



SUMMARY REPORT

MID-TERM EVALUATION OF LSF PROGRAMME ON
ACCESS TO JUSTICE IN TANZANIA

2020

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INTRODUCTION

The LSF access to justice programme has been implemented since 2016 with a focus on increasing access to justice for all the people, particularly women, children, men and vulnerable people including those living with HIV and AIDS. This is an evaluation of the second phase of the programme, which is a five years' program from 2016, supported by DANIDA, DFID and European Union through a basket fund. The mid-year of its implementation was June 2019, covering a period of two and a half years. This report presents the findings of the mid-term evaluation conducted to inform the second part of implementation cycle for program improvement. The overall objectives of the mid-term evaluation are:

- To assess whether the overall programme was on track in terms of achieving its set objectives, as well as, to provide learning and areas for programme improvement.
- To capture effectively lessons learnt and provide information on the nature, extent and where possible, the potential impact and sustainability of the programme
- Collate and analyze lessons learnt, challenges faced and best practices obtained during implementation period in order to inform the other half of the implementation;
- Examine the performance of the programme against planned results
- Examine the preliminary indications of the potential impact and sustainability of results including the contribution to capacity development on legal aid and achievement of

Sustainable Development Goals (SDGs) and other national strategies, such as the Tanzania Development Vision 2025, National Plan of Action to end Violence Against Women and Children (NPA-VAWC) and the Legal Aid Act, 2017.

A cross sectional mixed method design was adopted for the mid-term evaluation of the LSF Access to Justice programme. Data were collected using interview guides and questionnaire. Interview guides was developed for each specific category of key informants from national level to community level. Key informants were purposively selected and a total of 287 key informants were interviewed.

Respondents were purposively and randomly selected from wards in the selected districts from all regions (28 regions) from both Tanzania mainland and Zanzibar. The selection of two (2) districts in a region involved: one district at the headquarter of the region and another situated in rural areas. In each of the selected district purposive sampling technique was used to identify one LSF interventions ward. The selection criteria for selection of key informants were based on their involvement in the implementation of the program and/or understanding of the LSF Access to Justice programme. Respondents were randomly selected from purposively selected districts and wards. Questionnaire was administered to 172 clients and 934 non-clients.





FINDINGS

Introduction

The findings are based on the triangulation for information generated from in-depth interviews with key informants, questionnaire and literature review. This means that where available, quantitative analysis was mainly used to strengthen the qualitative description by showing the magnitude of program effect (output, outcomes and impact).

Design and Implementation of the Legal Services Facility Access to Justice Programme

The programme is implemented through the Regional Mentors Organizations (RMOs), strategic partners, and paralegals. RMOs were identified through equal opportunity process that requires existing RMOs within regions to apply for the grant to assume the roles of mentorship, coaching and capacity development of paralegal units in the respective regions. According to the LSF annual report 2016, calls for Concept Notes and Proposals for Regional Mentor Organizations (RMOs) were launched and 20 region-based RMOs were identified. The report further pointed out that for regions which a RMO was not identified - two further calls for concept notes were launched. The findings of this evaluation have shown that with exception of Dar es Salaam and Mtwara regions the remaining 24 regions of Tanzania Mainland and 2 regional of Zanzibar have functional RMOs. For Dar es Salaam region, the LSF headquarter serves the role of RMOs and Mtwara region is now served by the RMO based in Lindi Region. There is a need to engage regional community development officers to mentor RMOs particularly in regions where no legal aid provider.

The LSF supports RMOs to back paralegal units to provide legal aid services at community level. This approach appears to be advantageous in increasing access and utilization of legal services in the country. Paralegals are close to where people are and are less costly compared to other legal aid channels. In view of respondents (clients), there is no fee for paralegal services rather clients may

incur associated costs of accessing the services called 'opportunity costs' such as cost of transport from home to paralegal or unit center, costs for lodging application for Court Order as well as photocopying the documents and sometimes this can be supported by paralegals for those in need. In each district, LSF has established a paralegal unit that provides legal aid services to different groups of people including men, women, children and people with disabilities.

The Recruitment of Paralegals

The recruitment of paralegals is administered by RMOs with the assistant registrar of legal aid who is also the Community Development Officers. In view of key informants at regional and council level - RMOs call for application from existing paralegals in the region. In the call for application, paralegals are required to apply by submitting expression of interest. The shortlisted paralegals based on the set criteria which prior to establishment of Legal Aid Act 2017 for mainland and 2018 for Zanzibar included having attained form four level education and well known integrity are called for the interview. Successful paralegals are subjected to a three weeks training to build their capacities on the provision of legal aid services. According to key informants - currently there has been established a mobile application with all legal proceedings to assist paralegals to make reference of critical cases. Also, in executing their roles, paralegals are supervised and technically assisted by RMOs as commented by one of the key informants ".....also we do monthly supervisions and monitoring of activities which aims at increasing efficiency to paralegals on providing legal aid services".

Paralegals Qualification

The Legal Aid Act for both Tanzania Mainland (2017) and Zanzibar (2018) have set qualifications for the paralegals as either: (a). someone with a bachelor degree in any discipline from an accredited institution, save for a bachelor degree in laws [Section 19(1)]; (b). someone with a diploma or certificate from an accredited institution

and (c) under same section, any certificate of secondary school [Section 19(2)], in addition to the requirement under subsection (1), obliges a paralegal to undergo necessary training as prescribed in the Regulations made under the Legal Aid Act. The Legal Aid Act provided advantage to those not qualifying above but for any person who has been a paralegal for at least two years and has undergone training under the current arrangement prior to the commencement of this Act, qualifies to be a paralegal for the purpose of this law [Section 19(3)]. This last minimum qualification has had advantage to all paralegals recruited within the LSF's access to justice programme. A total of 2,678 active paralegals automatically benefitted with this qualification, as they have worked for more than two years.

However, there has been mixed thoughts about paralegal qualifications in relation to the ability of performing the assignment role. According to key informants from the government, the current minimum qualification of recognizing form four level (based on being into practice for two years) is too low for paralegals. In view of the key informants, currently there are a lot of graduates with certificates, diploma and bachelor degree who could do the job of paralegals more effectively. However, in view of practitioners in the field, believe that standard seven leavers could do better than higher graduates because paralegals do voluntary job which is seen 'hard' to be performed by many of graduates. The argument is supported by the LSF survey on dropouts that revealed that many of the dropouts (87%) were graduate young people from those attained ordinary level and higher level certificates and higher.

Perspectives of Stakeholders on the Relevance of the LSF Access to Justice Programme

LSF access to justice programme was conceived by majority of key informants as relevant as it addresses legal problems in communities. In view of key informants from the MoHCDGEC and MOCLA the programme has been relevant and useful particularly to vulnerable groups such as women and children as well as poor people who

had no capacity to access legal aid services. Paralegals have enabled cases related to child abuse to be known (that were not disclosed before by communities) and referred to relevant legal authorities for action. The program has increased awareness and promotes the use of available legal aid services particularly by vulnerable groups such as women and children. The interventions of the program are well aligned to common issues that are commonly dealt with by the local government authorities, police and courts. As a result, the uptake of the program at the local level was observed to be high as commented by most of the key informants. One of the common comments identified from interviews and FGD responses that are directly related to the relevance of the LSF program was that:

“The paralegal unit collaborates with village Executive Officers (VEOs) police, Ward Executive Officers (WEOs), ward tribunals, religious institutions, gender desk and where there is the need to prepare letters and other documents for easy access the paralegals act promptly”. (Community Development Officer, Morogoro Municipal Council)

Most of the government officials demonstrated positive attitude with the programme. All government officials (75) and informal leaders [clan/religious leaders] (46) -demonstrated to support the program in the implementation (see table 1). On the other hand, all paralegals (65) confirmed to receive adequate cooperation when visiting local leaders and explain to them the roles of paralegals and their importance in conducting meeting with persons with influence in the communities. In all regions visited, there was effective engagement of governmental officials, religious leaders,

Effectiveness and Effects of the LSF Access to Justice Programme

The LSF Access to Justice Program was designed to increase access to justice to the people especially women and children. In assessing whether the programme managed to achieve the intended outcomes, efficiency was also examined on the supply side (provision of legal aid services) and demand side (access to justice services in terms of cost), and whether the interventions is increasing access to justice especially to women and children as the one of the main intended outcomes of the Programme. The following aspects were used to examine effectiveness and effects of the programme.

