoption of an abridged version of law reform process to minimize cost and time it takes to complete the law reform programme.

Threats

- More competitive conditions of service being offered by other institutions.
- Bureaucratic processes resulting into extended delays to put into law the recommendations of the Commission.
- Changing priorities by development partners.
- Government funding is inadequate.

Table 3: PESTLE Analysis

Political

- Stable political environment which allows for discharge of the mandate of the Commission.
- Lack of political will to implement some recommendations of the Commission.

Economical

- Local economic situation has at times resulted into passive funding for the law reform
- Commission work is affected by global economic trends and developments with respect to funding.

Legal

- The current law reform process is not conducive to a speedy and less costly process.
- Commission work limited to submitting recommendations.
- Outdated laws that require the Commission to work on.
- Many emerging areas that require development of new laws.

Social

- Some citizens think that the Commission makes laws that target them specifically.
- Commission is not well known and this negatively affects public participation.
- The negative impacts of the Covid 19 pandemic have greatly affected the operations of the Commission.

Technology

- Improving technological developments which can be exploited in the implementation of the mandate of the Commission.
- Commission has embraced virtual meetings which has greatly reduced travel and related expenses.

Environmental

- Lately (past two years) the Commission has been taking part in afforestation.
- The Commission has also been participating in monthly clean up campaigns.

4. STRATEGIC FRAMEWORK

4.1 Goal

The Commission's goal is:

"to recommend and raise public awareness of laws that address political, economic, social, technological, environmental and legal aspirations of Malaŵi".

4.2 Vision

The Commission's vision is to become:

"the leading advisor on law reform and development, and the status of the law applicable in Malaŵi".

4.3 Mission

The current mission is:

"To recommend laws that are contemporary and relevant in Malaŵi and to raise awareness of the Laws of Malaŵi".

4.4 Core Values

In the execution of its mandate, the Commission shall uphold and espouse the following values:

- (a) Independence: in the performance or exercise of its functions, duties and powers.

- (b) Professionalism: in the conduct of its staff and the carrying out of its mandate
- (c) Inclusivity: promotion of the participation of the people of Malawi in discharging the mandate of the Commission.
- (d) Credibility: with all organs of State and the people of Malaŵi.
- (e) Responsiveness: acting promptly and thoroughly responding to issues affecting law reform and civic education
- (f) Accountability: in the carrying out of its mandate and use of resources.

4.5 Strategic Functional Areas

The Commission has two key departments composed of the Law Reform Department and Corporate Services Department. The Law Reform Department is responsible for law reform, law development, civic education and Library services. The Corporates Services Department is responsible for several functions including administration, communication, finance, ICT and procurement. In addition to these two departments, there is a cross cutting monitoring and evaluation function as well as an internal audit function headed by Principal Internal Auditor who reports

directly to the Law Commissioner. The four functional areas which have been the focus of strategy formulation for the next five years covered by this Strategic Plan are therefore composed of the following:

- 1) Law Reform and Civic Education Function
- 2) Corporate Services Function
- 3) Audit Function
- 4) Implementation
- 5) Monitoring and Evaluation

The remaining sections of this strategic plan present strategic outcomes, objectives and specific strategies on each of these areas.

5. LAW REFORM AND CIVIC EDUCATION FUNCTION

5.1 Law Reform and Development

Law reform is the process of examining existing laws, or developing new legislation with an aim of implementing change in the laws and system of laws. The importance of law reform in strengthening the legislative processes cannot be over-emphasized. Law reform contributes to the shaping of democracies to suit changing political economic, social, technological and legal environments. Most importantly, laws need to be reformed to adapt to societal changes while adhering to constitutional norms and principles. Section 132 of the Constitution gives the Commission a broad mandate to review and make recommendations relating to the repeal and amendment of the laws. The Commission has the additional function of reviewing the laws of Malawi with a view to the systematic development and reform of the law. In doing so, the Law Commission embarks on law reform or law development through submissions from Government or other interest groups or through its own initiative.

The process of law reform and law development requires extensive consultations with various stakeholders or representatives of various interest groups. This ensures that those affected by the law have made the necessary input and that the outcome of the legislative process reflects aspirations of the people. The process of

law reform and development culminates into recommendations to Government in the form of proposed legislation or policies. The Minister of Justice is then required by law to publish Law Commission Reports and lay them before National Assembly within 60 days. Further, the Minister is obligated to refer the proposed legislation to Cabinet for its consideration and, once Cabinet has approved the proposals to publish the Bill. Thereafter, the Minister responsible for the matter in question introduces the Bill in the National Assembly as a Government Bill.

In line with the prescribed mandate, the Law Commission is going to focus on five strategic outcomes under the Law Reform and Development function and these outcomes are as follows:

- 1) Strategic Outcome One: Improved and increased modes for receiving and handling submissions, views and feedback from the public.
- 2) Strategic Outcome Two: Enhanced professionalism in reforming and developing laws that are modern, simplified, fused or harmonized, codified and in conformity with the constitution and applicable international law.
- 3) Strategic Outcome Three (Law Reform Programmes): Increased laws that are modern, simplified, fused or harmonized, codified and in conformity with the constitution and applicable international law.
- 4) Strategic Outcome Four: Increased effectiveness of the methods and procedures for the implementation of the laws.

The sections below present the objectives and strategies for each of these strategic outcomes.

5.1.1 Strategic Outcome One: Improved and Increased Modes for Receiving and Handling Submissions, Views and Feedback from the Public

Objective One: To increase efficiency in stakeholder engagement by providing more platforms for exchanging submissions,

views and feedback to and from the public

Strategies

- 1) Increase public awareness and solicitation of submissions, views and feedback.
- 2) Develop more efficient and user friendly mechanisms for receiving and handling submissions from the public.
- 3) Acknowledge receipt of submissions, views and feedback including providing information on subsequent steps to be taken.
- 4) Collate and consider the feedback in plenary for on-going programmes within a specified timeframe.
- 5) Communicate to the public, at the conclusion of a programme the final position of the Commission on any matter submitted to it through a national validation workshop and the media.

5.1.2 Strategic Outcome Two: Enhanced Professionalism in Reforming and Developing Laws that are Modern, Simplified, Fused or Harmonized, Codified and in Conformity with the Constitution and Applicable International Law

Objective One: To continuously put in place structures and systems that will ensure full adherence to professional standards in discharging the mandate of the Commission.

Strategies

- (1) Regularly offer training to staff on maintaining professional standards.
- (2) Assign professional and well trained staff to assist in research and the work of the special Law Commission.
- (3) Empanel a special Law Commission comprised of experts in the matter of law under review.
- (4) Develop a code of conduct for the special Law Commission.
- (5) Sufficiently orient the special Law Commission on the law reform process.
- (6) Developing mechanisms and grounds for removal or replacement of

commissioners who are incompetent and incapable. Continuously check the professionalism of the Commissioners.

5.1.3 Strategic Outcome Three (Law Reform Programmes): Increased Laws that are Modern, Simplified, Fused or Harmonized, Codified And in Conformity with the Constitution and Applicable International Law

Objective One: To conclude reviews of all on-going programmes by 2023.

Strategies

- 1) Conclude review of the Witchcraft Act
- 2) Finalize the review of the Public Health Act.
- 3) Conclude the review of the Supreme Court of Appeal Act.
- 4) Conclude the review of the Immigration Act.
- 5) Finalize the review of the Public Officers (Declaration of Assets Liabilities and Business Interests) Act using the Abridged Version.

Objective Two: To undertake review of five existing Acts for governance sector by 2025.

Strategies

- 1) Review the Law Commission Act.
- 2) Review the Local Government Act.
- 3) Review the Human Rights Commission Act.
- 4) Review the Ombudsman Act.
- 5) Review the Probation of Offenders Act.
- 6) Review the Refugees Act

Objective Three: To develop new laws in line with Malaŵi 2063 by 2025.

Strategies

- 1) Develop the law governing Judicial Services.
- 2) Develop legislation for the protection of whistle-blowers.
- 3) Develop legislation on National Security
- 4) Develop legislation on counter terrorism.

5.1.4 Strategic Outcome Four: Increased Effectiveness of the Methods and Procedures for the Implementation of the Laws

Objective One: To continuously review and develop instruments that will make implementation of laws more effective.

Strategies

- 1) Engage stakeholders on areas where implementation of laws is hampered by lack of implementation instruments.
- 2) Identify laws which require subsidiary legislation and develop the subsidiary legislation.
- 3) Consider and review subsidiary legislation.

5.2 Law Research and Resource Centre

The aim of Law research and Resource Centre is to support law research, reform and development proficiency by enhancing institutional repository function of the Commission on laws of Malaŵi, applicable international law and provision of quality information resources and services.

5.2.1 Strategic Outcome One: Enhanced repository role of the Law Commission for public information on the state of the law in Malaŵi and of international instruments to which Malaŵi is a party

Objective One: To develop a comprehensive repository system for the laws of Malaŵi and applicable international law.

Strategies

- 1) Develop and continuously update a catalogue of the laws of Malaŵi
- 2) Develop a catalogue of all international agreements and all relevant and applicable international agreements
- 3) Develop skills for the development and management of the catalogues and database for the repository systems
- 4) Develop institutional repository database
- 5) Provide and encourage access to the repository system of the Commission through physical and electronic means

5.2.2 Strategic Outcome Two: Enhanced Support for Law Research Function

Objective one: To develop relevant research skills for law reform staff.

