

INQUIRY BY THE OMBUDSMAN

DIRECTIVES

IN THE MATTER

BETWEEN

WESTON LONGWECOMPLAINANT

AND

MALAWI POLICE SERVICERESPONDENT

INQUIRY NUMBER: 62 /2019 (II)

FILE NUMBER: LL-2010-OMB-0067

DIRECTIVES

RIGHT OF REVIEW

CORAM

- Martha Chizuma - Ombudsman
- Weston Longwe - Complainant
- Inspector Mwaiulipo - Representing respondent

(Faint signature and stamp)

DIRECTIVES

1. The facts of this matter are as stated in my determination issued on 23rd April, 2019.
2. Having found that the Complainant had no remedy before the court, I assumed jurisdiction over the matter and issued a determination in which I found that the Complainant's case has merit and he deserves compensation for the suffering that he went through.
3. I referred the matter to Legal Aid Bureau as it is an office that has better expertise on calculation of damages. I received the opinion on quantum of damages from Malawi Legal Aid Bureau on 25th October, 2019, hence this final order.

DIRECTIVES

4. Section 126 of the Constitution and section 8 of the Ombudsman Act give me power to direct a remedy where allegation of maladministration is established. Based on the opinion I received from the Legal Aid Bureau, I direct that the Complainant should be paid K5, 000,000 as compensation. This money should be paid by 31st May, 2020.
5. I must mention that the LAB reached at an amount which is higher than this but I have taken into consideration the fact that one of the losses suffered was to do with his employment but over time that has been cleared.

RIGHT OF REVIEW

6. Any party dissatisfied with this determination and with sufficient interest in the matter is at liberty to apply for review to the High Court in accordance with section 123 (2) of the Constitution within 90 days from the date of this determination.

Dated this 13th day of March, 2020.


Martha Chizuma
OMBUDSMAN