Accessibility of Legal Aid Services in Tanzania

The findings have shown that there is increased access to legal aid services among community members. People are increasingly interacting with paralegals to access legal aid services. The interaction indicates increased awareness on existence of paralegals and legal aid services offered by paralegals through support from LSF access to justice programme. This has made people especially women and children in the community to recognize their legal needs and seek for legal rights. The findings showed that out of 712 (100%) clients interviewed, 66.29% said to know well the procedures to follow, include paralegals and other offices to seek for legal services. Although 32.58% admitted to have been received legal aid services, they pointed out that they still don't know the procedure to follow to get legal aid services. This indicated that they either forgotten or were assisted when previously got service.

In many localities in which people were interviewed showed increased awareness of the existence of legal aid services. For instance, out of 934 non-clients who were interviewed during this study, 65.85% said that they were aware of the existence of legal aid services in their locality and only 2.78% not sure. This percentage is huge

success for this programme compared to baseline study that indicated only 23% were aware of legal aid services. The increase of awareness was very much supported by success stories collected from various regions as presented in appendix 2. It is important to also notice that in all 26 (100%) and 52 (100%) visited regions and districts, Regional Mentors Organization (RMOs) and paralegals respectively, they were active providing legal aid services. The data indicate significant increase of wards with functional paralegals in all 56 (100%) visited wards when compared to 40% reported wards in 2016 . “It is easy to access legal aid services in our council because paralegal units are found in each ward for the aim of helping people to get these services in short distances” said one of the Social Welfare Officers. The functional paralegals are not necessarily that paralegal reside in the same ward, due to low number of paralegals, individual paralegals are normally allocated to serve more than one ward.

Reporting of Legal Problems

The reporting of legal problems to paralegals has continued to increase over time. For instance, from annual reports data show that in 2016, 96% of the targeted population (40,000) reported their cases to paralegals

1. Sample size of clients- those benefited from the LSF Access to Justice Program presented in table 2.
2. LSF Annual Report (2016)- at present 40% of the wards in the country have functional paralegals
3. LSF Annual Report 2016
4. LSF Annual Report 2017
5. LSF annual Outcome Survey for Access to Justice Programme in Tanzania 2019

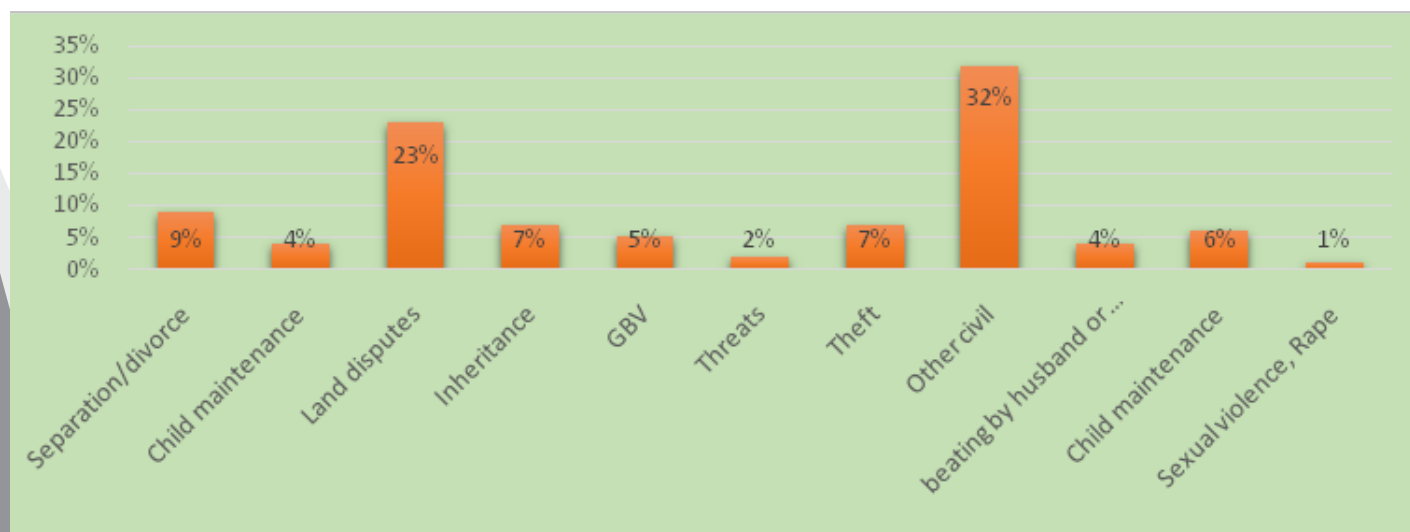
with majority (52%) of the reported cases were from women, 52% when compared to men (48%) . In the reporting period 2017 direct legal aid assistance was provided to 64,075 clients (men 29,894, women 34,181) which was equivalent to 106% of the 2017 annual target of 60,000 . In 2018, 76,513 clients served by paralegals with men 38,415 and women 38,098, which again is over the target of 70,000 clients. In 2018, about

306 respondents from LSF interventions and non-interventions wards indicated to have reported their cases to paralegals . In this mid-term evaluation, the analysis shows the services of paralegals ranked on top for being frequently utilized by community members compared to other legal aid services.

“Before the implementation of this programme people had no legal aid seeking behavior. Most of legal issues were not reported to any legal aid scheme. Since when we started this programme that has enhanced community awareness through legal education, legal issues are increasingly reported at our unit. The community seeking behavior has improved and the community is aware where to seek justice. We are working closely with other legal aid schemes to resolve some critical disputes within the community”. (Paralegal-Ukerewe District)

“Most of sensitive legal problems such as GBV and child maintenance were not reported at various legal aid schemes in the past. For example, if there was a rape incident the case could be resolved between families without reporting the issue to police or elsewhere. But after the provision of legal education which has raised awareness of community members on major legal problems like GBV and child maintenance are increasingly reported at various legal aid schemes for resolution”. (Key informant Interview-Mbinga District)

