



SUMMARY

ANNUAL REPORT 2017

EVERYDAY JUSTICE FOR EVERYDAY PROBLEMS

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Promote and protect human rights through legal empowerment, increase accessibility of legal services for poor and vulnerable populations, in particular for women.

MISSION

A Tanzanian society in which all people are equal and have access to justice

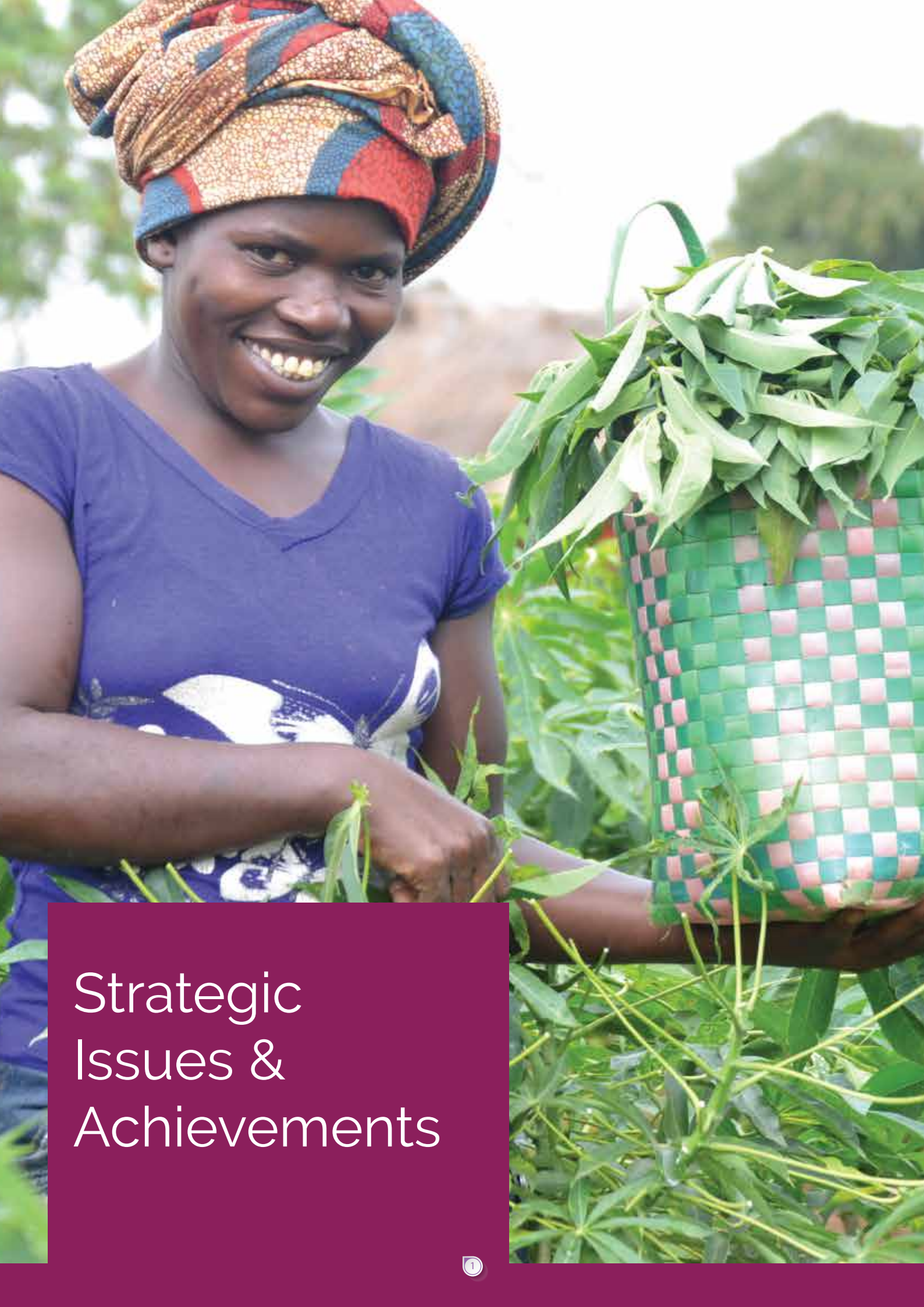
VISION

CORE
VALUES

Human Rights & Justice
Transparency and accountability
Sustainability
Cooperation and partnership
Equity

