

ISSUED ON BEHALF OF THE SCOTTISH LAW COMMISSION  
ON THURSDAY, 21 OCTOBER 2010

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SCOTTISH GOVERNMENT PROGRAMME - CAPACITY BUILDING FOR JUSTICE IN  
MALAWI

LINK BETWEEN THE SCOTTISH LAW COMMISSION  
AND THE MALAWI LAW COMMISSION

The Scottish Law Commission has established a link with the law reform body in Malawi, the Malawi Law Commission. Agreement on the link was reached during a visit to the Malawi Law Commission by the Scottish Law Commission's Chief Executive, Malcolm McMillan.

This arrangement is designed to facilitate co-operation and assistance between the Commissions in promoting law reform. The link is a contribution to the Scottish Government's Programme on Capacity Building for Justice in Malawi.

The Programme on Capacity Building for Justice in Malawi takes forward the proposal in the Scotland-Malawi Co-operation Agreement in 2005 to strengthen governance in Malawi.

Challenges Worldwide (CWW), the Edinburgh-based charity appointed by Scottish Ministers to deliver the Programme, assisted in setting up the arrangement between the Commissions. CWW undertook a pilot study in Malawi, assessing the assistance requested by the Malawi Law Commission and other bodies in the justice sector in Malawi.

As part of the link between the law reform Commissions, one of the Scottish Law Commission's legal assistants, Garry MacLean, is undertaking a placement for 6 months at the Malawi Law Commission. Garry travelled to Malawi in September. He joined the Malawi Law Commission's Intellectual Property Team, which is currently working on a review of the law on trademarks.

One of the Scottish Law Commissioners with an expertise in intellectual property law, Professor Hector MacQueen, has given advice to the Malawi Law Commission on their project.

The Scottish Law Commission is also donating surplus law library stock to the Malawi Law Commission.

The Scottish Law Commission's Chairman, Lord Drummond Young, said –

"I am pleased to announce the establishment of a link between the Scottish Law Commission and the Malawi Law Commission. This arrangement is an important contribution to the Scottish Government's aim of building on the historic links between Scotland and Malawi, and taking the co-operation between our countries into new territory – by developing capacity in the justice sector in Malawi, including for law reform. Promoting law reform plays an important part in embedding the rule of law, and in developing a sound and modern legal framework, for any country. I look forward to working together with the Malawi Law Commission."

The Scottish Minister for External Affairs, Fiona Hyslop, said –

"As we reach the fifth anniversary of the Co-operation Agreement with Malawi, the relationship between Scotland and the people of Malawi goes from strength to strength. Our programme of development work continues to flourish, having a real and positive impact on the lives of some of the world's poorest people. During my visit to Malawi in February I was fortunate to see this first hand and to discuss key priorities. Support for the justice system was identified as one of the priority areas and this project will offer just that.

The Scottish Government's "Capacity Building for Justice Programme" recognises the crucial role that justice organisations play in underpinning good governance. The support of the Scottish Law Commission to its counterparts in Malawi will be invaluable in promoting law reform and building long term capacity in the justice system thus strengthening governance in Malawi."

## NOTES TO EDITORS

1. The Scottish Law Commission was set up in 1965 to promote the reform of the law of Scotland. The Chairman is the Hon Lord Drummond Young, a Court of Session judge. The other Commissioners are Laura J Dunlop QC, Professor George L Gretton, Patrick Layden QC TD, and Professor Hector L MacQueen. The Chief Executive is Malcolm McMillan.
2. Further information on the Scottish Law Commission can be obtained by contacting Malcolm McMillan, Scottish Law Commission, 140 Causewayside, Edinburgh EH9 1PR (Tel: 0131 668 2131, Fax: 0131 662 4900, email: [info@scotlawcom.gsi.gov.uk](mailto:info@scotlawcom.gsi.gov.uk)).
3. Information on Challenges Worldwide and the Programme in general can be obtained by contacting Daliah Haughton, Challenges Worldwide, 54 Manor Place, Edinburgh EH3 7EH (Tel: 0131 225 9549, 0779 985 3826, email: [daliah@challengesworldwide.com](mailto:daliah@challengesworldwide.com)).
4. Further information on the Scotland-Malawi Co-operation Agreement can be obtained from Ron Cruickshank, Development Manager, International Division, Culture, External Affairs and Tourism Directorate (Tel: 0131 244 7576, email [ron.cruickshank@scotland.gsi.gov.uk](mailto:ron.cruickshank@scotland.gsi.gov.uk)).