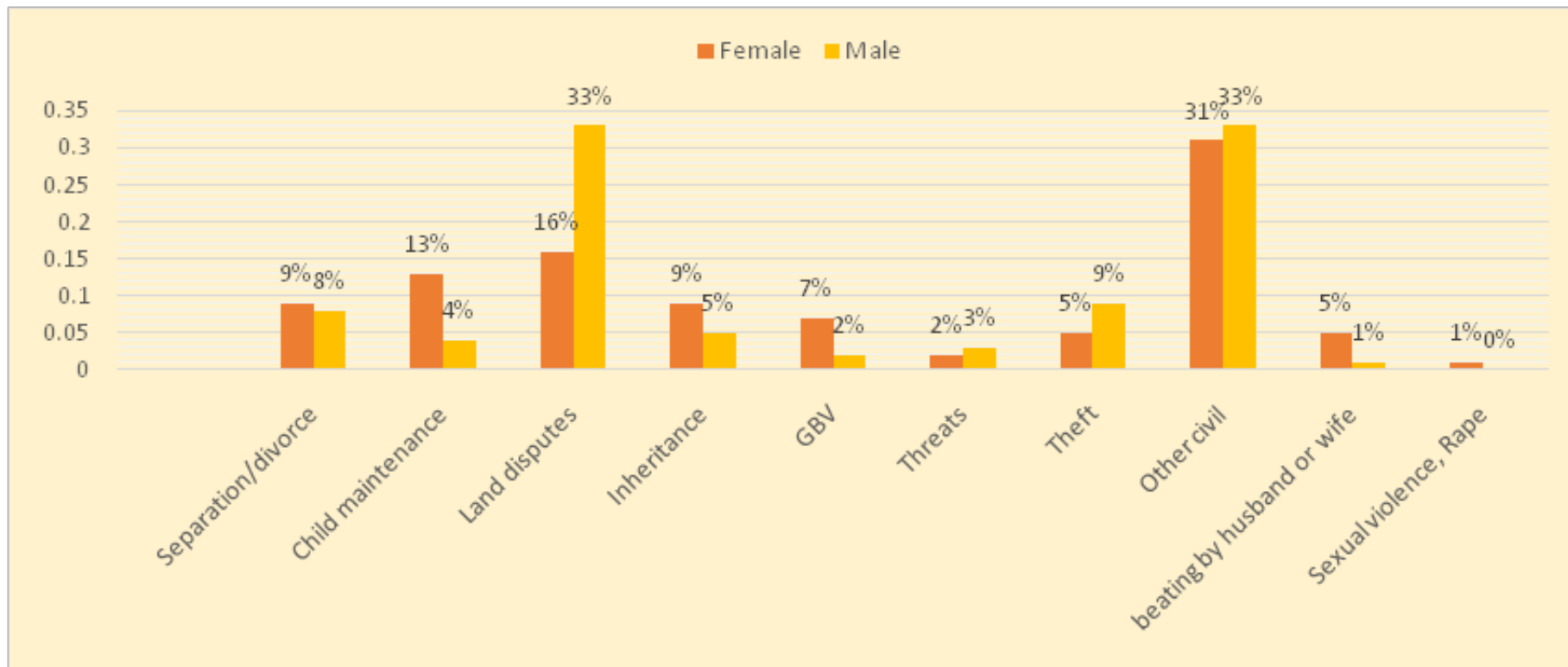
Figure 2: Reported legal cases by 1,646 respondents from 28 regions (26 from mainland and 2 Zanzibar)



The cumulative analysis further showed that females are more in reporting certain type of cases when compared to male. As shown in figure 3, females were leading in reporting issues related to separation/divorce, child maintenance, inheritance, GBV beating by husband/wife (Women 7%, Men and sexual violence/rape while male was leading in reporting land disputes, threats, thefts and other civil issues.

These findings support the findings from outcomes survey that showed that out of 306 respondents separation/divorce cases were mainly reported by female (13.6%) while most of the land disputes were reported by male (47.19%). As indicated in figure 3, land disputes were mainly reported by male (33%) when compared to female (16%).

Figure 3: Responses of reported legal cases by females and males (N=1,646)



In view of key informants, since the inception of legal aid services through paralegals there has been an increase of reported legal problems at various legal aid channels including paralegal units. Similar account was reported in LSF annual reports of 2016, 2017, 2018 and in the Annual Outcome survey 2018. Despite increase in reporting of legal problem cases to responsible units, there are still barriers to access legal aid services. Some of these barriers are associated with cultural and

traditional practices that still limit effective utilization of access to justice services for individuals in particular women in some communities. For instance, in Serengeti Districts it was reported that women are still reluctant to report marriage conflicts, female genital mutilation and other GBV cases as it is conceived as taboos. It was also noted that in other communities it is right for pregnant women can be beaten by men without sued or punished.

Preference of the Legal Aid Providers

The findings have shown that various channels (formal and informal) have been used by the community to address legal problems. As indicated in table 2 most legal problems are channeled through paralegals. Other channels in which legal problems are channeled through police, police gender desk, clan leaders, courts, local leaders, religious leaders and community groups.

Table 2: Respondents of the preferred channels to resolve legal cases by clients and non-clients

Legal Channels	Non-Clients				Clients			
	Female		Male		Female		Male	
	Freq.	(%)	Freq.	(%)	Freq.	(%)	Freq.	Percent (%)
Clan leaders	4	1%	9	2%	1	0%	1	0%
Ward tribunals	83	17%	104	23%	15	3%	10	4%
Gender desk-Police	42	9%	20	5%	16	3%	4	2%
Court	15	3%	21	5%	9	2%	7	3%
Paralegals	94	19%	57	13%	406	89%	223	88%
Religious leaders	3	1%	7	2%	2	0%	1	0%
Ten cell leaders	67	14%	70	16%	2	0%	3	1%
Community groups	183	38%	155	35%	7	2%	5	2%
	491	100%	443	100%	468	100%	264	100%

The reasons for preference to use paralegals by clients were determined in two aspects: fairness of the process and satisfaction. Data showed that out of 712 clients majority (49.86%) reported that the process was fair to “a large extent” and 28.65% reported to be it was “completely fair”. Only 2.25% said that it was fair to “a small extent” and 19.24% did not respond to the question.

In terms of satisfaction, majority (49.30%) reported to be satisfied with paralegal services to “a large extent” and 31.32% were “completely satisfied”. This finding indicates that people are more attracted to use paralegals when they face legal problems and those who use paralegals have succeeded to address most of pressing legal issues. As commented by one of the village chairmen:

“There are various legal issues reported to police, court, village authority and paralegals.....Since the establishment of paralegal services, there has been increase of reporting cases at the paralegal unit. All the time paralegal services have been so successful and many people have been assisted through this legal aid scheme”. (Community Development Officer –Chato, Geita region)

Most of the key informants commented that community members are more attracted to use paralegals because of the alternative packages of services they provide in resolving legal problems. The reported services provided

by paralegals included legal advice, negotiations, legal education and where necessary facilitation to proposed the referral points, unlike other justice mechanisms. Interestingly, the mentioned roles are the same with what

stipulated in Legal Aid Acts, it means that paralegals are doing work according to the law governing them. As results- most of the clients served have reported a high level satisfaction of services provided by paralegals.

“...I can admit that the guys are doing a good job taking from peoples’ experience of their services...The results of the program are quite impressive and positive...a number of them are winning their cases after consultations with paralegal center RMO (Gender desk police officer, Mbeya)

“The program is enhancing access to justice in several ways..., there is a wide range of witness from others that have seen their fellows solving their disputes by the help of paralegals speaks volume and indicate their contribution in improving access to justice” (Gender desk police officer, Njombe)

On the other hand, analysis of quantitative data revealed that majority of non-clients did not have good reasons to why they have not accessed services from paralegals. For

instance, out of 934 respondents 76.87% had no reason and 8.78% pointed out that they did not encounter a problem that required legal services. Only 3.7% reported

to have accessed other channels seeking for legal services.

Table 3: Sources of information reported by non-clients (Community members (N=931))

Sources of Paralegal Information	Fre.	Percent	Cum
Through my friends	60	6.44	6.44
Through my relatives	33	3.54	9.99
Heard them on Radio	43	4.62	14.61
Through my neighbors	76	8.16	22.77
Through the village government leaders	57	6.12	28.89
Approached directly by a paralegal	78	8.38	37.27
Community meeting	137	14.72	51.99
legal stakeholder	17	1.83	53.81
heard them on TV	7	0.75	54.56
Through a police	6	0.64	55.21
News paper	8	0.86	56.07
Others	92	9.88	65.95
NA	317	34.05	100.00
Total	931	100.00	

These findings closely correspond with not only the LSF Annual Outcomes Survey of Access to Justice Programme 2018 that showed that the highly used sources of paralegal information were village assembly but also with annual reports 2016 to 2018 followed by paralegals, radios and other people .