Strategies

- 1) Develop staff research skills through relevant and comprehensive training.
- 2) Formalize partnership with other law reform research institutions, resource centers and libraries locally and internationally.
- 3) Formalize collaboration and coordination with research and academic institutions locally and internationally.
- 4) Improve access to main legal databases and other legal institutions.
- 5) Improve library collection to align with law reform program needs.

Objective two: To improve Library Access and Management of Information Resources by 2025.

Strategies

1. Acquire and implement automation of the library management system.
2. Train the relevant staff in operation and management of the library management system.
3. Expand library delivery services to research and resource centre.
4. Designate a conducive spacious room or office for the resource centre.

5.3 Civic Education and Public Relations

Civic education can be broadly defined as the provision of information and learning experiences to equip and empower citizens to effectively participate in democratic processes. The main goal of civic education can be considered as the formation of civil qualities on the basis of new knowledge, skills and values that help individuals to solve emerging problems, adapt to changing socio-economic and political conditions, represent and protect their rights and interests and respecting the rights of others.

One of the functions of the Commission is to

promote awareness of the Laws of Malaŵi and the Constitution by the public and by departments of the Government and other authorities or bodies. Over the next five years the Commission intends to intensify its efforts in raising awareness on the Laws of Malaŵi, the work and achievements of the Commission; and collaborate with other institutions in raising awareness of the Laws of Malaŵi. In addition to raising awareness of the Laws of Malaŵi, the Commission will build and maintain strong relations with members of the media. It is for this reason that in the next five years the Commission will put in place measures aimed at improving visibility and accessibility of the Commission.

The following strategic outcomes will guide the civic education by the Commission:

- 1) Strategic Outcome One: Increased number of people that are aware of the law reform process;
- 2) Strategic Outcome Two: Increased proportion of the population that is aware of the Laws of Malaŵi and the Constitution; and
- 3) Strategic Outcome Three: Improved visibility and relations with the public.

These strategic outcomes and the specific objectives as well as strategies for achieving the stated objectives are presented below:

5.3.1 Strategic Outcome One: Increased number of people that are aware of the law reform process

Objective One: To increase the proportion of the population aware of the law reform process by 10% annually.

Strategies:

- 1) Develop targeted awareness plan on law reform process.
- 2) Conduct awareness campaigns on the law reform process in line with the awareness plan.
- 3) Increase visibility of Commission on its website.

5.3.2 Strategic Outcome Two: Increased

proportion of the population of Malaŵi that is aware of the Laws of Malaŵi and the Constitution

Objective One: To increase the percentage of the population reached with information on the Laws of Malaŵi by 10 % annually.

Strategies:

- 1) Conduct baseline survey to establish current knowledge levels.
- 2) Develop targeted awareness campaign plans.
- 3) Establish formal collaborative arrangements with strategic institutions to support the implementation of the awareness campaign.
- 4) Strengthen communication skills for both internal and external implementers of the designed awareness campaign.
- 5) Implement the developed awareness campaign plans.
- 6) Produce and share summarised versions of all key laws.

Objective Two: To increase the number of government and private institutions reached with information on the laws of Malaŵi by 10% annually.

Strategies:

- 1) Conduct a baseline survey on current number of institutions to be targeted.
- 2) Develop an outreach strategy for the targeted institutions.
- 3) Implement the outreach strategy.

5.3.3 Strategic Outcome Three: Improved visibility and relations with the public

Objective One: To improve the proportion of the population that is aware of the work and achievements of the Commission by 10% annually;

Strategies:

- 1) Establish formal working relationships with media institutions.
- 2) Strengthen public relations skills.

6. CORPORATE SERVICES FUNCTION

Corporate Services are organisation-wide functions that deliver business support services, based on specialised knowledge, best practice and technology. The overall objective of the Corporate Services Department is to provide efficient and effective support to allow the Commission to deliver on the strategic business goals responding and adapting to changing internal and external challenges. The Department consists of six sections namely; administration, human resource management, planning, finance, ICT, procurement and an audit unit which reports directly to the Controlling Officer. Each of these units has formulated strategic outcomes, objectives and strategies as presented below. The broad strategies for the corporate directorate are as follows:

- (a) lead and manage the human resources efficiently and effectively through proper workforce planning, learning and development;
- (b) continuously review and develop the capability and capacity of the human resources to deliver on the Commission overall vision and goals;
- (c) provide support to staff through wellbeing initiatives and a healthy work environment;
- (d) participate in public service reform through in-house initiatives including formulation of institutional, departmental and individual performance targets;
- (e) manage and deliver effective and efficient information, communication & technological services and support necessary to enable all departments and sections deliver on their core objectives;
- (f) manage and oversee financial systems including the estimates process, payment processes, capital and current funding reviews and reporting on the same;
- (g) ensuring strong internal communications;
- (h) develop/review and implement the Commission's policies on procurement in line with the public procurement

regulations.

The following subsections present specific strategic outcomes and strategies for the sections under the corporate directorate.

6.1 Administration and Human Resources Department

6.1.1 Strategic Outcome One: *Strengthened institutional and organizational capacity*

Objective One: To achieve 90% of staff skills by 2025.

Strategies:

- 1) Conduct an organizational training needs assessment.
- 2) Develop annual training plan.
- 3) Implement Training plan.
- 4) Increase staff establishment.

Objective Two: To continuously improve staff performance.

Strategies:

- 1) Review staff terms and conditions of service.
- 2) Formulate and implement performance contracts .
- 3) Strengthen positive organization culture and relationships among staff.

Objective Three: To improve staff welfare through policy revision, development and implementation by 2025.

Strategies

- 1) Review staff code of conduct.
- 2) Review HIV Policy.
- 3) Develop workplace drug and alcohol abuse policy.
- 4) Develop gender and sexual harassment policy.
- 5) Develop Disability policy.
- 6) Implement the developed policies.

Objective Four: To provide conducive office ambiance and equipment for all staff by 2024.

Strategies:

- 1) Conduct work environment situation analysis.
- 2) Improve office ambiance.

Objective Five: To improve Organization performance through policy development and implementation by 2024.

Strategies:

- 1) Develop environmental policy.
- 2) Develop fraud and corruption policy.
- 3) Develop disposal of assets policy in line with the Public Procurement and Disposal of Public Assets Act.
- 4) Develop quality assurance policy.
- 5) Implement developed policies.

6.1.2 Strategic Outcome Two: Enhanced communication within the Law Commission and all stakeholders.

Objective One: To institutionalize a revised communication policy for staff by 2023.

Strategies:

- 1) Conduct a revision of the Communication Policy.
- 2) Institutionalize the Communication Policy.

Objective Two: To improve internal communication strategies and stakeholder engagement by 2025.

Strategies:

- 1) Conduct management and staff meetings as prescribed.

Objective Three: To increase communication channels delivering relevant and timely information by 2025.

Strategies:

- 1) Analyze information needs by different audiences.
- 2) Review the relevance and effectiveness of the existing communication channels.
- 3) Develop a comprehensive communication plan.
- 4) Implement the developed communication plan.

6.2 Finance Department

6.2.1 Strategic Outcome One: Improved mobilization, utilization and reporting on financial resources

Objective One: To increase established sources of funding by 2023.

Strategies:

- 1) Develop a resource mobilization strategy to be used in increasing sources of funding.
- 2) Lobby for more funding from Government to fund the core business of the Commission.
- 3) Establish and sustain partnerships with development partners.

Objective Two: To continuously improve accountability on resource utilization according to defined standards and periods as specified in the Public Finance Management Act.

Strategies:

- 1) Develop and implement programme based budgeting.
- 2) Adhere to budget provisions when making all payments.
- 3) Develop and utilize a budget implementation tracking system using a properly defined and simplified budget tracking tool.
- 4) Inculcate accountability culture by ensuring that all departments and sections keep proper records of all expenditures.
- 5) Produce expenditure returns and bank reconciliations on monthly basis.

Objective Three: To provide timely financial information to all user departments and sections.

Strategies

- 1) Provide budget limits to all user departments and sections to enable them know their activity budget limits.
- 2) Provide periodic information on budget status and expenditures to all

departments and sections.

- 3) Provide all books of accounts as they may be requested by Auditors.

6.3 Procurement Department

6.3.1 Strategic Outcome One: Sustained and timely supply of goods and services that will enable the Commission attain its goals and objectives efficiently and effectively

Objective One: To develop comprehensive annual procurement plans incorporating all procurement activities for the Commission.

Strategies

- 1) Solicit procurement requirements for goods and services from all departments and units.
- 2) Develop a consolidated procurement plan in line with budget provisions.
- 3) Communicate the procurement plan for proper planning to all departments and sections.

Objective Two: To timely procure all goods and services in accordance with quality standards and in compliance with the Public Procurement and Disposal Act.

Strategies

- 1) Select appropriate procurement methods based on the types of goods and services being procured.
- 2) Execute procurement processes following procurement guidelines as prescribed in the Public Procurement and Disposal of Asset Act
- 3) Ensure total compliance to quality for all goods and services being procured in accordance with defined quality standards
- 4) Administer contracts for the supply of goods and services in collaboration with the user departments or sections to ensure value for money.

Objective Three: To continuously sustain good customer relationship with both the internal and external customers.

Strategies

- 1) Facilitate timely payment of all suppliers of goods and services.
- 2) Provide up-to-date procurement information to user departments and suppliers.
- 3) Adopt a continuous supplier and user involvement approach for all long term procurement through establishment of framework contracts.