STRATEGIC GOAL

Increase access to justice for all,
in particular for women



Strategic Issues & Achievements

STRATEGIC ISSUES

The Legal Services Facility (LSF) implemented its activities through the continued funding received from DANIDA and DFID. As part of its collaboration with the government, the LSF has been and is still implementing national policies such as MKUKUTA, Tanzania Vision 2025, the National Empowerment Policy, National Plan of Action to end Violence against Women and Children in Tanzania as well as the Sustainable Development Goals (SDGs). In the same spirit, the LSF also collaborated with the Ministry of Constitution and Legal Affairs (MOCLA) in the legal aid legislative processes that resulted in the enactment and roll out of the Legal Aid Act Number 1 of (2017) in March 2017.

Grant Making & Capacity Development



Grant making and grant management remain the main activities of the LSF. In the past 2 years 29 Regional Mentor Organizations (RMOs) for Tanzania Mainland and Zanzibar were awarded grants to mentoring, coaching and capacity-develop 168 district paralegal units.

The LSF developed a rural legal empowerment approach, a Zanzibar legal empowerment approach and the urban legal empowerment approach, which is piloted in Dar es Salaam. Additionally the grant making approach allows space for strategic grants e.g. for criminal legal aid in prisons and police stations, for strengthening TLS chapters with a legal aid

component, for coordination and support to paralegal units through TAPANET, and for human rights, legal aid and empowerment orientation of district and ward level Local Government Authorities (LGAs).

Coordination & Advocacy

After the Legal Aid Act was enacted the publication of the Regulations took longer than anticipated and had not yet taken place by the end of 2017. The LSF is part of the national Legal Aid Action Committee with the mandate to develop the action plan that will facilitate the roll out of the Legal Aid Act.

Gender & Women Development Policy

The LSF supported the Ministry of Health, Community Affairs, Elderly and Children for validation meetings on key findings from an independent consultant on the review of the Gender Policy (2000). The process solicited input from experienced gender experts, representatives from the Government and civil society organizations. The review meeting built a common understanding on the key issues highlighted in the draft evaluation report on Women and Gender Development Policy of 2000, which will be put together for government approval. The process will end with the development of the revised gender equality policy.

ACHIEVEMENTS

Among others, the following was achieved in 2017:

ACCESSIBILITY

64,075

In the reporting period, direct legal aid assistance was provided to 64,075 clients (men 29,894, women 34,181).

COMMUNITIES

1,473,645

Legally empowered communities: legal and human rights awareness activities reached a total of 1,473,645 (men 48%, women 52%).

COMMUNITY GROUPS

13,415

Paralegals worked with 13,415 community groups (VICOBA, VIBATI, Women, Bodaboda and other groups).