Legal empowerment

The findings have shown that legal education from paralegals has enhanced community's understanding on where and how to get legal rights. All the time, paralegals are dedicated to legal empowerment. They have been helping people to understand and use legal aid services provided at their centers. The findings showed that various sessions concerning legal education have been conducted from regional level to the grassroots. Majority of local communities particularly women have been reached with legal education provided

by paralegals through different channels including reaching out women's group only. As a result, in recent years, women have been able to report GBV unlike it was in the past where such issues were not reported and kept secret. This finding concurs with the baseline survey (2015) results, which indicate that GBV was among of top three legal problems reported by women. The impact of legal education can be observed through a success story from Zanzibar in which right to education was obtained by client known as Angelina Bwire. Through legal education from

paralegals she managed to recover a piece of land. She used the money obtained after sold a portion of the land to cleared school fees for two children, which otherwise her children would have dropped from school. In view of this, legal education and support obtained from paralegals empowered community to seek and obtain legal rights as commented by one of the key informants:

“Legal education has broadened people's understanding of the law and their rights. I have also attended seminars offered by paralegal units and even asking questions when I feel there is controversy or need further clarification on the law.” (Community member client- Bariadi)

The impact of legal education interventions is evidenced through collective community actions and other social actions that enabled communities to resolve their problems and improve their livelihood after being taught by paralegals and legal aid providers.

For example, in Kigina Village, Ngara District - it was reported that through collective action- village members were able to claim back the hogged village forest. Similarly, collective action enabled villagers in Namtumbo to be compensated their crops after the land was wrongly taken without compensation.

Awareness on Channels of Resolving Legal Problems

The findings have revealed that prior to the introduction of LSF access to justice programme, most of the chronic cases that are being reported or dealt with by paralegals have existed for a long time because of lack of awareness on procedural matters of handling cases and lack of proximity legal aid services did limit people to proceed with their cases. But now the existence of paralegals has opened a new chapter



“Since when my late father died it was a start of our family crisis on inheritance matters. We were not aware of the existing disputes resolution channels like paralegals that could help us to resolve this crisis. We were afraid to take the case to the court due to financial implications. We decided to resolve the disputes at family level but the issue was not resolved. Then afterwards, we decided to seek help from the clan but it didn’t work. Our family was entirely affected and conflicts were part of our life. We were finally advised by one of our clan members that we better consult paralegals who assisted us to resolve the situation amicably”. (Key informant interview – Bukoba)

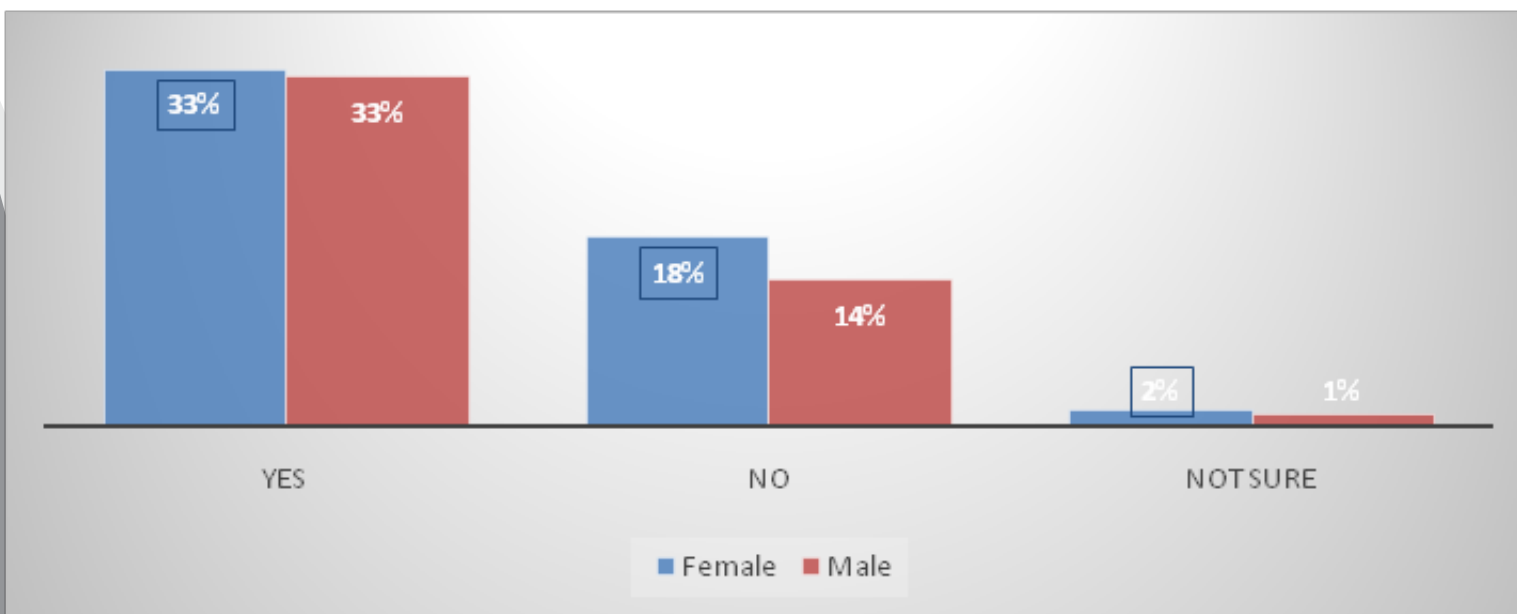


The analysis of quantitative data has shown that there has been increase in awareness on availability and accessibility of legal aid services. Awareness was observed even to people who have not yet received legal assistance from

paralegals. As indicated in figure 3, out of the 934 non-clients interviewed during the study, 66% knew where to take their legal problem across the following options: Clan leaders, Ward tribunals, Gender desk, Court, Paralegals,

Religious leaders, Ten cell leaders, shehia, Community groups, and Others. This was mainly attributed by spillover effect of the legal education provided by paralegals that has transcended to the wards without paralegals.

Figure 4: Responses from non-client on awareness of channels to resolve legal issues by sex

