



IRLI Programme Lawyer (Malawi Judiciary) Vacancy Announcement

1. Overview

Irish Rule of Law International (IRLI) is a project-orientated, non-profit rule of law initiative established by the Law Society of Ireland and The Bar of Ireland. Originally founded in 2007, the organisation has collaborated with academics, judges, legal practitioners, policymakers and civil society around the world to advance collective knowledge of the relationship between rule of law, democracy, sustained economic development and human rights. We believe that members of the legal profession have a significant role to play in enhancing the rule of law and shaping the progress of developing societies.

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| 2. Programme Title | IRLI Malawi 'Access to Justice' Programme |
| 3. IRLI Position Title | IRLI Programme Lawyer, Malawi Judiciary |
| 4. Duration | 12-24 months |
| 5. Location, Country | Lilongwe, Malawi |
| 6. Expected Starting Date | As soon as possible |

7. Programme Description

Since August 2011, IRLI has been working in Malawi to address capacity challenges within the criminal justice sector, with the overall aim of promoting the rule of law and improving access to justice for unrepresented and particularly vulnerable persons. One of the main barriers to access to justice in Malawi is that key institutions operating within the criminal justice sector lack the knowledge, capacity and resources to fulfil their roles and responsibilities in relation to accused persons. To address this, IRLI has developed a placement programme whereby Programme Lawyers (PLs) are strategically placed inside the key institutions in the Malawian criminal justice system: the Legal Aid Bureau (LAB) and the Office of the Director of Public Prosecutions (DPP); the Malawi Police Services (MPS) and the Judiciary. PLs work directly to increase knowledge and capacity by providing workshop training and capacity building sessions as well as offering long-term day to day mentoring. In addition, PLs are supporting the institutions by influencing policies and practices according to human rights as well as supporting networking and stakeholders' alliances.

IRLI's work in Malawi targets the relationship between access to justice mechanisms for vulnerable people and a quality legal/judicial response based on the rule of law. Working to improve access to justice, using a human rights-based approach, is essential for bringing about positive social change for those persons who are amongst the most vulnerable and marginalised in society.

8. Programme Objectives

The overall aim of the programme is to see improved access to justice for unrepresented vulnerable persons in the criminal justice system in the Central Region of Malawi.

There are two specific objectives:

- to increase the institutional capacity to provide sufficient services to people in conflict with the law according to principle of due process and human rights
- to ensure the enjoyment of due process rights including legal representation and restorative justice to persons held in police custody and detainees in the Central Region of Malawi

9. Organisational Context

Working together with IRLI's programme lawyers in the Legal Aid Bureau, Malawi Police Services, DPP's office and the Programme Officer (PO) and under the direct supervision of the Programme Manager in Malawi and the Executive Director in Dublin, the PL in the Judiciary will further develop the linkages which have been established with the Judiciary at both High Court and magistrate level and will undertake activities to strengthen in particular the capacity of magistrates, mainly consisting of lay magistrates that deal with 97% of all criminal cases in Malawi. This will involve organising a programme of workshops and training sessions for magistrates from within Lilongwe and rural areas throughout the Central Region, along with mentoring visits conducted to courts within the Central Region. The Judiciary PL will also assist in the processing of homicide cases and lower grade charged cases (at magistrate level), work with colleagues within the court's administration to improve case management systems, work with the judiciary to develop training programmes, and work to improve access to legal provisions and caselaw for judges and magistrates.

The Judiciary PL will work closely with the following partners: The Malawi Judiciary and the Ministry of Justice and Constitutional Affairs (MoJ - including the Legal Aid Bureau and the Office of the Director of Public Prosecutions), as well as the Malawi Police Service, the Malawi Prisons Service, the Department of Social Welfare, Chisomo Children's Club, PASI (Paralegal Advisory Service Institute), the Law Society of Malawi, Irish Aid, EU DGP and other local/international stakeholders and partners as the need arises (including potentially the proposed Association for Magistrates in Malawi).

IRLI's office is based in Lilongwe Area #3, however the PL in the Judiciary will be required to work independently for most of the time and will be based primarily at a desk within the Courts complex, while attending weekly team meetings at the IRLI office as well as other programme related meetings as required and requested by the Programme Manager.