6.4 Information Communication Technology Department

The Commission has made great strides in using ICT in its operations especially during the COVID 19 pandemic where online platforms like Zoom were being used for law reform processes as well as operationalization of daily activities. This helped in sustaining the implementation of the Commission mandate but also contributed towards reducing operational costs. The EU under Chilungamo project provided resources for the development of the website for the Commission.

6.4.1 Strategic Outcome One: Enhanced provision and management of Information Technology Services for the whole Commission

Objective One: To continuously provide appropriate and up-to-date ICT infrastructure and support services to all departments.

Strategies

- 1) Conduct research on new technology developments.
- 2) Establish new technology requirements.
- 3) Conduct research on new ICT infrastructure.
- 4) Procure new ICT infrastructure.
- 5) Install new hardware and software.
- 6) Optimize usage of ICT infrastructure through proper maintenance of infrastructure and training of users.
- 7) Provide maximum security for ICT infrastructure by conducting ICT vulnerability assessment and providing and adopting new ICT security measures.

- 8) Increase visibility of the Commission Website.

7. INTERNAL AUDIT FUNCTION

The role of internal audit function is to provide independent assurance that the Law Commission's risk management, governance and internal control processes are operating effectively. The specific role of the Law Commission's internal audit department is to examine the organization's tolerance for risk, its plans for detecting and mitigating risk and communicating and monitoring risk appropriately. The Internal Audit will continue working closely and in collaboration with the central office of the Auditor General. The Internal Audit Unit will focus on the following four strategic outcomes in the next five years:

- 1) Strategic Outcome One: Enhanced governance, risk management and control processes.
- 2) Strategic outcome Two: Maximized quality assurance and values of internal audit.
- 3) Strategic Outcome Three: Improved audit processes.
- 4) Strategic Outcome Four: Skilled internal audit unit.

7.1 Internal Audit

7.1.1 Strategic Outcome One: Enhanced governance, risk management and control processes

Objective One: To perform annual and on-going risk management assessments.

Strategies

- 1) Understand the information technology environment and system related risks and controls
- 2) Consider the IPPF standards and guidance

Objective Two: To develop and implement an annual audit plan.

Strategies:

- 1) Develop a comprehensive audit plan based on the Commission's strategic

- plan and annual risk assessment results
- 2) Execute annual audit plan.

Objective Three: To raise awareness on matters relating to governance, risk management and controls.

Strategies:

- 1) Educate staff about internal controls and awareness.
- 2) Develop fraud and abuse reporting register to record all tips on fraud and other malpractices.

7.1.2 Strategic outcome Two: Maximised quality assurance and values of internal audit

Objective One: To continuously understand and resolve evolving stakeholders' needs and expectations of internal audit.

Strategies:

- 1) Soliciting feedback from employees on audit service needs.
- 2) Provide required audit solutions/ responses to needs from stakeholders.

7.1.3 Strategic Outcome Three: Improved audit processes

Objective One: To improve the effectiveness and efficiency of internal audit processes to optimize internal audit value.

Strategies

- 1) On a yearly basis review and update audit processes as needed.
- 2) Apply new approaches to improve efficiency.
- 3) Explore new management software that provides all in one packaging of audit planning, budgeting, processes and reporting activities.

Objective Two: To continuously develop the skills and competences of the audit unit.

Strategies:

- 1) Conduct an assessment of the

knowledge, skills and abilities needed to meet internal audit's strategic goals and objectives.

- 2) Conduct a performance skills gap analysis and assess gaps for audit needs.
- 3) Create a development plan to meet professional goals and the internal audit's skills development.
- 4) Work with administration to utilize individual training development plans.

8. IMPLEMENTATION, MONITORING AND EVALUATION

8.1 Implementation

The Implementation Strategy is the document that has been developed defining implementation arrangements for this Strategic Plan. The Implementation Strategy outlines the activities and decisions for each strategy contained in this Strategic Plan to turn the strategic objective and outcomes into reality. The Implementation Strategy also specifies indicators, targets and charts responsible officers by position for each activity. This will help in tracking implementation progress with ease. A detailed implementation is submitted under a different cover as an Annex to this Strategic Plan.

8.2 Monitoring and Evaluation

Monitoring and evaluation will be carried out during implementation of this strategic plan. It is envisaged that M&E functions will be performed for the realization of the defined strategic outcomes, objectives and targets. The monitoring, which is a continuous management process will systematically seek to supply to the stakeholders information on the progress of implementation of this plan to facilitate timely decision making.

On the other hand, evaluation will be carried out in order to assess whether the planned strategic outcomes, objectives and targets have been attained and the expected impact is achieved. The evaluation function will also assess the extent to which the plan has been able to operate within the budgeted resources or not.

Indicators for monitoring of progress and assessing impact have been developed but will need to be revised regularly to ensure delivery of planned strategic outcomes and objectives are attained in the required quantity, quality, time frames and at acceptable costs.

8.2.1 Strategic Outcome One: Robust monitoring, evaluation, accountability and learning systems developed and implemented

Objective One: To establish information linkages between M&E and management systems and programs by 2023.

Strategies:

- 1) Improve performance management system.
- 2) Identify information usage needs.
- 3) Identify information sharing channels.
- 4) Report M&E findings quarterly.

Objective Two: To create a strategy to develop M&E plans annually for all law reform programmes and civic education activities, by 2022.

Strategies:

- 1) Develop M&E plan tools and templates.
- 2) Develop M&E plans annually using the developed tools and templates.

Objective Three: To continuously assess progress of implementation and periodically assess the outcomes of the strategic plan.

Strategies

- 1) Conduct assessment on the implementation of the Strategic Plan.
- 2) Conduct a mid-term evaluation on the implementation of the Strategic Plan.
- 3) Conduct an end-term evaluation at the end of the Strategic Plan implementation period.

Sections 9, 10, 11 and 12 below present a comprehensive Implementation, Monitoring and Evaluation Framework that

will be used to guide the implementation of the Strategic Plan and the assessment of progress of implementation. The framework also defines the specific activities that will be undertaken, the indicators, the target, the cost of each activity and the responsibility.

9. LAW REFORM AND CIVIC EDUCATION FUNCTION

9.1 Law Reform

Strategic Outcome: Improved and Increased Modes for Receiving and Handling Submissions, Views and Feedback from the Public						
Objective One: To increase efficiency in stakeholder engagement by providing more platforms for exchanging submissions, views and feedback to and from the public						
Strategies	Activity	Measure	Target	Timeline	Budget	Responsibility
Increase public awareness and solicitation of submissions, views and feedback	To open a portal for receiving submissions on the Commission's website, and other physical and electronic platforms	Number of Portals created		Annually		DLR,C-CEO,PSA
	To solicit views and submissions through Print and Digital Media	Number of Adverts published		Annually		DLR
Develop more efficient and user friendly mechanisms for receiving and handling submissions from the public	Translating content on the platforms	Content translated		On-going		CCEO/DLR
	Deliberately encouraging use of electronic means	Public awareness, Measuring Online engagement		On-going		CCEO
	Using civic education platforms as a forum for soliciting views, submissions and feedback	Submission, views and feedback		On-going		DLR/CCEO

	Providing feedback within a specified number of days, and where applicable indicating the steps to be taken	Feedback provided	On-going			DLR
	Create a platform for the vetting and deliberation of submissions for new law reform programmes	Submissions Committee of all Law Reform officers created	Quarterly			DLR
Acknowledge receipt of submissions, views and feedback including providing information on subsequent steps to be taken.	Respond to submissions, views and feedback through a standard template	Responses and feedback provided	2 Weeks	On-going		DLR
	Develop a submission dashboard	Dashboard developed	3 Months	On-going		DLR
Collate and consider the feedback in plenary for on-going programmes within a specified timeframe	Compile a Report of the feedback received.	Report	2 weeks	On-going		DLR
	Consider feedback collated at a Commission meeting.	Report		On-going		DLR
	Preparation of presentations.	Paper and power point presentations prepared	2 weeks	On-going		DLR

Communicate to the public, at the conclusion of a programme the final position of the Commission on any matter submitted to it through a national validation workshop and the media.	Identify and develop a list of participants	List of participants identified	2 weeks	On-going		DLR
	Send invitation letters	Invitation letters sent	2 weeks	On-going		DLR
	Hold National workshops	National workshop held	1 week	On-going		DLR
	Prepare a press statement containing findings and recommendations	Press statement prepared	2 weeks	On-going		DLR
	Communicate to the public through the media final recommendations	Press briefing held	1 day	On-going		DLR

Strategic Outcome Two: Enhanced Professionalism in Reforming and Developing Laws that are Modern, Simplified, Fused or Harmonized, Codified and in Conformity with The Constitution and Applicable International Law

Objective One: To continuously put in place structures and systems that will ensure full adherence to professional standards in discharging the mandate of the commission

Strategies	Activity	Measure	Target	Time-line	Budget	Responsibility
Regularly offer training to staff on maintenance of professional standards.	Training of law reform officers in mandatory competences such as legislative drafting, law reform and project and programme management	Training	13 officers	On-going		DLR,CCEO,P-SA
	Development of computer literacy skills for Law Reform officers	Training	13 officers	On-going		DLR