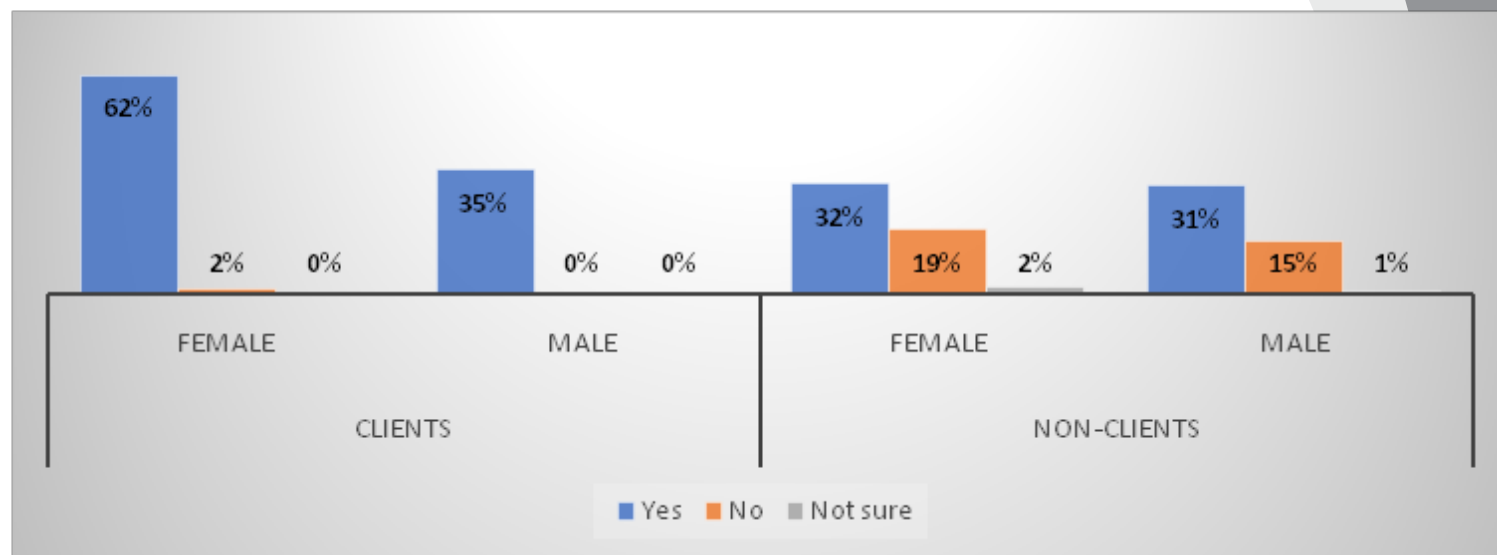


As shown in the figure 4 the level of awareness among male and female was the same. But male have a high proportion of those reported to be not aware when compared to female. This indicates that females are more exposed to legal problems as compare to male.

Note that majority of clients reported to be aware of existence of both paralegals and other legal channels. As indicated in figure 4, only a small proportion of females report to be not sure of existence of paralegals while for non-clients a significant proportion of females (19%) and males (15%) reported to be not aware.

Figure 5: awareness on the availability of paralegals in the community by sex for clients and non-clients (N= 1646)

Observably, there has been increase of awareness in all communities where paralegals were found to operate and nearby wards through the spillover effect of those who received legal aid services through paralegals. As indicated earlier some information was sometime obtained through friends and neighbors. In view of the paralegals, awareness creation on legal education was conducted during the village assembly whereas village chairmen and VEOs convene the village meeting and invite paralegals to educate the community about legal issues. Through this approach the community was imparted with relevant knowledge regarding legal problems and all appropriate channels to report their problems.



Time Spent to Seek Justices in Tanzania

Since implementation of LSF access to justice programme in Tanzania, the time it took for someone to seek legal aid services has decreased. At the baseline the time spent to take legal action was between 7 months and 2 years . The time spent to access

legal justice continued to decrease over time following the introduction of LSF access to justice program in 2016. According to the LSF annual report 2017, time spent to access legal services varies from one week to several months. More decrease of time spent to access legal aid services was also observed during the LSF outcomes survey .

Table 4: Time spent to seek justice

Time	Fre.	Percent
Within a week	168	23.6
Within a month	139	19.52
3 months	104	14.61
4 to 6 months	59	8.29
Between 6 months to 1 year	89	12.5
Between 1 to 2 years	125	17.56
NA	28	3.93
Total	712	100.01

Most of the key informants commented on the short time it took for them to get their problem resolved by paralegals:

“ ...the establishment of this LSF access to justice programme has reduced the time of seeking and obtaining resolution to legal problems reported to paralegals”
 (community member– Serengeti). ”

Cost Incurred to Access legal Aid from Paralegals

In this evaluation- cost was conceived critical in facilitating access and utilization of legal aid services. The findings indicate that clients served by paralegals units have incurred only little costs during the process of resolving their legal problems. Some of the clients said that they have been assisted by paralegals without even paying

“ ...Distance is really a challenge, though we have offices in four districts in Kagera Region (Bukoba, Muleba, Karagwe and Ngara). Also we have 180 active paralegals and 38 are currently going through training. Those paralegals are not sufficient to serve the whole region as some of the villages are not covered. This caused people from those villages without paralegals to travel long distances to get access of paralegals - as a result they incur more costs. There are clients who don't pay any transport costs because they stay close to paralegal centers”. (RMO - Kagera).

According to LSF Monitoring and Results Manager, by 2016 LSF had trained 4500 paralegals and in 2017, the number of paralegals dropped to 3320. In 2019, LSF did a refresher course to comply with the requirement of legal aid act (2017), the number of active paralegals after the training were 2,678 who have been certified by MOCLA. The LSF supported training of new 1093 paralegals end

anything. In view of most of the key informants- the cost of accessing legal aid services from the paralegals is affordable to most of community members. Further, the key informants said that quite often the costs associated with obtaining legal aid services through paralegals is mainly the cost of transport while visiting the paralegal unit. The level of transport costs depends on the proximity from the paralegal units to the household. Some of the villages that

of December making a total of 3771 active paralegals on mainland and with 260 paralegals in Zanzibar. Essentially this means is that the paralegals service is now placed closer to communities. The new paralegals are coming from wards which had now paralegals before hence increase coverage and accessibility. The target of LSF by 2021 is to have 6000 paralegals across the country.

are far from paralegals units- their community members have to travel long distances to seek for legal aid services from paralegals. In view of the clients, for those who were coming from very remote areas the transportation costs were ranging from 2,000-5,000 Tshs. On the other hand, those who were residing close to paralegal centers did not incur any costs for transportation. As commented by one of the key informants:

The increase of paralegals by numbers and distribution to wards has and will increase access to legal aid services in terms of distance which resulted to affordable services due to cut of costs to access legal aid services:

“ .I had a long lasting land disputes with my son- the case that was finally resolved by the ward tribunal through assistance from a paralegal..... I was mistreated by my son for long time and he wanted to take my land that I inherited from my husband. After a long time of suffering I came to know about the paralegal services. I visited the paralegal unit to present my dispute. After one week one paralegal visited my home where we had a resolution meeting. I had to cover his transport costs to enable him to come to my home. The issue was resolved and managed to recover my land. To me this was the great achievements as before I was too stressful with this dispute”. (Interview with client- Masasi District).

Most of key informants were of the view that paralegal services are cheaper when compared to other legal aid channels “Paralegal services are less expensive and affordable to poor people” said one of the key informants.

For instance, consultation fee for 30 minutes from a lawyer is Tshs. 50,000/= . Also in tribunals, there are several charges such as forms charges, premium fees and filling fees etc that are not regulated and thus depend on the

situation. However, as indicated in figure 8, most of respondents (65%) reported to spend only Tsh. 1,000/= mainly for photocopying several documents with paralegal services.

Effect on Emotional Costs

The mid-term evaluation analyzed the emotional costs to understand the extent to which the program has addressed emotional stress experienced by individuals who faced legal problem. Various aspects of emotional costs were assessed including: the extent to which the process had a negative impact on vital relationship; outcome of the

process; and extent the process caused some one feel frustrated, angry, humiliated, disappointed and/or hopeless. The findings showed that only few clients reported to suffer from emotional costs because their disputes took a long time to be resolved. This finding differs with the findings of the baseline survey conducted in 2015 whereby emotional costs were extremely high in aspects of disappointment, hopeless and feelings. The findings have established that

there is huge discrepancy in terms of gender in feeling the emotional cost. In this evaluation, males felt to incur emotional costs in aspects of stress and disappointment. This is contrary to the findings of the baseline survey where females felt they incur more emotional costs in all aspects than male. As witnessed by one of the clients in Masasi District in Mtwara region.

“I had marriage problem for many years. My wife was misbehaving to the extent of leaving our home for more than a week. I tried to resolve the problem at family level but it wasn't successful. I decided to present the issue to her brother but surprisingly he defended her. I was too stressful and emotionally I was really affected. I was advised by my sister to visit paralegal unit in Masasi Town. Paralegals sent a summon to my wife and she came to meet with the paralegals. After long discussion, the issue was resolved and my wife has changed. I'm happy that her behavior has improved”. (Client-Masasi District).