The Judiciary PL will have responsibility for the organisation and implementation of activities and achievement of results according to IRLI's Results Framework and Programme Execution Plan and will report directly to the PM, who has responsibility for overall management and oversight of the project including the team on the ground.

10. Role and responsibilities

Under the direct supervision of the Programme Manager, the Programme Lawyer will have the following tasks and responsibilities:

- Liaise with high-level stakeholders to improve the confirmation procedure, which is a process whereby High Court judges review certain sentences imposed by magistrates;
- Working with the magistrates to ensure that the relevant districts are transferring files for confirmation to the High Court on a timely basis;
- Assist the High Court in reviewing cases sent for confirmation;
- Conduct full reviews of files awaiting judgments, and where necessary, coordinate and carry out searches of missing case files;
- Carrying out one-to-one meetings with magistrates for capacity building purposes, and to determine what legal documentation is at their disposal for the purposes of dealing with the cases they hear;

- Organise targeted interactive trainings with magistrates and thereafter attend at magistrates' courts to monitor and evaluate the implementation of such trainings;
- Work closely with professional magistrates to encourage daily visits and inspections of police stations, and thereafter work with the Police PL to ensure relevant detainees are brought to court or released as directed;
- Assist the LAB PL in advocating for strengthening of legal basis for holding of camp courts and develop proper camp court guidelines;
- Assist in the coordination of camp courts to ensure better planning amongst donors;
- Assist in locating and reviewing cases where 16 and 17-year-old child suspects were tried as adults, which was subsequently held to be unconstitutional by the High Court;
- Liaise with the Malawi Law Society for the purposes of updating malawilii.org, a website aimed to provide up-to-date legislation and caselaw for lawyers and the Judiciary;
- Assist the IRLI team in general in the organisation and implementation of general programme activities where the need arises;
- Grant/proposal writing and report writing for IRLI activities within the Judiciary;
- Budget management of IRLI activities within the Judiciary;
- Maintain organisational log frame, contribute to workplans, undertake data collection and analysis for M&E purposes;
- PL must submit regular progress and activity report to the President of the High Court as well as assisting IRLI's PM to compile IRLI organisational and donor reports.

11. Qualifications, skills and person characteristics

- Qualified solicitor/barrister with at least 1 year post-qualification experience in criminal law
- Postgraduate degree in law, human rights, development or related area of study (essential)
- Experience working in a legal/development/human rights context
- Experience working with judicial officers (desirable)
- Experience preparing, working with and managing budgets
- Experience in proposal/report writing
- Monitoring and Evaluation (M&E) experience
- Experience working in the Global South (desirable)
- Computer skills (i.e. Word, Excel, PowerPoint etc.)
- Excellent managerial and organisational skills
- Excellent diplomacy and negotiation skills
- Strong ability to motivate others
- Ability to work independently but also as part of a team
- Fluency in written and spoken English is essential
- Excellent communication skills, written and oral
- Ability to adapt quickly to a new cultural environment
- Exceptional time management and problem solving skills
- Team spirit, flexibility, commitment to IRLI's values and human rights (particularly those of children), initiative and creativity to further develop the activities and IRLI's programme
- Full driving license (essential)

12. Conditions of service

Travel expenses (one return flight from point of departure to Lilongwe), International Health Insurance and a Monthly Living Allowance will be provided. The Living Allowance assists the PL to meet living costs in Malawi, including accommodation and utilities. These expenses shall not be construed as remuneration. Additional expenses will also be provided to cover project-related phone, fuel and internet usage as well as pre-departure costs. It will be the successful candidate's responsibility to obtain any

vaccinations required before travelling. Accommodation will be arranged by IRLI for the first month after which the PL is responsible for organising his/her own living arrangements. The IRLI team on the ground will assist with this.

The successful applicant must be available to travel to Malawi before the end of March 2018.

13. How to apply

Please forward a CV and cover letter, describing how you meet the requirements set out above and why you wish to work with IRLI, to **loconnor@irishruleoflaw.ie** by **Monday 15th July 2018**. It is expected that the interviews for this position will take place during the week commencing **July 23rd**.

For more information on the project please visit www.irishruleoflaw.ie or contact IRLI Programme Coordinator, Louise O'Connor, at loconnor@irishruleoflaw.ie.

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