Assign professional and well trained staff to assist in research and the work of the special Law Commission	Identify well trained staff to carry out law reform programmes	Law reform programmes assigned to staff		On-going		DLR
Empanel a special Law Commission comprised of experts in the matter of law under review	Conduct a stakeholder inventory and analysis for the area of law under review	Inventory and analysis conducted	1 Week	On-going		DLR
	Call for nominations from key stakeholder	Letters	2 Weeks	On-going		LC
	shortlist the nominees	Report	3 Weeks	On-going		LC
	Submit names and CVs of nominees to Judicial Service Commission	Letters	4 Weeks	On-going		LC
Develop a code of conduct for the special Law Commission	Code of conduct	Code of conduct developed	3 months			DLR
Sufficiently orient the special Law Commission on the law reform process	Develop an orientation package for commissioners Orientation	Package developed Special Law Commission oriented	3 days			DLR
Developing mechanisms and grounds for removal or replacement of commissioners who are incompetent and incapable. Continuously check the professionalism of the Commissioners	Include in the Law Reform Manual and code of conduct mechanisms for removal or replacement of commissioners	Law Reform Manual amended	9 months			DLR
Develop robust mechanisms for vetting material generated by the Commission.	Amendment of the Law Reform manual to include robust vetting mechanisms	Law Reform manual amended	9 months	Law Reform		DLR

Strategic Outcome Three: Increased Laws that are Modern, Simplified, Fused or Harmonized, Codified and in Conformity with The Constitution and Applicable International Law						
Objective One: To conclude reviews of all on-going programmes by 2023						
Strategies	Activity	Measure	Target	Time-line	Bud-get	Responsibil-ity
Conclude review of the Witchcraft Act	Proof reading	Report	3 months			DLR
	Vet, publish and submit report	Report	3 months			LC
Finalize the review of the Public Health Act	Vet Draft Report	Draft Report vetted	2 months			DLR
	Produce a Report	Report	5 months			DLR
	Proof reading	Report	5 months			DLR
	Vet, publish and submit a Report	Report	5 months			LC
Conclude the review of the Supreme Court of Appeal Act	Commission meetings	8 Meetings	8 months			DLR
	Consultations: Regional	3 Regional Workshops	3 months			DLR
	Consultations: National Workshop	National Workshop	1 month			DLR
	Consultation: Comparative Study Visit	Comparative Study Visit	1 month			DLR
	Produce a Report	Report	18 months			DLR
	Press Briefing	Press Briefing	1 day			DLR
	Publish and submit report	Report	3 months			LC
Conclude the review of the Immigration Act	Produce a Report	Report	18 months			DLR
	Proof reading the Report	Report	18 months			DLR
	Press Briefing	Press Briefing	1 day			DLR
	Publish and submit Report	Report	3 months			LC

Finalize the review of the Public Officers (Declaration of Assets Liabilities and Business Interests) Act using the Abridged Version	Commission meetings	6 Meetings	6 months			DLR
	National Consultative Workshop	National Consultative Workshop	1 month			
	National Validation Workshop	National Validation Workshop	1 month			DLR
	Consultation: Comparative Study Visit	Comparative Study Visit	1 month			DLR
	Produce a Report	Report	12 months			DLR
	Press Briefing	Press Briefing	1 day			DLR
	Publish and submit Report	Report	3 months			LC

Objective Two: To undertake review of five existing Acts for governance sector by 2025

Strategies	Activity	Measure	Target	Time-line	Budget	Responsibility
Review of the Law Commission Act	Call for submission	Advert		On-going		DLR
	Development of working papers	Issues Paper and Discussion Paper	3 months			POs
	Empanel special Law Commission	Appointment of Commissioners	3 months			LC
	Commission meetings	15 Meetings	15 months			DLR
	Consultations: Regional	3 Regional Workshops	3 months			DLR
	Consultations: National Workshop	National Workshop	1 month			DLR
	Consultation: Comparative Study Visit	Comparative Study Visit	1 month			DLR
	Produce a Report	Report	18 months			DLR
	Press Briefing	Press Briefing	1 day			DLR
	Publish and submit Report	Report	3 months			LC

Review the Local Government Act	Call for submission	Advert		On-going		DLR
	Development of working papers	Issues Paper and Discussion Paper	3 months			DLR
	Empanel special Law Commission	Appointment of Commissioners	3 months			DLR
	Conduct Commission meetings	15 Meetings	15 months			DLR
	Consult stakeholder: Regional	3 Regional Workshops	3 months			DLR
	Consultations: National Workshop	National Workshop	1 month			DLR
	Consultation: Comparative Study Visit	Comparative Study Visit	1 month			DLR
	Produce a Report	Report	18 months			DLR
	Press Briefing	Press Briefing	1 day			DLR
	Publish and submit Report	Report	3 months			LC
Review the Human Rights Commission Act	Call for submission	Advert		On-going		DLR
	Development of working papers	Issues Paper and Discussion Paper	3 months			DLR
	Empanel special Law Commission	Appointment of Commissioners	3 months			LC
	Conduct Commission meetings	15 Meetings	15 months			DLR
	Consult stakeholder: Regional	3 Regional Workshops	3 months			DLR
	Consultations: National Workshop	National Workshop	1 month			DLR

	Consultation: Comparative Study Visit	Comparative Study Visit	1 month			DLR
	Produce a Report	Report	18 months			DLR
	Press Briefing	Press Briefing	1 day			DLR
	Publish and submit Report	Report	3 months			LC
Review the Ombudsman Act	Call for submission	Advert		On-going		DLR
	Development of working papers	Issues Paper and Discussion Paper	3 months			DLR
	Empanel special Law Commission	Appointment of Commissioners	3 months			LC
	Commission meetings	15 Meetings	15 months			DLR
	Consultations: Regional	3 Regional Workshops	3 months			DLR
	Consultations: National Workshop	National Workshop	1 month			DLR
	Consultation: Comparative Study Visit	Comparative Study Visit	1 month			DLR
	Produce a Report	Report	18 months			DLR
	Press Briefing	Press Briefing	1 day			DLR
	Publish and submit Report	Report	3 months			LC
Review the Corrupt Practices Act	Call for submission	Advert		On-going		DLR
	Development of working papers	Issues Paper and Discussion Paper	3 months			DLR
	Empanel special Law Commission	Appointment of Commissioners	3 months			LC

	Commission meetings	15 Meetings	15 months			DLR
	Consultations: Regional	3 Regional Workshops	3 months			DLR
	Consultations: National Workshop	National Workshop	1 month			DLR
	Consultation: Comparative Study Visit	Comparative Study Visit	1 month			DLR
	Produce a Report	Report	18 months			DLR
	Press Briefing	Press Briefing	1 day			DLR
	Publish and submit Report	Report	3 months			LC
	Call for submission	Advert		On-going		DLR
	Development of working papers	Issues Paper and Discussion Paper	3 months			DLR
	Empanel special Law Commission	Appointment of Commissioners	3 months			LC
	Commission meetings	15 Meetings	15 months			DLR
	Consultations: Regional	3 Regional Workshops	3 months			DLR
	Consultations: National Workshop	National Workshop	1 month			DLR
	Consultation: Comparative Study Visit	Comparative Study Visit	1 month			DLR
	Produce a Report	Report	18 months			DLR
	Press Briefing	Press Briefing	1 day			DLR
	Publish and submit Report	Report	3 months			LC
Review the Probation of Offenders Act	Call for submission	Advert		On-going		DLR

	Development of working papers	Issues Paper and Discussion Paper	3 months			DLR
	Empanel special Law Commission	Appointment of Commissioners	3 months			LC
	Commission meetings	15 Meetings	15 months			DLR
	Consultations: Regional	3 Regional Workshops	3 months			DLR
	Consultations: National Workshop	National Workshop	1 month			DLR
	Consultation: Comparative Study Visit	Comparative Study Visit	1 month			DLR
	Produce a Report	Report	18 months			DLR
	Press Briefing	Press Briefing	1 day			DLR
	Publish and submit Report	Report	3 months			LC

Objective Three: To develop new laws in line with Malawi 2063 by 2025

Strategies	Activity	Measure	Target	Time-line	Budget	Responsibility
Develop the law governing Judicial Services	Call for submission	Advert		On-going		DLR
	Develop working papers	Issues Paper and Discussion Paper	3 months			DLR
	Empanel special Law Commission	Appointment of Commissioners	3 months			LC
	Conduct Commission meetings	15 Meetings	15 months			DLR
	Consult stakeholder: Regional	3 Regional Workshops	3 months			DLR
	Consultations: National Workshop	National Workshop	1 month			DLR

	Consultation: Comparative Study Visit	Comparative Study Visit	1 month			DLR
	Produce a Report	Report	18 months			DLR
	Press Briefing	Press Briefing	1 day			DLR
	Publish and submit Report	Report	3 months			LC
Develop legislation for the protection of whistle-blowers	Call for submission	Advert		On-going		DLR
	Develop working papers	Issues Paper and Discussion Paper	3 months			DLR
	Empanel special Law Commission	Appointment of Commissioners	3 months			LC
	Conduct Commission meetings	15 Meetings	15 months			DLR
	Consult stakeholder: Regional	3 Regional Workshops	3 months			DLR
	Consultations: National Workshop	National Workshop	1 month			DLR
	Consultation: Comparative Study Visit	Comparative Study Visit	1 month			DLR
	Produce a Report	Report	18 months			DLR
	Press Briefing	Press Briefing	1 day			DLR
	Publish and submit Report	Report	3 months			LC
Develop legislation on National Security	Call for submission	Advert	On-going			DLR
	Develop working papers	Issues Paper and Discussion Paper	3 months			DLR
	Empanel special Law Commission	Appointment of Commissioners	3 months			LC

