

MALAWI

Tools	AI-powered legal search engines ChatGPT Claude Grammarly Microsoft Copilot QuillBot
Tasks	Case management Legal research, analysis and drafting support
Users	Prosecutors Courts Defence
Scope	Nationwide
Training	Yes, to counsel only
Regulation	No dedicated AI legislation. Criminal procedure rules, the Data Protection Act, and professional code of ethics rules as well as human rights standards under the Constitution should apply to regulate the use of AI tools in court.
Insights	Though Malawi's e-court system does not currently use AI, plans are underway to integrate AI into the system.

AT A GLANCE

Malawi launched its **e-court system in September 2024** to enable virtual hearings and improve prison–court coordination, and it is hoped that AI will soon be integrated into this system. Criminal courts are using transcription tools. Prosecutors and defence are using commercially available tools for legal research and drafting, as well as AI-powered legal search engines. Pilot projects are testing an AI legal assistant (with local language support) and metadata extraction tools for judgments. Some judges are also using commercial AI tools to boost efficiency. There are no reported cases of law enforcement units using AI.

There is **no dedicated legislation regulating the use of AI**. Existing laws and guidelines should apply to the use of AI tools in court, including criminal procedure rules that have been amended to reflect an increased use of technology in court, such as remote hearings via CCTV and the admission and assessment of electronic evidence.

USE

According to the UN Development Programme's (UNDP) 2025 [Digital Readiness Assessment](#), 'AI adoption remains low in Malawi'. However, Malawi is undergoing a significant digital transformation in its criminal justice system, with an increasing focus on improving efficiency and accessibility.

LAW ENFORCEMENT

As at August 2025, there are no reported cases of law enforcement units in Malawi making use of AI.

PROSECUTORS

Legal research, analysis and drafting support

Prosecutors in Malawi use **AI-powered legal research and/or drafting software**, such as LexisNexis or QuillBot, as well as publicly available commercial tools such as ChatGPT.

COURTS

Case management

In September 2024, Malawi launched an official **e-court system** with the funding and support of the UNDP. The digital platform facilitates virtual court proceedings, and serves as a digital repository for inmate information, improving coordination between prisons and reducing administrative delays. The initiative is still in its early stages with limited use, and is currently linked to eight courts, five prisons, and four police stations. The [sites](#) are:

Courts

Chitipa Magistrate Court
Thyolo Magistrate Court
Chief Resident Magistrate Court/East
Chief Resident Magistrate/Centre
Chief Resident Magistrate Court/South

Karonga Magistrate Court
Uliwa Magistrate Court
Chief Resident Magistrate/North

Prisons

Chichiri Prison
Zomba Prison
Maula Prison
Mzuzu Prison
Chitipa Prison

Police Stations

Chisenga Station
Nthalire Station
Jali Station
Makwasa and Makande Station

In August 2025, the e-court system had not yet incorporated AI. However, there are ongoing efforts to expand its functionality, including through the integration of AI.

In August 2025, the High Court Criminal Division in Lilongwe launched the Court Recording System, a system procured with support from the EU to accurately capture and **transcribe** court proceedings in real time.

“The system we are launching today is part of our commitment to accelerate justice delivery, improving accuracy and enhancing accessibility to court records as part of improved case management. The area of case management and how it affects performance and development is very important to our justice sector and the country.”

Honourable Chief Justice Rizine Robert Mzikamanda SC, August 2025

Legal research, analysis and drafting support

The Frontier Tech Lab's **pilot project** aims to develop an **AI-powered legal assistant** to retrieve relevant legal precedents and statutes, assist the judiciary in preparing cases more efficiently, and provide accurate information in local languages such as Chichewa. The AI assistant will be trained on Malawian caselaw and statutes, aiming to bridge resource gaps and improve access to justice in resource-constrained settings. As at September 2025, this system has not been officially launched.