CONDUCTIVE ENVIRONMENT

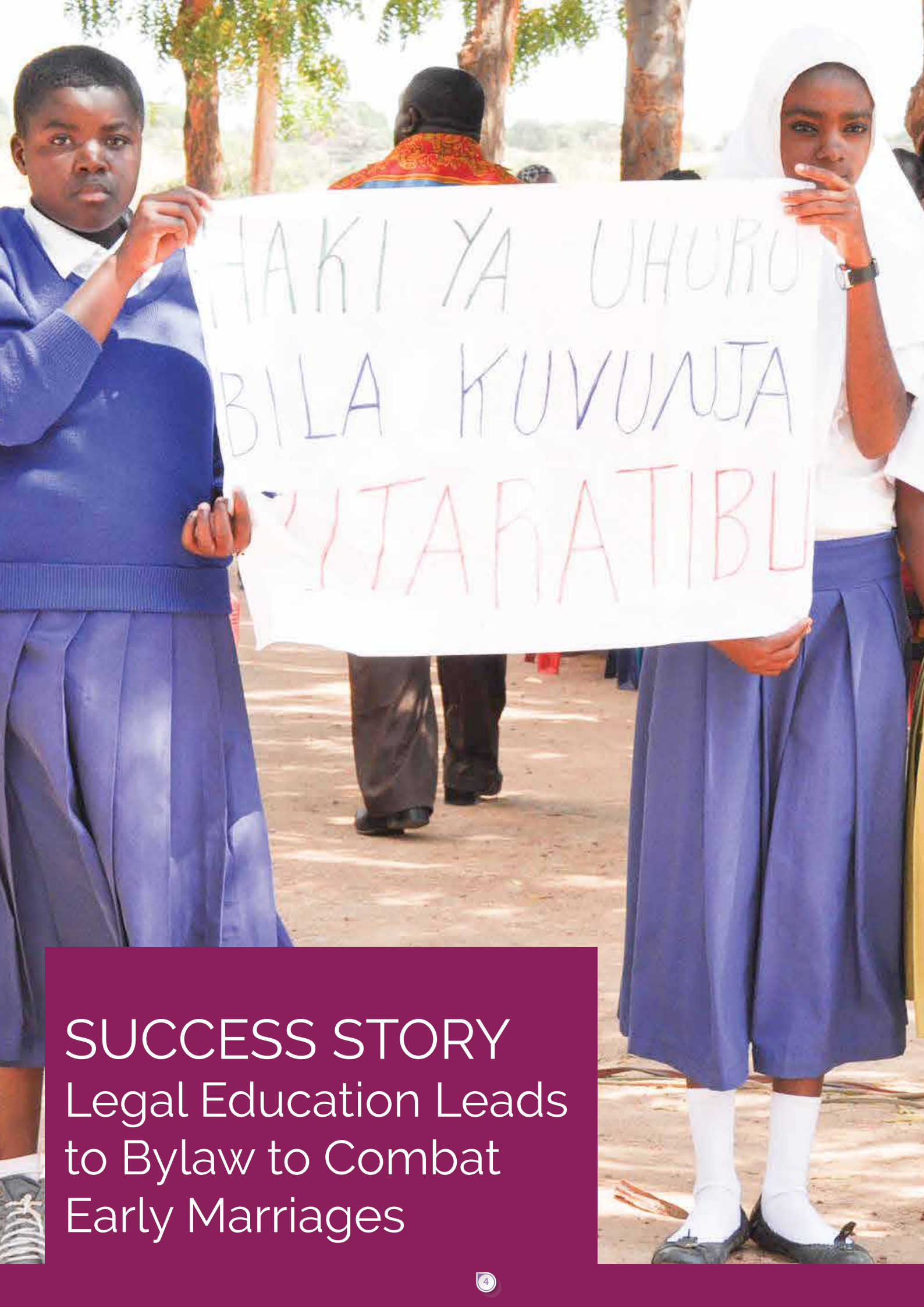
1,036

Conducive environment for provision of legal aid and legal empowerment: enactment of the Legal Aid Act No.1 of 2017. RMOs and paralegals reached 1,036 LGAs and informal leaders with legal and human rights awareness activities including protection of women rights.

PARALEGALS

3,320

We are working with about 3,320 paralegals as volunteers in Tanzania mainland and Zanzibar.



HAKI YA UHURU
BILA KUVUNJA
UTARATIBU

SUCCESS STORY
Legal Education Leads
to Bylaw to Combat
Early Marriages

LEGAL EDUCATION LEADS TO BYLAW TO COMBAT EARLY MARRIAGES

“When I returned home from boozing, I was a bit drunk. My wife told me that some people had come and they wanted to have my daughter to marry one of them. They returned later with seven cows as bride price and I agreed since my daughter is not going to school and idle.”

