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The Medical Council of Malawi (MCM), in collaboration with the Malawi Law Society (MLS), the Medical Association of Malawi (MAM) and the Nyale Institute for Sexual and Reproductive Health Governance, recently convened a two-day joint Continuing Professional Development (CPD) session bringing together healthcare and legal professionals to deliberate on medical errors, patient safety and legal accountability in Malawi.

The session was conducted under the theme, **“Medical Errors, Patient Safety and Legal Liability in Malawi: Bridging Clinical Practice and Legal Accountability.”** The conference attracted more than 90 participants attending in person and approximately 170 participants joining online, demonstrating strong interest in strengthening collaboration between the healthcare and legal professions.

The session was officially opened by the Honourable Charles Mhango, Minister of Justice and Constitutional Affairs, who commended the participating institutions for creating a timely platform for interdisciplinary dialogue. He highlighted the important responsibilities that both healthcare and legal professionals have towards the public, particularly in safeguarding human dignity, protecting patients’ rights, promoting patient safety and maintaining public trust.

The Minister further underscored the importance of continued engagement between the two professions to ensure that legal and regulatory frameworks remain responsive to the realities of clinical practice, while healthcare professionals continue to strengthen documentation, transparency, accountability and continuous learning.

Moving from Blame towards Learning and Patient Safety

A central focus of the discussions was the need to better understand the complex factors contributing to medical errors.

Healthcare professionals often operate within health systems affected by resource constraints, workforce pressures and other systemic challenges. At the same time, patients have legitimate expectations of safe, ethical and competent healthcare and appropriate mechanisms for redress when preventable harm occurs.

The conference therefore provided an important platform for examining how healthcare institutions, regulators and the legal profession can distinguish between errors arising from systemic weaknesses and negligent professional practice requiring individual accountability.

Presentations addressed the subject from regulatory, clinical and legal perspectives.

Dr Davie Zolowere, the MCM Registrar and Chief Executive Officer presented on complaints and medical errors in healthcare in Malawi, including statistics and contributing factors. Counsel Robert Nthewa discussed the legal dimensions of medical negligence and malpractice, with particular emphasis on patients' rights.

Dr Nitta Nayeja Deputy Director MoH discussed medical errors and patient safety within Malawi's public health sector, while Dr George Gwaza of Good Hope Private Hospital provided perspectives from private healthcare practice.

Associate Professor Lameck Chinula from University of North Carolina-Malawi explored the importance of moving from a culture of blame towards a just culture, where healthcare organisations can learn from errors while maintaining appropriate professional accountability. His presentation also addressed defensive medicine and the importance of creating environments in which practitioners can openly identify risks and contribute to improvements in patient safety.

The first day concluded with a panel discussion titled **“Medical Ethics versus Legal Mandates: Finding the Balance,”** featuring Dr Limbanazo Matandika Bioethicist from Kamuzu University of Health Sciences, Counsel Tusume Mwabungulu and Dr Rizine Mzikamanda, Oncology Paediatrician MOH. The discussion provided an opportunity to explore areas where ethical duties, professional standards and legal obligations intersect in clinical practice.

Strengthening Interprofessional Collaboration

The conference builds on an earlier dialogue between Malawi's healthcare and legal professions held in November 2023. Convening a second joint session reflects growing recognition that medical errors and patient safety cannot be effectively addressed by the healthcare sector, regulators or legal professionals working independently.

The MLS Chairperson, Counsel Davies Njobvu, encouraged participants to use the platform to contribute towards policies that strengthen accountability mechanisms and improve patient safety.

Similarly, Dr Kondwani Kawaza, MAM President, highlighted the shared commitment of the professions to strengthening understanding of the causes, prevention, management and legal implications of medical errors.

For the Medical Council of Malawi, the dialogue forms part of broader efforts to promote safe and ethical medical practice while protecting the public. Effective medical regulation requires not only appropriate disciplinary mechanisms, but also

continuous professional development, clearer understanding of professional obligations, stronger systems for preventing avoidable harm and constructive engagement with other institutions involved in healthcare accountability.

Lessons for Medical Regulation

The deliberations highlighted the importance of balancing professional accountability with system-level learning. A sustainable patient safety culture requires mechanisms that identify genuine professional misconduct while also recognising and addressing organisational and systemic factors that contribute to adverse outcomes.

They also reinforced the value of collaboration between medical regulators, professional associations, healthcare institutions, legal practitioners and other stakeholders when developing policies and approaches relating to patient safety and professional accountability.

Through initiatives such as this joint CPD programme, Malawi continues to strengthen dialogue between the professions whose decisions directly affect patients, practitioners and the wider health system.

The MCM remains committed to advancing professional standards, strengthening public protection and promoting regulatory approaches that support both accountability and continuous improvement in healthcare.