Satisfaction with Legal Aid Services and Outcomes

When participants of the study (key informants) were asked whether they were satisfied with legal aid services- most of them expressed their positive commendations for the great work done by paralegals- arguing that they have been effective in providing legal aid services

to the needy people. In view of most participants (key informants) access to justice programme has been successful in remote rural areas where legal problems particularly those affecting women and children are common and few option of legal services are available. The target of the programme is to reach at least 3 to 4 million people throughout the country. This target

still low compared to the rural Tanzanian population of 70.4% of the total Tanzania population of 55,890,747 (NBS 2019). Observably, the legal seeking behavior among community members has improved compared to previous years. Yet, still programme strive to reach more beneficiaries by providing trainings to more paralegals. As pointed out by one of the key informants:

“...Clients who reported their legal problems to paralegals have expressed their satisfaction on the services provided to them. Most of them have managed to recover their lost asserts.....they are grateful to the legal aid services provided by paralegals”. (RMO - Tanga).

“.....Frankly speaking this program is indeed bringing huge relief within the community. For example, members of my congregation lost their piece of land but through this program some of them have managed to recover their land”. (Informal leader – Mombo).

“.....Paralegals have been helpful in settling disputes in our community. Many disputes concerning land, inheritance, child maintenance have been resolved by paralegals. Paralegals have been emphasizing on issues of human rights such as the right to education, land and other human rights”. (Key informant – Ukerewe DC).

Working Environment for Legal Aid

The working environment for the legal aid providers was generally good. Government stakeholders at all levels have demonstrated strong recognition of the work done by LSF Access to Justice Programme. The increase in recognition can be associated with capacity building training conducted to WEOs and VEOs in 13 regions. These trainings appear to have enhanced the sense of ownership and consequently engagement in the provision of legal aid services among local duty bearers. According to LSF Director of Programme, at national level the LSF access to justice programme has been effective in engaging government and

other key stakeholders in facilitating development of the National Plan of Action to End Violence Against Women and Children in Tanzania 2017- 2022 which serve as a guiding framework on the interventions they implement with other key stakeholders in addressing legal problems particularly to women and children. In view of the national level stakeholders, the recently established Legal Aid Act 2017 have not only improved work environment for legal aid providers to operate but also it has formalized the legal aid institution. Currently paralegals can easily register through Community Development Officer who serves as assistant registrar. The registration of paralegals at council level provides them with recognition by local leaders. .

At regional and district council level, both the Regional Mentors Organization and Paralegals Units have reported the good working relationship with the government and other stakeholders. In view of RMOs and Paralegals- government appreciate the work done by paralegals and provide them the required support to implement their planned interventions. Observably, LSF access to justice Programme interventions are planned and implemented in collaboration with government stakeholders- something that has been reported to increase synergy in the provision of legal aid services as commented by one of the key informants interviewed during the study:

“...Cooperation with the government is creating both synergy and political will in the provision of legal aid.....and we have been working together with government officials in providing legal aid services and education to paralegal (RMOLindi)

Sustainability of Legal Aid Services

The findings of the study revealed that apart from capacity building of legal aid institutions, LSF access to justice programme has greatly promoted and supported the establishment and review of key instruments such as national strategies, guidelines and legal acts. The programme is also implemented in close collaboration with government stakeholders. For instance, it was reported by most of key informants that capacity building of RMOs was done by LSF in collaboration with government stakeholders

at regional level particularly community development officer and/or social welfare officer. Similarly, the recruitment of paralegals was done by RMOs in collaboration with relevant government stakeholders at regional and council level. According to LSF annual report 2016, LSF in collaboration with Commission for Human Rights and Good Governance (CHRAGG) has implemented capacity building program for local government authorities at district and below level. The process involved preparing trainers who are relevant council officials who will train LGAs at the lower level, in particular WEOs. Also PORALG and

LSF are in discussion on how LSF access to justice programme can build the capacity of wards tribunals in resolving conflicts within the community.

It was not established how much in average paralegals have been able to generate in relation to 20% of the total 8 million as the indicator for LSF sustainability plan by 2021. Observably, whatever reported to be generated from small projects by paralegals, no evidence was documented to show that such fund was used for provision of legal aid services.



“.....at this paralegal unit we have established beekeeping as important activity to generate the income that can help to supplement the merger budget provided by LSF. Through beekeeping we have been able to sell bee products such as honey, beeswax and bee bread. All these have increased our income as result we are able to provide the services ...”.(Paralegal-Serengeti)



“Multiple income generating activities projects such as avocado nursery, poultry and pig farming have been established to increase the income of our paralegal unit”. (MAPAO Paralegal- Makete)

Grant making and management modality

The LSF access to justice programme receives fund from DANIDA, DFID and EU through basket fund approach. Currently DFID has changed its direct fund transfer to LSF through basket fund and it now it has integrated the LSF fund with other programme supported by DFID and coordinated by KPMG. This means that KPMG is now grant manager of the DFID fund to LSF Access to Justice Programme in Tanzania. In view of stakeholders from KPMG at the time of this evaluation, KPMG had only done one grant transfer to LSF. The fund from DFID contribute to the fund received by LSF Access to Justice Programme to a tune of USD 5.6 Million to implement the second phase (2016-2021) of the program with a focus on increasing access to justice for all the people, particularly poor women, children, men and vulnerable people including those living with HIV and AIDS. According to ALS annual report 2016, LSF has recruited Capacity Development Manager, Senior Communication Officer, Admin & HR

Officer and Finance & Accounts Assistant to enhance effectiveness in the management of the grant.

At the time of this study a total of 28 (26 from Tanzania Mainland and 2 Zanzibar)RMOsreceived grants with a total value of Tsh. 19,945,834,052/=. This indicates that the number of RMOs who received fund has increased from 20 in 2016 to 28 at the time of this study. Also the funds disbursed to RMOs have increased from Tsh. 15 billion to Tsh. 19.9 billion. In view of key informants- the process of channeling grants through RMOs is good as it facilitates timely disbursement of fund to paralegals as commented by one of the key informants:

The sub-grating of paralegals was done by RMOs. The underlying assumption from the design is that the direct granting by the LSF would have led to grant management and monitoring challenges for the Secretariat. Observably, the process is good as RMOs stand a better chance to be well informed about existing paralegals units within the region and can easily supervise and provide technical

support where needed due to proximities. This argument strengthens the use of RMOs in the grant modalities and management of paralegals. According to key informants at LSF and regional level, LSF grant are issued on performance and results basis.

In view of RMOs and paralegals, the challenge with LSF grants to paralegals is that it is provided on equality basis. This means that every paralegal unit receive a budget of Tsh. 8,000,000/= per annum which are split into Tsh. 2,000,000/= per quarter, or as determined by paralegals' plans agreed with RMO. This approach seems to ignore contextual variations across districts in terms of geographical locations, household distribution and communication infrastructure development. The distribution does not also consider the number of paralegals in the paralegal units. For instance, Rombo district has 48 paralegals, while the paralegal unit in Bagamoyo has only 4 paralegals, but all get 8 million. Similarly, In Zanzibar, where shehia are very close on average of 5 to 10 kilometers apart, compared to

Mlele district in Katavi or Manyoni district in Singida, which the distance from one ward to another is 80 to 200 kilometers apart but all receive the same amount. This approach calls for a more improved approach that uses equity criteria.