Shija Kashinje, a father of two daughters, is among many parents in the rural Nzega district of Tabora region, who are willing to let their daughters get married at ages from 13 to 16 years. Shija recently accepted the bride price for his 16 year old daughter. In his own words:

“When I returned home from boozing, I was a bit drunk. My wife told me that some people had come and they wanted to have my daughter to marry one of them. They returned later with seven cows as bride price and I agreed since my daughter is not going to school and idle.”

Shija explained that this practice is very common in their community. “Here a girl of 14, 15 or 16 years feels ready to get married. In fact you can wake up in the morning and find her gone”, says Shija.

Paulina Ferdinand is a paralegal and resident of the same ward where also Shija lives.

She says: “Early marriages are so rampant in our Itiro ward that we paralegals felt that something needed to be done to stop it. Almost none of the young girls go to school which violates the rights of the girls to education. And the bride price system further violates the right of the girls to freely choose who their life partner will be”.

Paulina decided to talk to the village and ward authorities to introduce bylaws that prevent parents from allowing their children to get married before the age of 18. The same was spread through a number of legal education sessions to the community members in Itiro village and ward in order to come to a common understanding.

When they saw the popular support Paulina had achieved with the Itira community the local authorities agreed to setup these bylaws and announced that the present and future population should abide by them.

Pascal Masunga, Itiro Ward Councilor states: “Those who violate these bylaws are punishable by paying a fine, a break up of the wedding (plan) and a need to return the bride price.”

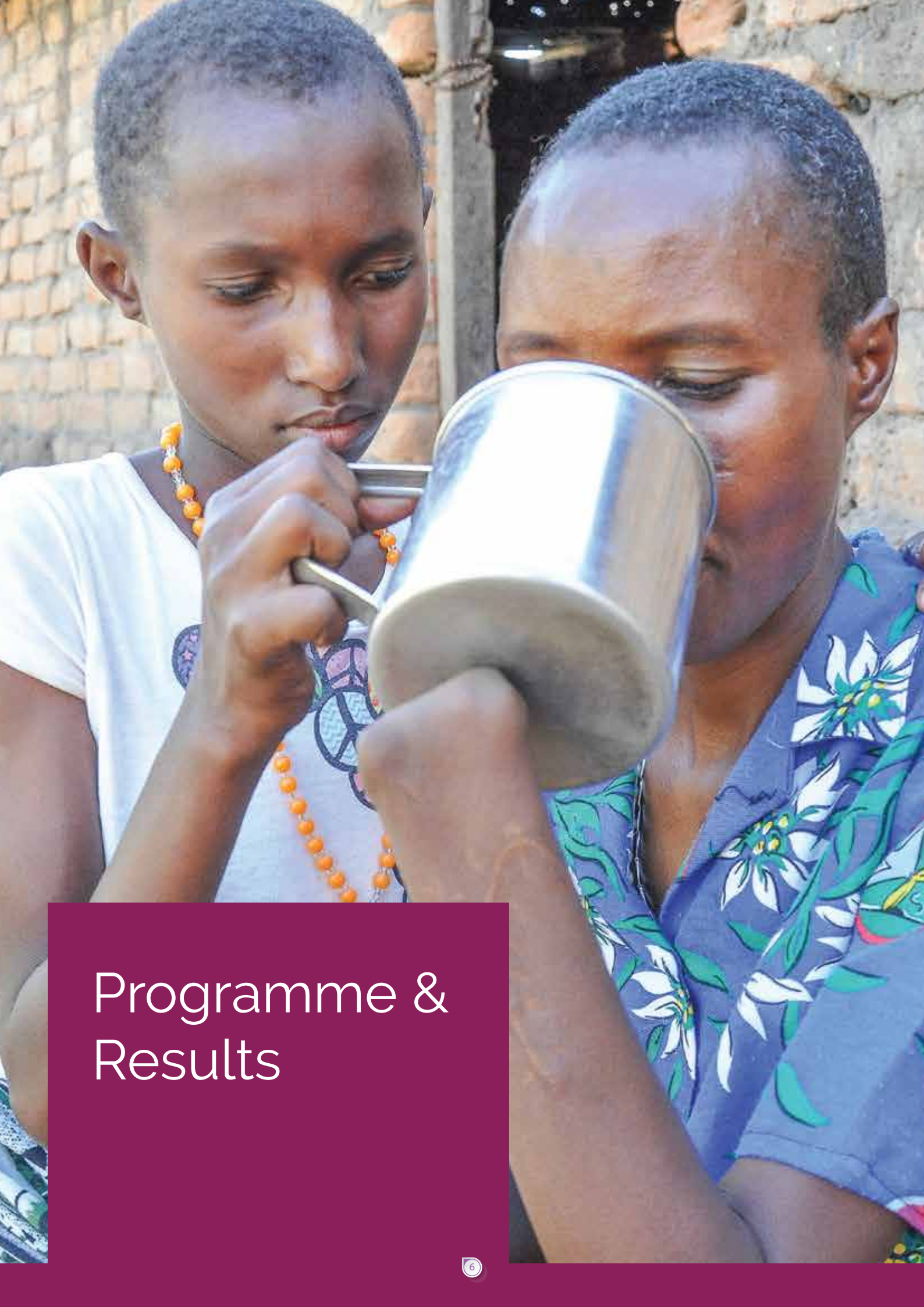
With these bylaws in practice, Shija and others have to follow the rules after many years of trading their daughters for some cows.