Commercial AI tools are also beginning to play a modest but growing role in Malawi's judicial system, primarily driven by a small group of judges who are using them to improve efficiency and manage increasing caseloads. AI tools such as ChatGPT, Claude, Microsoft Copilot, and Grammarly are being used on an individual basis to support judicial tasks, including summarising case files and counsel submissions, proofreading draft judgments, and assisting in transcribing hearings. A 2025 court ruling is rumoured to bear the hallmarks of AI generation, including errors of substance and form, excessive repetition, a failure to adhere to traditional court terminology, and a departure in style from the relevant judge's earlier rulings. As at September 2025, the issue has not yet been investigated or resolved.

"Commercial AI tools are beginning to play a modest but growing role in Malawi's judiciary, with tools such as ChatGPT, Claude, Microsoft Copilot and Grammarly being used on an individual basis to support judicial tasks."

Honourable Justice Zione Ntaba, High Court Zomba Registry, July 2025

DEFENCE

Legal research, analysis and drafting support

Lawyers in Malawi use AI-powered legal research and/or drafting software, such as **LexisNexis** or **QuillBot**. Lawyers also use publicly available commercial tools such as **ChatGPT**.

The Frontier Tech Lab's **pilot project** (discussed above) will assist the Legal Aid Bureau and the judiciary in preparing cases more efficiently.

The Knowledge 4 All Foundation (a non-profit organisation) has begun a project to build semi-automatic tools for **extracting metadata** from Malawi court judgments. The tool is based on a body of court judgments from 2010-2019, partly from the MalawiLII platform and partly from the High Court library in Blantyre, Malawi. The Knowledge 4 All Foundation is in the process of extending the tool to include other Malawi laws, codes, and statutes that are relevant to criminal cases. The information extracted includes:

1. Name of case
2. Number of case
3. Year in which the case was filed
4. Year in which judgment was given and the court which issued the judgment
5. Names of judges
6. Names of parties involved
7. References to other cases
8. References to laws/statutes and codes
9. Legal keywords.

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Although Malawi's e-court system currently does not incorporate AI, there are ongoing efforts to expand its functionality through AI, including, for the defence: AI-assisted drafting of claims, and bail applications.

TRAINING

The Malawi Law Society has provided training to **practitioners** on the responsible use of technology in legal services. Under section 30(5)(c) of the Legal Education and Legal Practitioners Act, legal practitioners are required to attain a minimum number of units of continuing legal education as a prerequisite to renewing their practising licences.

REGULATION

There is **no general legislation on the use of AI** in force in Malawi nor are there dedicated laws or guidelines expressly regulating its use in court. The UN Development Programme's 2025 Digital Readiness Assessment calls for a 'National AI and Data Strategy' and recommends that Malawi develop 'proactive regulatory frameworks for technologies like AI'. Existing laws and guidelines should apply to the use of AI tools in court, including criminal procedure rules that have been amended to reflect an increased use of technology in court, such as remote hearings via CCTV and submission of electronic evidence.

"Once we start using ICT tools and AI in the justice sector, it is imperative that rules are put in place. AI is highly disruptive, without proper management it could create chaos in courtrooms, from generating documents or voice notes to implicating people. Without clear regulations, we risk undermining justice rather than serving it."

Prosecutor Masauko Chamkakala, Director of Public Prosecutions Malawi, September 2025

GUIDELINES FOR PRACTITIONERS

Legal Education and Legal Practitioners Act and Malawi Law Society Code of Ethics

Cases concerning violations of legal ethics are regulated by the *Malawi Law Society Code of Ethics*, which provides, for example, that a lawyer 'must not mislead another lawyer'. The *Legal Education and Legal Practitioners Act* regulates legal education and admission to practice, including the disciplining of legal practitioners. The Code and the Act should apply to violations of ethical rules by legal practitioners involving the use of AI tools.

CRIMINAL PROCEDURE RULES

Even though they do not target AI, there are rules of procedure and evidence that may apply to the use of AI in criminal proceedings. AI tools must not violate the requirements set out in these rules, for example, as regards the submission of affidavits or other evidence.

Criminal Procedure and Evidence Code

There are several procedural safeguards in the *Criminal Procedure and Evidence Code*, including provisions on how evidence is adduced. The use of AI tools in criminal proceedings is subject to the Code, which has in the past been amended to give leeway to the use of technology. For instance, in 2010, section 71A was enacted to permit victims of sexual offences to give evidence from outside the courtroom via CCTV.