	Conduct Commission meetings	15 Meetings	15 months			DLR
	Consult stakeholder: Regional	3 Regional Workshops	3 months			DLR
	Consultations: National Workshop	National Workshop	1 month			DLR
	Consultation: Comparative Study Visit	Comparative Study Visit	1 month			DLR
	Produce a Report	Report	18 months			DLR
	Press Briefing	Press Briefing	1 day			DLR
	Publish and submit Report	Report	3 months			LC
Develop legislation on Counter Terrorism	Call for submission	Advert		On-going		DLR
	Develop working papers	Issues Paper and Discussion Paper	3 months			DLR
	Empanel special Law Commission	Appointment of Commissioners	3 months			LC
	Conduct Commission meetings	15 Meetings	15 months			DLR
	Consult stakeholder: Regional	3 Regional Workshops	3 months			DLR
	Consultations: National Workshop	National Workshop	1 month			DLR
	Consultation: Comparative Study Visit	Comparative Study Visit	1 month			DLR
	Produce a Report	Report	18 months			DLR
	Press Briefing	Press Briefing	1 day			DLR
	Publish and submit Report	Report	3 months			DLR

Strategic Outcome Four: Increased Effectiveness of the Methods and Procedures for the Implementation Of The Laws						
Objective One: To continuously review and develop instruments that will make implementation of laws more effective						
Strategies	Activity	Measure	Target	Time-line	Bud- get	Responsibil- ity
Engage stakeholders on areas where implementation of laws is hampered by lack of implementation instruments	Conduct meetings	Meetings conducted		On-going		DLR
Identify laws which require subsidiary legislation and develop the subsidiary legislation	To issue out an annual call on various media platforms for submissions in the media.	Advert		On-going		DLR
		Call for submission in various media outlets				
	Embark on a law reform programme	Discussion Paper	3 months			DLR
Consider and review existing subsidiary legislation	Empanelling a special Law Commission	Appointment	3 months			LC
	Review of the subsidiary legislation	Report	18 months			DLR
	Submit Report to the Minister of Justice	Submission	1week			LC

9.2 Law Research and Resource Centre

Strategic Outcome One: Enhanced Repository Role of The Commission for Public Access to The State of The Law in Malaŵi and of International Instruments to which Malaŵi is a Party						
Objective One: To develop a comprehensive repository system for the laws of Malaŵi and applicable international law						
Strategies	Activity	Measure	Target	Timeline	Budget	Responsi- bility

Develop a catalogue of all relevant and applicable international agreements	Sourcing and compiling laws of Malawi and applicable international instruments	Catalogue updated		2022		LIBRARIAN
	Collaborate and work with the Ministry of Foreign Affairs and Ministry of Justice	MOU		2025		LIBRARIAN
	Ensure a fully functional library and website	Library accessible and linked to online resources		2022		LIBRARIAN
Develop skills for the development and management of the catalogues and database for the repository systems	Training of relevant staff	Staff trained		On-going		DLR AND LIBRARIAN
Develop Institutional Repository Database	Developing of Repository Database	Repository Database developed		On-going		LIBRARIAN
Provide and encourage access to the repository system of the Commission through physical and electronic means.	Update website to include relevant materials	Website created		On-going		LIBRARIAN
	Access Cards	Access created				LIBRARIAN

Strategic Outcome Two: Enhanced Support for Law Research Function

Objective One: To develop relevant research skills for law reform staff

Strategies	Activity	Measure	Target	Timeline	Budget	Responsibility
Develop staff re-research skills through relevant and comprehensive training	Training	Staff trained		On-going		DLR

Formalize partnerships with other law reform research institutions, resource centres and libraries locally and internationally	Identify partners	Partners identified		1 year		LIBRARIAN
	Draw up an MOU	MOU drafted and signed		1 year		LIBRARIAN
Formalize collaboration and coordination with research and academic institutions locally and internationally	Draw up an MOU	MOU drafted and signed		1 year		LIBRARIAN
Improve access to main legal databases and other legal institutions	Subscriptions to online legal databases	Subscriptions paid for		On-going		LIBRARIAN
Improve library collection to align with law reform program needs	Stock relevant research materials for on-going law reform programmes	Materials stocked		On-going		LIBRARIAN

Objective Two: To improve Library Access and Management of Information Resources by 2025

Strategies	Activity	Measure	Target	Timeline	Budget	Responsibility
Acquire and implement automation of the library management system	Develop an automated library system	System developed	1	1 year		LIBRARIAN
Train the relevant staff in operation and management of the library management system	Training of relevant staff	Relevant staff trained	2	On-going		LIBRARIAN
Expand library delivery services to research and resource centre	Restock library with relevant materials	Library restocked		On-going		LIBRARIAN
Designate a conducive spacious room or office for the resource centre	Remove irrelevant materials from the library to create space	Space created		On-going		LIBRARIAN
	Identify a spacious building	Building identified	1	1 year		DLR

Strategic Outcome One: Enhanced repository role of the Law Commission for public information on the state of the law in Malaŵi and international instruments to which Malaŵi is a party

Objective One: To develop a comprehensive repository system for the laws of Malaŵi and applicable international law

Strategies	Activity	Measure	Target	Budget	Responsibility
Develop a catalogue of the laws of Malaŵi	Data Collection	Data collected	10%	500,000	DLR AND LIBRARIAN
Develop a catalogue of all international agreements	Data Collection	Data collected	10%	500,000	DLR AND LIBRARIAN
Develop Institutional Repository database and Catalogues	Develop IR and Database	IR Developed	100%	2,500,000	PSA AND LIBRARIAN
Share the information in the repository system of the Commission through the media institutions, Commission website and other mechanisms.	Provide Access to IR and Database	Access to IR	100%		PSA AND LIBRARIAN

Strategic Outcome Two : Enhanced Support for Law Research Function

Objective 1: To develop relevant research skills for law reform staff

Strategies	Activity	Measure	Target	Budget	Responsibility
Develop staff research skills	Conduct Training	Training conducted	50%	10,000,000	LIBRARIAN AND PSA
Formalize partnership with other law reform research institutions and libraries	Enter into partnership with key law reform institutions	Existence of partnership	100%	6,000,000	DLR AND LIBRARIAN
Formalize collaboration and coordination with research and academic institutions	Collaborate with key law research and academic institution	Established collaboration	100%	8,000,000	DLR AND LIBRARIAN

Master legal databases and other online research proficiency	Attend Training	Training Attended	50%	10,000,000	LIBRARIAN AND DLR
Improve access to main legal databases and other legal institutions	100%	Subscription Maintained	100%	12,000,000	LIBRARIAN
Improve library collection to align with law reform program needs	Introduce information resource requirement on Law Reform programme	100%	100%		LIBRARIAN AND DLR

Objective 2: To improve Library Access and Management of Information Resources by 2025

Implement automation of Library Management System	Configuration of KOHA	KOHA configured	100%	2,500,000	PSA AND LIBRARIAN
Expand library delivery services to research and resource centre	Increase public usage of the library	Public usage increased	100%	20,000,000	DLR, CCEO AND LIBRARIAN
Designate a conducive spacious room or office for the centre	Develop office expansion plan	Office expansion plan developed	50%		DLR, CCEO AND LIBRARIAN

9.3 Civic Education and Public Relations

Strategic Outcome One: Increased number of people that are aware of the law reform process

Objective One: To increase the proportion of the population aware of the law reform process by 10% annually

Strategies	Activity	Measure	Target	Timeline	Budget	Responsibility
Develop a communication strategy	Produce and implement a communication strategy	Communication strategy	1	Annually	15,000,000.00	CCEO

Develop targeted awareness plan on law reform process	Produce IEC materials	Number of IEC materials (Brochures)	5,000	Annually	2,500,000.00	CCEO
		IEC materials (Posters)	5,000	Annually	3,000,000.00	CCEO
	Disseminate IEC materials	Number of dissemination Reports	10,000	Annually	4,000,000.00	CCEO
	Produce and air radio jingles	Number of Jingles produced	3	Annually	1,500,000.00	CCEO
		Number of Jingles aired	1,080	Annually	10,800,000.00	CCEO
	Produce and air video jingles	Number of Video Jingles produced	2	Annually	1,400,000.00	CCEO
		Number of Video Jingles aired	360	Annually	36,000,000	CCEO

Strategic Outcome Two: Increased proportion of the population of Malaŵi that is aware of the Laws of Malaŵi and the Constitution

Objective One: To increase the percentage of the population reached with information on the Laws of Malaŵi and the Constitution by 10% annually

Strategies	Activity	Measure	Target	Time-line	Budget	Responsibility
Conduct baseline to establish current knowledge levels	Design baseline survey	Number of Baseline Survey Designs produced	1	2023	40,000,000.00	CCEO
	Draw up implementation plan	Number of work plans developed	1	2023		
	Conduct baseline survey	Number of Baseline Survey Reports produced	1	2023		
Strengthen communication skills for both internal and external implementers of the designed awareness campaign	Attend training in communication	Number of Certificates	6	2025	30,000,000.00	CCEO