LSF Monitoring and Evaluation Processes

The LSF has a well-established Monitoring and Evaluation systems cascading to paralegals who are services providers. The system is managed by Monitoring and Results unit at the LSF headquarter and guided by LSF M&E framework 2016-2020 and the LSF Monitoring and Evaluation Policy (Undated). While the policy set a landmark of operation for programmes implemented by LSF, the M&E framework provide a detailed descriptions of the theory of change, results and indicators governing the implementation of LSF Access to Justice Programme and align it to the LSF strategy 2016-2020. The Monitoring and Results unit is manned by three staff with key qualifications and expertise (i.e Monitoring and Results manager, Monitoring and Results Officer and Senior Data Analyst). The team manages M&E functions of the RMOs who serve as sub-grantees of LSF fund- have at least one designated Monitoring and Evaluation Officer. Similarly, the paralegal units had at least one monitoring and evaluation officer.

Planning, Capacity Building and Partnership

It is important to note that special trainings are organized in zones to allow a manageable number of participants (around 40) in one training. The trainings are coordinated with support from the zonal Trainer of Trainees (ToT). In each zone there is one ToT selected from amongst Monitoring and Evaluation officer at regional levels and serve as a member of the LSF Monitoring and Evaluation Technical Working Group. The zones are made up by 3 to 4 regions. For effective capacity building and sustainability, RMOs and paralegals were of the view that one ToT is insufficient to serve the whole zone.

The advocacy and partnership are done at all levels. At ward level where paralegals operate, they share their reports with relevant ward development committee where legal issues are identified and analyzed to determine a way forward. A way forward could be convening the village assemblies for alert and sensitization, call for more interventions from the government, the community and CSOs as well as forwarding to the council level for more interventions.

Partnership with other implementing partners in data networking and sharing was

observed to be weak. Only one partnership forum with Foundation for Civil Society was reported to exist, that is implemented on quarterly basis to share experiences and future plans. No interoperability or data linkages among partners implementing interventions on access to justice that exists. This makes it difficult to coordinate access to justice interventions countrywide to avoid overlaps and duplication of efforts.

Data Collection and Management

The programme uses both online and offline system in keying data. The offline system has been introduced following unreliable internet connectivity and even if the internet is available yet it was expensive for paralegals due to limited budget. As a result, data delayed to be keyed into the web-based systems. Through offline data are captured offline and Sync while online which has reduced much of internet costs. In 2019, the reporting templates (legal education and legal aid forms) used by the programme were recognized by National bureau of standard being standard for legal aid data collection.

The LSF system is complete M&E system as it offers option to create logframe, work plans, budget, risk management, grant management, report generation and knowledge management platforms to the user. The systems allows each paralegal unit and RMOs to create it is own website and database. Each individual registered in the system can key in data from his/her platform. It has capacity to register all stakeholders and give them their interest data they want. For example, if they want the assistant registrars found in the districts can be registered in the system and be able to get reports or monitor the paralegal unit within his/her district. The system is best positioning to be called a national legal aid monitoring system because of its uniqueness and functionality.

Periodic data are collected on various means. It was observed that since 2016, LSF has conducted various studies to inform LSF Access to Justice Programme and track its implementation process. Apart from the baseline survey that was conducted in 2015, other studies include: Annual Reports; Qualitative Survey on Legal Aid, Paralegal dropout survey, and Endline evaluation for Urban Legal Empowerment in 2017, Annual Quality data assurance, and Annual Outcome Survey of LSF Access to Justice Program 2019. These studies have been useful in generating findings that have been used for continuous improvement of the LSF Access to Justice Programme.



.....in the past most of our paralegals are unprofessional hence unable to prepare meaningful financial report..... But we have trained them at least now they can prepare good report and submit on time... Key Informants



Data Use

The data generated from LSF M&E systems have been used in various ways. At national level- the development of some key national documents have been contributed by experiences documents in the implementation of interventions including LSF Access to Justice Programme

and have been spearhead and supported by LSF. Some of such documents are like the Legal Aid Act 2017 and the Plan of Action to End Violence Against Women and Children, 2017/18-2021/22. It was also reported at regional and councils level that information from LSF Access to Justice Programme have been used to inform the local government interventions and develop proposals

for funding. For instance, it was reported that- RMOs have been using information obtained from paralegals as the basis for development funding proposals. However, it was beyond the scope of this evaluation to determine the extent to which issues captured from LSF Access to Justice Programme have been integrated into government planning process particularly the LGAs.

Collaboration with Key Partners

International collaborators

DANIDA is conceived as the champion of LSF access to justice programme. The LSF basket fund was designed and created by DANIDA. Its main focus has been to strengthen the demand side of the Legal Aid Systems while gradually strengthening the supply side to meet the increasing demands. Observably, since its start there has been a good and strong relationship between LSF and DANIDA in designing and implementing LSF access to justice programme. Apart from being the main contributor of the LSF basket fund, DANIDA supports LSF in capacity building and in securing more funding. The others contributors to the LSF programme are DFID and European Union.

Collaboration with Government at National Level

LSF works in close collaboration with the national level government. The study found out that LSF is engaged by the government to coordinates the provision of legal aid services in the country. LSF is a member of task force for the implementation of legal aid act 2017. LSF works closely with the Ministry of Constitution and Legal Affairs (MOCLA) and registrar of legal aid providers. For instance, the Ministry of Constitution and Legal Affairs (MOCLA) coordinating training for legal aid providers including relevant

government officials and LSF support the trainings by providing funding. There were also close working relations with government institutions such as police, prison, and LGAs. Recently, LSF has signed the Memorandum of Understanding (MoU) with President's Office Regional Administration and Local Government (PORALG) and Ministry of Health Community Development, Gender, Elderly and Children (MoHCDGEC). This is a good indication of strong relationship with the government at the national level that has greatly facilitated smooth implementation of programme activities at all levels.

Collaboration with Government at Sub-national level

LSF provide funding to CHRAGG to build capacity of LGAs staff to become TOT on human rights issues to train WEOs. In view of the key informants- staffs from LSF are selected from all departments in the council. This indicates a high level of engagement by ensuring Sector Wide Approach (SWA) and recognizing the fact that human rights issues are multi-sectoral. This approach appeared to have enhanced the work relationship between paralegals and relevant local government officials from council level through to village/mtaa level. Most of the paralegals admitted to get adequate cooperation from the government officials after the training. This has also increased access to justice- as most of the local government leaders at the lower level have also been in the forefront in advocating and promoting human rights and legal aid issues.

“...during implementation we provide cooperation and work together to ensure a Programme is realizing its goals. Comment from Social Welfare Officer”

Collaboration with private sector

The study has found that LSF collaborate with private sector in strengthening effectiveness of interventions on human rights issues and expanding its scope of interventions and coverage. For instance, LSF collaborate with Vodacom Foundation in educating community members including women and children. With Vodacom Foundation, the partnership focuses on information sharing through SMS to Vodacom subscribers to issues pertaining to gender based violence and human rights. The shared messages have been scrutinized and approved by MOCLA.

Collaboration at international level

The LSF engaged in networking and partnership initiatives at the international and African regional levels to foster its visibility and contribution to the sustainable development goals. The LSF has continued to network with different actors like the East African Philanthropic Network (exploring funding institution to collaborate with), African Philanthropic Network and Tanzania Philanthropy Network, Open Society Initiative for Africa - OSIA (for paralegals funding) Open Society Foundation (for legal empowerment

funding), NAMATI (Global network for legal empowerment (for learning purposes), Amnesty International - Kenya (the office deal with Uganda and Tanzania and the LSF contributed in developing Amnesty international Global strategy), International Commission for Jurists (ICJ) - Kenya (for decriminalization of petty crime to reduce state costs), Irish Embassy (collaborated on GBV study and Judicial Reform) and The Danish Centre for Human Rights.