Electronic Transaction and Cyber Security Act

The *Electronic Transactions and Cyber Security Act*, enacted in 2017, includes provisions which may apply to AI tools used in court. Sections 80-82 provide for public bodies to take steps to ensure that their functions can be accessed and carried out electronically. Even though they are not expressly mentioned, this should include the courts. And section 16 sets out the rules for admitting electronic messages as evidence in court proceedings, including how to assess their evidential weight.

Outside the context of criminal proceedings, the provisions of the *Electronic Transactions and Cyber Security Act* have already started defining how legal services can be offered electronically. For example, the High Court has confirmed that under the new framework, sworn statements or affidavits can be signed and commissioned virtually, provided that certain steps are complied with: see *Qingdao Recycling Ltd v Bai Li and two others* (unreported) Commercial Cause Number 122 of 2025 (ruling dated 20 July 2025); and *Chawezi Banda (aka CHA-CHA) v Hana Jabesi (aka Tamiyia Ja)* (unreported) Civil Cause Number 70 of 2025 (ruling dated 11 July 2025).

DATA PROTECTION LEGISLATION

Data Protection Act

In 2024, Malawi enacted the *Data Protection Act*, which provides a regulatory framework for protecting personal data. It should also apply to AI systems processing personal data although they are not specifically mentioned. The Act designates the Malawi Communications Regulatory Authority (MACRA) as the data protection authority responsible for overseeing its implementation and enforcement. The Act strengthens the rights of the defendant. For example, in *Chanthunya v The State* (unreported) Criminal Appeal Number 1 of 2021 (ruling dated 14 July 2021), the Malawi Supreme Court held that evidence obtained illegally (including through illegal state-sponsored digital surveillance) was inadmissible, deviating from earlier High Court jurisprudence, for example in the Kainja and Msukwa cases.

HUMAN RIGHTS

Constitution of Malawi

Within the Malawian legal framework, the starting point is the *Constitution*, which is the supreme law. Any criminal laws and practices, including the use of AI tools, must comply with it. Section 42 of the Constitution guarantees certain safeguards concerning arrest and detention and the right to a fair trial in criminal proceedings, which includes the right to a 'public trial before an

independent and impartial court of law', to be presumed innocent, to challenge evidence, and to have 'recourse by way of appeal or review to a higher court than the court of first instance'. Any AI tool in Malawi cannot be designed or used in a way that violates any of these constitutional rights.

Regional and International human rights treaties

Regional and international human rights treaties to which Malawi is a party may influence this framework. Relevant provisions include fair trial guarantees in article 7 of the *African Charter on Human and Peoples' Rights* protections of the right to a fair trial and the right to privacy in articles 14 and 17 of the *International Covenant on Civil and Political Rights* and articles 16 and 40 of the *Convention on the Rights of the Child*.

OUTLOOK

At the international level, the African Union's 2024 *Continental Strategy on AI* makes reference to 'mainstreaming AI in priority sectors', including 'justice and law and order', and encourages the 'adoption and implementation of ethical principles for AI'. In Malawi, the 2024 *Cyber Crimes and Electronic Evidence Bill* includes sections on the admission of electronic evidence, including '[i]nformation in the form of a data message', and sets out rules for the assessment of its evidential weight. While the Bill makes no mention of AI, it may be relevant to the use of AI tools in court if enacted. In addition, as at September 2025, an Information and Communications Technology (ICT) policy for the Malawi judiciary and a judiciary strategic plan for 2025 to 2030 were being developed, which may refer to AI although the details remained to be confirmed.

“The integration of emerging technologies like artificial intelligence (AI) and blockchain is still in its infancy, highlighting the need for proactive policies to adapt to technological advancements. While AI adoption remains low in Malawi, potential applications in agriculture (precision farming), health (telemedicine), and governance (chatbots for public services) should be explored. A National AI and Data Strategy is needed.”

Malawi Digital Readiness Assessment Report of 2025, as endorsed by Malawi's Minister of Information

CASES

As at September 2025, there are no reported court cases where Malawian judges have addressed the use of AI by counsel.