Conduct awareness campaigns	Produce IEC materials	Number of IEC materials (brochures) produced	20,000	Annually	10,000,000.00	CCEO
		Number of IEC materials (Training Manuals) produced	500	Annually	1,500,000.00	CCEO
		Number of IEC materials (Booklets) produced	5,000	Annually	5,000,000.00	CCEO
	Produce and air radio programmes	Number of Radio programmes produced and aired	40	Annually	6,000,000.00	CCEO
	Produce and air radio jingles	Number of Radio Jingles produced	5	Annually	3,400,000.00	CCEO
		Number of Radio Jingles aired	240	Annually		
	Produce and air video jingles	Number of video jingles produced	5	Annually	15,500,000.00	CCEO
		Number of video jingles aired	5	Annually		
	Produce and air video programmes	Number Video Programmes produced and aired	10	Annually	6,000,000.00	CCEO
	Hold orientation meetings	Number of orientation meeting Reports	112	Annually	15,000,000.00	CCEO
	Hold training workshops	Number of workshop Reports	10	Annually	20,000,000.00	CCEO

Objective Two: To increase the number of government and private institutions reached with information on the laws of Malaŵi by 10% annually

Conduct a baseline on current number of institutions to be targeted	Develop a tool for identifying institutions	Number of Tools produced	1	2023	16,000,000,00	CCEO
	Develop an outreach strategy for the targeted institutions	Outreach Strategy produced	1	2023		
	Implement the outreach strategy	Number of Activity Reports	1	2025		
Conduct awareness meetings	Hold orientation meetings	Number of meetings held	30	2025	16,000,000,00	CCEO

Strategic Outcome Three: Improved visibility and relations with the public

Objective One: To improve the proportion of the population that is aware of the work and achievements of the Commission by 10% annually;

Strategies	Activity	Measure	Target	Time-line	Budget	Responsibility
Establish formal working relationships with media institutions	Sign MoUs with national and community radio stations and television stations	Number of MoUs signed	10	Annually	15,000,000.00	CCEO
	Create a database of media contacts	Number of Databases created	1	Annually	-	CCEO
Strengthen public relations skills	Attend training in communication	Number of Certificates	6		30,000,000.00	CCEO
Develop targeted awareness campaign	Produce and disseminate IEC materials	IEC materials (brochures)	2,000	Annually	8,000,000.00	CCEO
		Number of annual reports produced	100	Annually	2,500,000.00	

	Produce and disseminate branded materials	Number of T-shirts and golf shirts produced	10,000	Annually	90,000,000.00	
		Number of printed Cloth	100	Annually	22,000,000.00	
		Number of printed Caps	100	Annually	12,000,000.00	
Increase visibility of Commission on its website and social media platforms	Upgrade website	Website upgraded	1	Annually	3,000,000.00	CCEO
	Publish weekly content	Number of Articles	3	Annually	0	CCEO
	Boost social media content	Number of Posts boosted	3	Annually	1,500,000.00	CCEO

10. CORPORATE SERVICES FUNCTION

10.1 Administration and Human Resources Department

Strategic Outcome One: Strengthened institutional and organizational capacity						
Objective One: To achieve 90% of staff skills by 2025						
Strategies	Activity	Measure or Indicator	Target	Timeline	Budget	Responsibility
Conduct an organizational training needs assessment	Identify training needs	Number of Questionnaires	1	2022	360,000.00	SDDCS
	Determine design of needs assessment	Number of Reports	1	2022		
	Collect data	Number of Reports	1	2022		
	Analyse data	Number of Assessment Reports	1	2022		
	Provide feedback	Number of Reports	1	2022		

Develop annual training plan	Hold meetings to identify appropriate training methods	Minutes	5	Annually	1,800,000.00	SDDCS
	Hold meetings to develop training plans	Minutes	4			
Implement Training plan	Draw training budget	Number of Budgets	4	Annually	600,000,000.00	SDDCS
Increase staff establishment	Identify vacant positions	Staff Return	60	Monthly	300,000.00	HRMO
	Request department of human resources management and development to conduct Functional Review	Number of Letters	5	2023	-	SDDCS
	Consultants conduct Functional Review	Number of Functional Review Reports	1	2024	6,000,000.00	SDDCS
	Advertise for vacant positions	Number of Advertisements	2	2025	200,000.00	SDDCS
	Hold interviews	Interview Minutes	1	2025	400,000.00	SDDCS
	Appointment of staff to fill vacant positions	Number of Appointment Letters		2025	-	SDDCS
Objective Two: To continuously improve staff performance						

Review staff terms and conditions of service	Hold meetings to review staff terms and conditions	Minutes	2	2022 and 2024	5,000,000.00	DCS
	Submit proposed staff terms and conditions of service for consideration	Approved staff terms and conditions of service	2	2023 and 2024	-	DCS
	Implement new staff terms and conditions	Implementation Schedule	2	2023 and 2024	-	SDDCS
Formulate and Implement Performance Contracts	Hold meetings with Heads of Sections	Minutes	5	Annually	18,600,000.00	DCS
	Heads of Sections develop annual work plans	Section annual work plans	5	Annually		
	Staff develop individual annual work plans	Annual individual work plans	5	Annually		
	Hold quarterly review meetings	Reports	15	Quarterly		
	Hold annual review meeting	Reports	5	Annually		
Strengthen positive organization culture and relationships among staff	Conduct staff retreat	Number of Activity Reports	5	Annually	60,000,000.00	DCS
	Orient staff on proper communication channels through general staff meetings	Minutes, internal memos and circulars		Quarterly	10,000,000.00	PHRMO

Objective Three: To improve staff wellness and welfare through policy revision, development and implementation by 2025

Review staff code of conduct	Conduct consultation meetings	Number of Activity Reports	1	2022	650,000.00	SDDCS
	Present draft Policy to members of staff	Draft Policy	1	2022		
	Launching the Policy	New Policy	1	2022		
Review HIV Policy	Conduct consultation meetings	Report	1	2023	700,000.00	SDDCS
	Present draft Policy to members of staff	Draft Policy	1	2023		
	Launching the Policy	New Policy	1	2023		
Develop workplace drug and alcohol abuse policy	Conduct consultation meetings	Report	1	2024	750,000.00	SDDCS
	Present draft Policy to members of staff	Draft Policy	1	2024		
	Launching the Policy	New Policy	1	2024		
Develop gender and sexual harassment policy	Conduct consultation meetings	Report	1	2022	1,107,500.00	SDDCS
	Present draft Policy to members of staff	Draft Policy	1	2022		
	Launching the Policy	New Policy	1	2022		
Develop Disability policy	Conduct consultation meetings	Report	1	2023	1,000,000.00	SDDCS
	Present draft Policy to members of staff	Draft Policy	1	2023		

	Launching the Policy	New Policy	1	2023		
Implement the developed policies	Develop Implementation Schedule	Implementation Schedule	1	2025	-	SDDCS

Objective Four: To provide conducive office ambiance and equipment for all staff by 2025

Conduct work environment situation analysis	Carryout work environment survey	Questionnaire	5	Annually	1,000,000.00	PAO
	Analyse feedback	Draft report	5	Annually		
	Produce Report	Situation Analysis report	5	Annually		
Improve office ambiance	Develop implementation schedule.	Implementation schedule	5	Annually	45,000,000.00	PAO
	Procure office equipment	Quantity of office equipment procured	100%	Annually		

Objective Five: To improve Organization performance through policy development and implementation by 2024

Develop environmental policy	Conduct consultation meetings with the Department of Environmental Affairs	Draft Environmental Policy	1	2022	600,000.00	DCS
	Present draft Policy to members of staff	Draft Environmental Policy	1	2022	-	
	Launching the Policy	Environmental Policy	1	2022	1,300,000.00	

Develop fraud and corruption policy	Conduct consultation meetings with the office of the Anti-Corruption Bureau	Situational analysis report	1	2022	3,000,000.00	DCS
	Conduct corruption risk assessment	Assessment Report	1	2022		
	Develop draft Fraud and Corruption policy	Draft Fraud and Corruption Policy	1	2023		
	Present draft Policy to members of staff	Draft Fraud and Corruption Policy	1	2023		
	Launching the Policy	Fraud and Corruption Policy	1	2023		
Develop disposal of assets policy in line with the Public Procurement and Disposal of Public Assets Act	Conduct consultation meetings	Report	1	2023	2,500,000.00	DCS
	Present draft Policy to members of staff	Draft Policy	1	2023		
	Launching the Policy	New Policy	1	2023		
Develop quality assurance policy	Train Qou Team	Report	1	2024	10,000,000.00	DCS
	Conduct Consultation meetings	Report	1	2024		
	Present draft Policy to members of staff	Draft Policy	1	2024		
	Launch the Policy	New Policy	1	2024		

Implement developed policies	Develop implementation schedule	Implementation schedule	1	2025	-	DCS
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Strategic Outcome Two: Enhanced communication within the law commission and all stakeholders

Objective One: To institutionalize a revised communication policy of staff by 2023

Strategies	Activity	Measure	Target	Timeline	Budget	Responsibility
Conduct a revision of the communication policy	Conduct consultation meetings	Number of Reports	1	2023	5,000,000.00	SDDCS
	Present draft Policy to members of staff	Number of Draft Policies	1	2023		SDDCS
	Launching the Policy	Number of New Policies	1	2023		SDDCS
Institutionalize the communication policy	Develop implementation schedule	Number of Implementation Reports	1	2023		SDDCS

Objective Two: To improve internal communication strategies and stakeholder engagement by 2025