Best Practices

The following is a brief account of few specific best practices documented during mid-term evaluation.

Practice 1: The effective of RMO approach

The successes of the LSF Access to Justice programme have been contributed by the RMO model. The use of Regional Mentor organizations was conceived to be an effective way for capacitating the paralegals and paralegal units in implementing their activities. RMOs have been providing mentorship, coaching and monitoring the performance of paralegals. They ensure frequent follow up to paralegals and make sure that the agreed targets are realized. This has made the implementation of the program to be effective and efficient.

Practice 2: The use of local based service providers

The LSF Access to Justice programme has benefited much from the use of paralegals who have contextual understanding of their locality. Paralegals have easily established rapport and smooth interaction with the community. Based on the contextual understanding, paralegals have easily gained trust and eventually attracted more people to access their services. The programme has reached many people regardless of limited number of paralegals across the country.

Practice 3: Involvement of government duty bearers in the implementation of the programme

The experience shows that the LSF Access to Justice programme has been successful due to involvement of government in every stage of its implementation. Various duty bearers from the ministries (MOCLA, PORALG, MoHCDEC) and LGAs were effectively involved in the programme. At all levels (national to local levels) duty bearers have appreciated the programme in empowering the community, particularly women, children and vulnerable people. The government has started to integrate the programme activities in its intervention plans. This provides good indication of programme sustainability.

CONCLUSION AND RECOMMENDATION

Conclusion

The programme has been successful in inculcating the culture of legal seeking behavior to local communities in matters relating to justice and human rights. Currently, most of the community members are aware of their legal rights and available channels to obtain justice. This is evident from the increasing number of reported cases including those which have existed for a long time. There was much consensus among stakeholders that access to legal aid services has improved since the implementation of LSF access to justice program. Most key informants and respondents admitted that it is less costly to channel legal problems through paralegals. In fact- there is a strong trust among community members that the use of paralegals will lead to timely attainment of legal justice and at the lowest cost. This has influenced effective utilization of legal aid services particularly paralegals.

The seems to respond to the national agenda enshrined in the constitution of the United Republic of Tanzania. Its interventions are also aligned to existing national frameworks such Legal Aid Act 2017, National Plan of Action to End Violence Against Women and Children 2017/18-2021/22 and National Gender Policy, just to mention but a few. It is important to notice that the programme did not only align its intervention to existing national priorities as stipulated in various legal rights guidelines and frameworks but also it has facilitated development and review of some of these documents. These documents' have been instrumental in formalizing the legal aid systems and creating a more conducive environment for legal aid providers. They have also facilitated the uptake of legal aid systems by key government officials at all levels. At national level, there is a close working relationship between the LSF access to justice programme and

government officials. RMOs and Paralegals work closely with government officials at regional and council level. RMOs and Paralegals have admitted to receive adequate cooperation from government officials at regional and council level.

The grant making modalities were conceived to be good as it facilitates timely disbursement of programme fund and the disbursed funds are directed to the planned interventions to reach the target beneficiaries. The use of RMOs as sub-grantees to contract paralegals was conceived as a relevant and useful approach for monitoring and accountability- since the use of LSF technical team would have been difficult to manage follow up and ensure accountability to all paralegals units in the country. However, there are concerns that much of programme money remains at RMOs than it should have been. RMOs are only engaged to oversee the role of paralegals and provide technical support through mentorship and coaching including other capacity building actions. Paralegals are engaged to deliver legal aid services. Yet, only 32% of the Tsh. 25,000,000/= goes to paralegals. In view of key informants- there is need for revision to enhance efficiency in the use of programme fund. There was also concern that the distribution of fund to paralegals units should be done on equity basis and not for equality basis as it currently practiced. For instance- all paralegal units receive a flat rate of Tsh. 8000.000/= per year regardless of the area to be covered.

Collaboration between LSF and development partners was good. So far, LSF has three donors namely DANIDA, DFID and European Union supporting LSF access to justice program. DANIDA is conceived as a champion of LSF access to justice program and has facilitated securing DFID and European Union support for the program. DANIDA serve as both the donor and observer for the program.

RECOMMENDATIONS

The following recommendations are put forward for improvement of the programme.

LSF and Legal Aid Providers

- **Competences and retention of paralegals:** Most of the paralegals were recruited prior to commencement of the Legal Aid Act and were from four levels with necessary trainings and have practiced for more than two years. Since, the retention of this level of qualifications is high, MOCLA and LSF should arrange certificates for trainings to enable them meet the current demand of the act. It remains a more preferable level of qualification because of volunteer nature of paralegals role where more qualified individuals are less likely to serve for longer periods.
- **Awareness and legal empowerment-** There is a need to increase the number of paralegals in paralegals units so that a paralegal can deal with a manageable geographical location and supported financially equitably based on the nature of the context in terms of transport facilities and infrastructure. The strategy to increase more access should include strengthening outreach services and expanding focus of the programme beyond women and children to other vulnerable groups such as elders to comprehensively capture a wider range of community needs.
- **Reporting of legal cases:** Some cultures are still barriers for reporting of legal cases and thus, legal empowerment for women and children as observed in Serengeti and Kilwa districts- whereby for the former district women still feel that it is their rights to be beaten by their husband while for the later local leaders still facilitate the hiding of GBV cases. Specific interventions can help break-through the longstanding cultural practices to allow effective use of legal education and legal empowerment.
- **Work Environments, Coordination and Sustainability:** These relationships need to be strengthened further to facilitate a more conducive working environment to legal aid providers. These should include close follow up of integration of Access to Justice programme into government planning process through increasing emphasis to the implementation of Legal Aid Act, 2017 and Plan of Action to End Violence against Women and Children. More consensus needs to be obtained with government officials at all level on how best work relationship can be strengthened to facilitate integrations of Access to Justice interventions into government planning process and accelerate scale up of Legal Aid interventions which are critical for sustainability.
- **Grant Making Modalities and accountability:** The cost of administration and capacity

building can be revisited and minimized to allow more fund to flow to paralegals with a crucial role of services delivery. Equity distribution of fund to paralegals could help to address contextual challenges of some areas with difficulties in communication and transportation.

- **Monitoring and Recommendations:** The LSF M&E system can be strengthened further by linking relevant program data to the existing government systems including other programme data systems. The generated information can be translated in terms of policy briefs and fliers to enhance the use of LSF Access to Justice programme data.
 - **Policy brief:** Although- various studies conducted by LSF provided very useful information, there is a need to be transformed into more user friendly sources of information such as policy brief to inform policy makers, other implementing partners and institutions at all levels for easy integration into their plans.
 - **Advocacy and Communication:** The uptake and ownership of LSF Access to Justice programme was observed at all levels of the government. The development of Legal Aid Act 2017 and Plan of Action to End Violence against Women and Children is a good indication of the government recognition of the need for access to justice and legal empowerment. More advocacies are needed at all level to facilitate enforcement of the Legal Aid Act and implementation of Plan of Action to End Violence against Women and Children 2017-2022. The government should advocate on working relationship between governments at all levels and Access to Justice programme implementers. More strategies and guidelines need to be advocated for more vulnerable groups such as disabled, elderly and poor communities.
 - **Coordination of Access to Justice Programmes:** The government institutions acknowledge existence of other implementers of Legal Aid related programmes. These implementers need to be well coordinated to facilitate sharing of information, which is critical for avoiding overlaps and duplication of efforts. Establishment of local level platforms for discussion of programme issues and planning will strengthen coordination.
- ## Donors
- **Development partner's support:** LSF Access to Justice programme should engage and capacitate more paralegals including widening the scope of its programme to cover other vulnerable groups such as disabled and elderly.

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