

Criminal Law in Malawi

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About this Publication:

Criminal Law in Malawi is an authoritative explanation of criminal law in Malawi, covering both theory and practice. The book discusses the statutory bases of the law, and the interpretation and application of the law by Malawi's higher courts. *Criminal Law in Malawi* covers the general principles of criminal liability as well as specific offences, including homicide, robbery, corruption, money laundering, terrorist financing, human trafficking, rape, sexual harassment, crimes against children, road traffic offences and environmental crimes. *Criminal Law in Malawi* comes in the wake of the review of the Penal Code and the enactment of several criminal statutes. The book analyses both the new and the old criminal law of Malawi, and discusses statutes and case law from comparable jurisdictions. This important resource will be useful for law students, lawyers, law enforcement officers, judges, magistrates, legislators, and policy makers.

Contents Include:

- Tables of Cases: Malawian; English; Canadian; South African; United States; Zambian; European Court of Human Rights and European Court of Justice; Australian; Malawian
- Table of Statutes
- PART I: INTRODUCTORY TOPICS
 - The nature and functions of criminal law, and its place in Malawi's legal system
 - Sources of criminal law, interpretation of criminal statutes and criminal jurisdiction
 - Definitions and classifications of crimes
 - Criminal punishment and theories of punishment
 - Overview of Malawi's criminal justice system and institutions
- PART II: GENERAL PRINCIPLES OF CRIMINAL LIABILITY
 - Conduct element of a crime (or *actus reus*)
 - Causation

- General defences
- PART III: SPECIFIC OFFENCES
- Offences against the government's authority
- Offences against Public Tranquillity
- Offences against the Administration of Justice
- Offences against the Public Authority
- Offences against morality
- Offences relating to domestic obligations
- Nuisances and offences against convenience
- Homicide and related offences
- Non-fatal offences against the person
- Offences endangering the environment
- Offences against liberty
- Theft and theft-related offences
- Robbery and related offences
- Housebreaking and burglary, and similar offences
- Frauds and deceptions
- Receiving property unlawfully obtained and like offences
- Offences causing damage to property
- Forgery and uttering a false document
- Inchoate offences
- Road traffic offences
- Offences under the Corrupt Practices Act
- Money laundering and terrorist financing
- Offences under the Gender Equality Act, 2012
- Offences under the Trafficking in Persons Act, 2015
- Offences under the Child Care, Protection and Justice Act, 2010

Of Interest and Benefit to:

- Law students
- Lawyers
- Law enforcement officers
- Judges
- Magistrates
- Legislators
- Policy makers