Conduct management and staff meetings as prescribed	Conduct management and general staff meetings	Minutes	40	Quarterly	4,000,000.00	SDDCS
	Implement recommendations from the meetings	Minutes		Quarterly		SDDCS

10.2 Finance Department

Strategic Outcome One: Improved mobilization, utilization and reporting on financial resources

Objective One: To increase established sources of funding by 2023

Strategies	Activity	Measure	Target		Budget	Responsibility
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Develop a resource mobilization strategy to be used in increasing sources of funding	Consolidate sectional budgets	Number of Budgets	1	Bi-Annually	30,000,000.00	CA
	Conduct consultation meetings	Minutes		Bi-Annually		
	Hold Mid-Year Budget Review meeting	Number of Virement and Mid-Year Budget Review Report		Bi-Annually		
Lobby for more funding from Government to fund the core business of the Commission	Consolidate sectional budgets	Number of Budgets		Bi-Annually	45,000,000.00	CA
	Carryout Budget analysis	Number of Budgets		Bi-Annually		
	Conduct consultation meetings	Minutes		Bi-Annually		
	submit Expenditure return and commitment reports	Number of Expenditure Returns and Commitment Reports		Quarterly		
Establish and sustain partnerships with development partners	Conduct consultation meetings with sectional Heads	Minutes		Quarterly	30,000.000.00	CA
	Conduct meetings with sectional heads and bilatel partners	Minutes		Quarterly		
	Adhere to activity guidelines and agreements	Number of Reports		Monthly		

Objective Two: To continuously improve accountability on resource utilization according to defined standards and periods as specified in the Public Finance Management Act

Develop and implement an activity based budgeting	Development of activity work plans	Number of developed Work plans		Annually	25,000,000.00	CA
	Consolidate sectional work plans	Number of developed Work plans				
	Preparation of Budget Estimates	Number of Annual Budgets				
Adhere to budget provisions when making all payments	Conduct consultation meetings with sectional Heads	Minutes		Monthly	20,000,000.00	CA
	Preparation of Committeemen Report	Percentage of consumption or utilization		Monthly		
Develop and utilize a budget implementation tracking system using a properly defined and simplified budget tracking tool	Consultation meetings with Planning section	Minutes		Monthly	12,000,000.00	CA
	Consolidate sectional Budgets	Number of Budgets		Monthly		
	Design a Budget tracking tool	Percentage of consumption or utilization		Monthly		
Inculcate accountability culture by ensuring that all departments and sections keep proper records of all expenditures	Carryout file reviews	Number of Reviews		Monthly	10,000,000.00	CA
	Conduct trainings in records management	Number of Certificates		Quarterly		

Produce expenditure returns and bank reconciliations on monthly basis	Obtain Bank Statements from Banks	Number of Reports		Monthly	40,000,000.00	CA
	Update Cash Books	Number of Reports		Monthly		
	Maintenance of accurate Books of Accounts	Number of Reports		Monthly		
	Prepare Bank reconciliation statements and expenditure returns	Number of Reports		Monthly		

Objective Four: To provide timely financial information to all user departments and sections

Provide budget limits to all user departments and sections to enable them know their activity budget limits	Development of activity work plans	Number of developed Work plans		Monthly	20,000,000.00	CA
	Consolidate sectional work plans	Number of developed Work plans		Monthly		
	Conduct consultation meetings with sectional Heads	Minutes		Monthly		
	Preparation commitments reports	Number of commitment Reports		Monthly		

Provide period information on budget status and expenditures to all departments and section	Development of activity work plans	Number of developed Work plans		Monthly	16,000,000.00	CA
	Consolidate sectional work plans	Number of developed Work plans		Monthly		
	Conduct consultation meetings with sectional Heads	Minutes		Monthly		
	Preparation commitments reports	Number of commitments Reports		Monthly		
Provide all books of accounts as they may be requested by Auditors	Consultation meetings with sectional heads	Minutes		Quarterly	30,000,000.00	CA
	Carryout pre-audit exercise	Number of pre-audit Reports		Quarterly		
	Proper filling of records	Reviews done		Quarterly		

10.3 Procurement Department

Strategic Outcome One: Sustained and timely supply of goods and services that will enable the Commission attain its goals and objectives efficiently and effectively

Objective One: To develop comprehensive annual procurement plans incorporating all procurement activities for the Commission

Strategies	Activity	Measure	Target	Time line	Budget	Responsibility
Solicit procurement requirements for goods and services from all departments and units	Produce RFQ and bidding documents	Number of RFQs and bidding documents		On-going	250,000.00	PO

Develop a consolidated procurement plan in line with budget provisions	Hold meeting	Minutes	5	Annually	250,000.00	PO
	Develop procurement plan	Number of Procurement Plans	5	Annually	-	PO
	Submission of procurement plan to PPDA	Number of Letters to PPDA	5	Annually	-	PO
Communicate the procurement plan to all departments and sections for proper planning	Hold meetings	Minutes	5	On-going	-	PO

Objective Two: To timely procure all goods and services in accordance with quality standards and in compliance with the Public Procurement and Disposal of Assets Act

Select appropriate procurement methods based on the types of goods and services being procured	Evaluation of requisitions	Number of Requisitions	100%	On-going	-	PO/APO
Execute procurement processes following procurement guidelines as prescribed in the Public Procurement and Disposal of Asset Act	Conduct evaluation meetings	Number of Evaluation Reports		On-going	1,200,000.00	PO
	Conduct IPDC meetings	IPDC Minutes	20	On-going	805,000.00	IPDC Members
Ensure total compliance to quality for all goods and services being procured in accordance with defined quality standards	Attending meetings of quality assurance conducted by Professional Bodies	Number of Continuance Professional Development Certificates	24		15,000,000.00	PO

Administer contracts for the supply of goods and services in collaboration with the user departments or sections to ensure value for money	Administer contracts	Number of Contracts	30	On-going	750,000.00	PO
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Objective Three: To continuously sustain good customer relationship with both the internal and external customers

Facilitate timely payment of all suppliers of goods and services	Expedite payments	Number of Receipts	100%	On-going	-	PO
Provide up-to-date procurement information to user departments and suppliers	Hold meetings	Minutes	100%	On-going	-	PO
Adopt a continuous supplier and user involvement approach for all long term procurement through establishment of framework contracts	Producing Bid Documents	Number of Bid Documents	6	On-going	1,000,000.00	PO
	Tender advertisement	Number of Tenders	6	On-going	1,000,000.00	PO
	Evaluation of Bids	Number of Evaluation Reports	6	On-going	1,000,000.00	PO
	IPDC Meetings	Minutes	6	On-going	1,000,000.00	PO
	Submission of request to award contracts to PPDA and other authority bodies	Number of Contracts	6	On-going	200,000.00	PO
	Hold meetings with suppliers	Minutes	TBA	On-going	-	PO

	Awarding contracts	Number of Contracts	30	On-going	-	PO

10.4 Information Communication Technology Department

Strategic Outcome One: Enhanced provision and management of Information Technology Services for the whole Commission

Objective One: To continuously provide appropriate and up-to-date ICT infrastructure and support services to all departments

Strategies	Activity	Measure	Target		Budget	Responsibility
Undertake ICT needs assessment	Develop situation analysis tool	Number of Questionnaires		Quarterly	-	PSA
	Develop ICT assessment report	Number of ICT Assessment Reports		Quarterly	-	SA
	Develop implementation schedule	Number of Implementation schedule Reports		Quarterly	-	PSA
Conduct research on new technology developments	Conduct desk research	Research Report		Quarterly	-	PSA
	Develop implementation schedule	Number of Implementation schedule Reports		Quarterly	-	PSA
Procure new ICT infrastructure	Define specification of new ICT equipment	Number of Reports		Quarterly	50,000,000.00	PSA
	Hold meeting for technical evaluation	Number of Evaluation Reports		Quarterly		PSA
	Buy and receipt of new technology infrastructure	Number of Delivery Notes		Quarterly		PSA
Install new hardware and software	Carry out installation exercise	Number of Installation Reports		Quarterly		PSA

Optimize usage of ICT infrastructure through proper maintenance of infrastructure and training of users	Identify equipment to be maintained	Number of Reports		Annual	5,000,000.00	PSA
	Carry out ICT equipment maintenance	Number of Annual Maintenance Reports		Annual		PSA
Provide maximum security for ICT infrastructure by conducting ICT vulnerability assessment and providing and adopting new ICT security measures	Carry out research on new ICT security measures	Number of Reports		Annual	-	PSA
	Implement identified new ICT security measures	Number of Reports		Annual	3,000,000.00	PSA
Increase visibility of the Commission Website	Develop usability assessment tool	Number of Usability assessment tools		2024	7,000,000.00	PSA
	Deploy tool	Number of Reports		2024		PSA
	Identify service provider for website redesign	Number of service providers identified		2024		PSA
	Launch new website	Updated website		2024		PSA

11. INTERNAL AUDIT FUNCTION

Strategic Outcome One: Enhanced Governance, Risk Management and Control Processes

Objective One: To perform annual and on-going risk management assessments

Strategies	Activity	Measure	Target	Time-line	Budget	Responsibility
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Understand the information technology environment and system related risks and controls	Perform risk assessments procedures and sources of information about the IT environment including its internal controls	Adequacy in IT internal control processes	5	Annually		PIA/IA
		assurance on the adequacy, efficiency and effectiveness of the different departments at the Law Commission	100%	On-going		PIA/IA
	Designing and performing audit procedures to reduce audit risks to an acceptably low level.	Accurate and reliable financial statements and other information	100%	on-going		PIA/IA
Consider the IPPF standards and guidance	Promoting cross government learning through working relationships with Auditor General's office.	All departments are compliant to rules, laws and regulations to its letter and spirit.	5	annually		PIA/IA

Objective Two: To develop and implement an annual audit plan

Develop a comprehensive audit plan based on the Commission's strategic plan and annual risk assessment results	Performing asset management audit	Report	5	Annually		PIA / IA
	Performing procurement and stores audit	Report	5	Annually		PIA / IA
	Performing finance management audit	Report	5	Annually		PIA / IA

	Performing law reform audit	Report	5	Annually		PIA/IA
	Performing Advances Audit	Report	5	Annually		PIA/IA
	Conducting Payroll audit	Report	5	Annually		PIA/IA
	Performing corporate governance audit	Report	5	Annually		PIA/IA
Execute annual audit plan.	Develop implementation schedule	Implementation schedule	5	Annually		PIA/IA

Objective Three: To raise awareness on matters relating to governance, risk management and controls

Educate staff about internal controls and awareness	Orientation	Efficient and effective way of working	1	2022		PIA/IA
Develop fraud and abuse reporting register to record all tips of fraud and other malpractices	Developing a whistleblowing policy.	Whistle blowing policy	1	2023		PIA/IA

Strategic Outcome Two: Maximised Quality Assurance and Values of Internal Audit

Objective One: To continuously understand and resolve evolving stakeholders' needs and expectations of internal audit

Strategies	Activity	Measure	Target		Budget	Responsibility
Soliciting feedback from employees on audit service needs	Conduct survey	Questionnaires	1	2024		PIA/IA
Provide required audit solutions/ responses to needs from stakeholders	General staff meetings	Minutes	1	2024		

Strategic Outcome Three: Improved Audit Processes

Objective One: To improve the effectiveness and efficiency of internal audit processes to optimize internal audit value

Strategies	Activity	Measure	Target		Budget	Responsibility
On a yearly basis review and update audit processes as needed	Conducting effective quality review of audits	New Audit systems	1	annually		PIA
	Submit an Audit Charter to management for approval	Audit charter.	1	2022		PIA
	Monitor management implementation of internal audit recommendations.	Report	100%	On-going		PIA
		Report	100%	On-going		
Apply new approaches to improve efficiency	Align the internal audit activities with the international standards for the professional practice of internal auditing.	Report	100%	On-going		PIA
Explore new management software that provides all in one packaging of audit planning, budgeting, processes and reporting activities	To lobby for the purchase of audit software to mitigate some of the most pressing administrative burdens internal audit faces.	Audit Software	1	2025	2,500,000	PIA/IA

Objective Two: To continuously develop the skills and competences of the audit unit						
Conduct an assessment of the knowledge, skills and abilities needed to meet internal audit's strategic goals and objectives	Training Needs Assessment	Report	100%	On-going		PIA
Conduct a performance skills gap analysis and assess gaps for audit needs	Recommend staff for training	Report	5	5		PIA
Create a development plan to meet professional goals and the internal audit's skills development	Plan development	Plan	5	annually		PIA
Work with administration to utilize individual training development plans	Plan to attend workshops and CPD's on matter to do with Audit	Number of workshops attended	100%	ongoing	3,000,000	PIA

12. IMPLEMENTATION, MONITORING AND EVALUATION

Strategic Outcome: Robust Monitoring, Evaluation, Accountability and Learning Systems Developed and Implemented						
Objective One: To establish information linkages between M&E and management systems and programs by 2023						
Strategies	Activity	Measure	Target	Time-line	Budget	Responsibility
Improve performance management system						
Identify information usage needs	Hold meetings with management to information needs	Minutes	1	2022	750,000.00	DCS

Identify information sharing channels	Hold meeting with heads of departments	Minutes	1	2022	1,000,000.00	DCS
	Draft M&E Reports	Draft M&E report	1	2022	-	DCS
	Hold meeting to agree on M&E reports	Minutes	1	2022	1,000,000.00	DCS
Report M&E findings quarterly	Develop and submit M&E reports	M&E Reports	1	2023	-	DCS
	Hold meeting to discuss findings	Minutes	1	2023	1,000,000.00	DCS

Objective Two: To create a strategy to develop M&E plans annually for all law reform programmes and civic education activities, by 2022

Develop M&E plan tools and templates	Draw up draft M&E plan tools and template	Draft M&E plan template	1	2022		DCS
	Hold meeting vetting template	Minutes	1		-	DCS
Develop M&E plans annually using the developed tools and templates	Hold meeting to Identify monitoring need of planned activities	Report	1		1,000,000.00	DCS
	Fill M&E template with activities and indicators	Updated M&E Tools	5	Annually	-	DCS

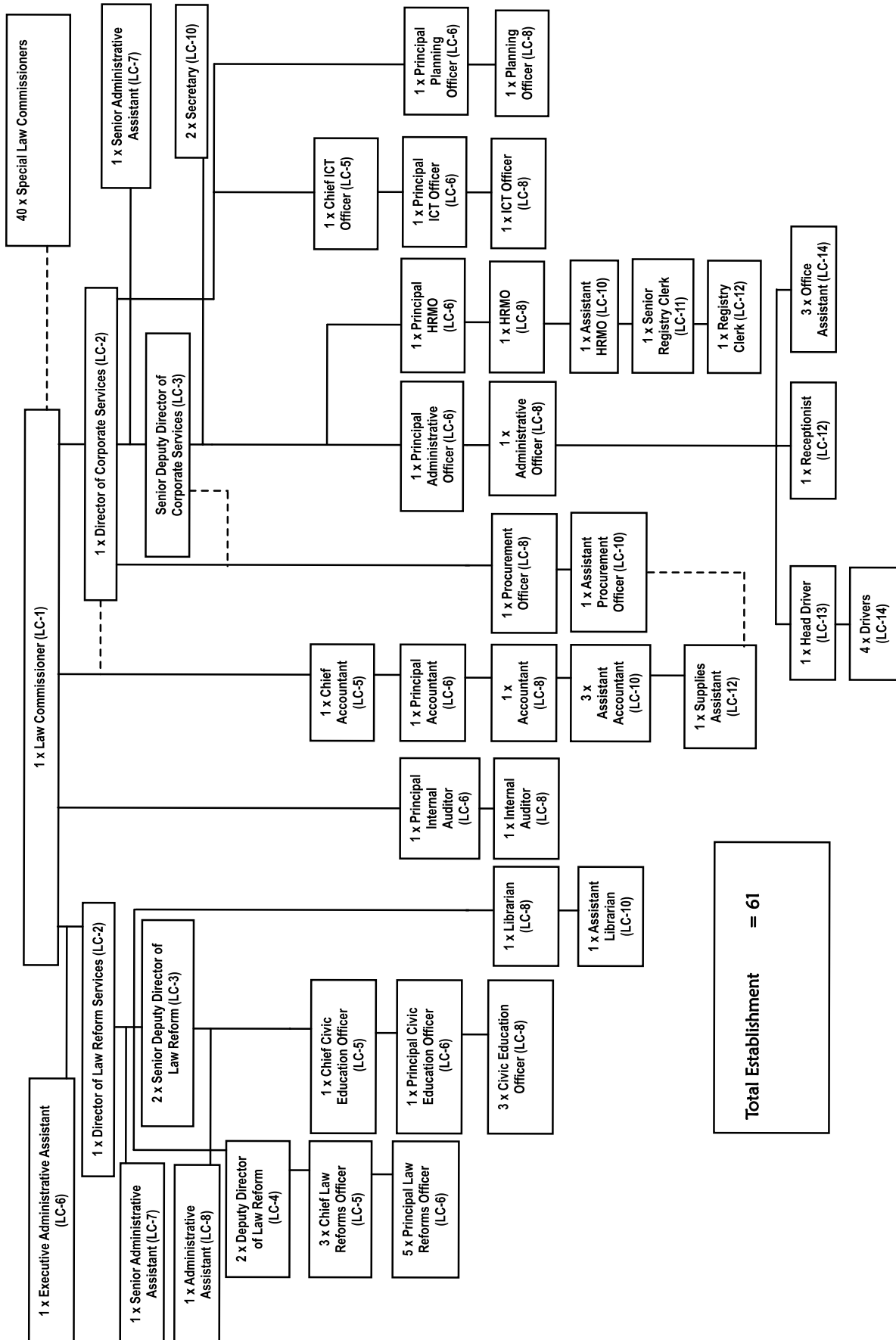
Objective Three: To continuously assess progress of implementation and periodically assess the outcomes of the strategic plan

Conduct assessment on the implementation of the Strategic Plan	Develop assessment tool	Assessment tool	1	2022	-	DCS
	Hold meeting to discuss implementation	Report	5	Annually	800,000.00	DCS

Conduct a mid-term evaluation on the implementation of the Strategic Plan	Produce departmental mid-term progress reports	Mid-term progress reports	1	2023	-	DCS
	Hold meeting heads of departments	Progress Report	1	2023	1,500,000.00	DCS
Conduct an end-term evaluation at the end of the Strategic Plan implementation period	Identify a consultant		1			

13. ANNEX 1: CURRENT ORGANISATION STRUCTURE OF THE LAW COMMISSION

LAW COMMISSION ORGANIZATION CHART



Total Establishment = 61