“I was called to the village office and was told that my daughter was under the age of marriage. I was ordered to abandon the wedding and return the bride price,” says Shija insisting that he felt fine because the decision was made by the village authorities.

The bylaws stipulate that any marriage should get approval of the village leadership. In addition, if a girl is from another village, there must be a consultation among villages to agree on the legitimacy of the marriage.

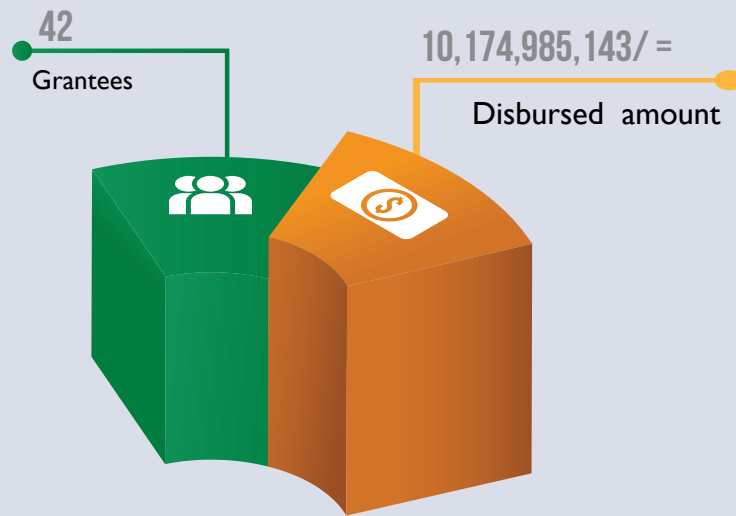
An overjoyed Paulina says, “I feel happy, I feel peace, I now realize that the training and awareness building I am offering to people really works, improves the lives of girls is valuable to the entire community.”

As a result of legal education and raising awareness provided by paralegals to the local authorities and community members, Itiro ward is one of the examples where bylaws have been introduced to curb and stop early marriage practices. Tabora region has the second highest rate of early marriages in Tanzania.



Programme & Results

PROGRAMME & RESULTS



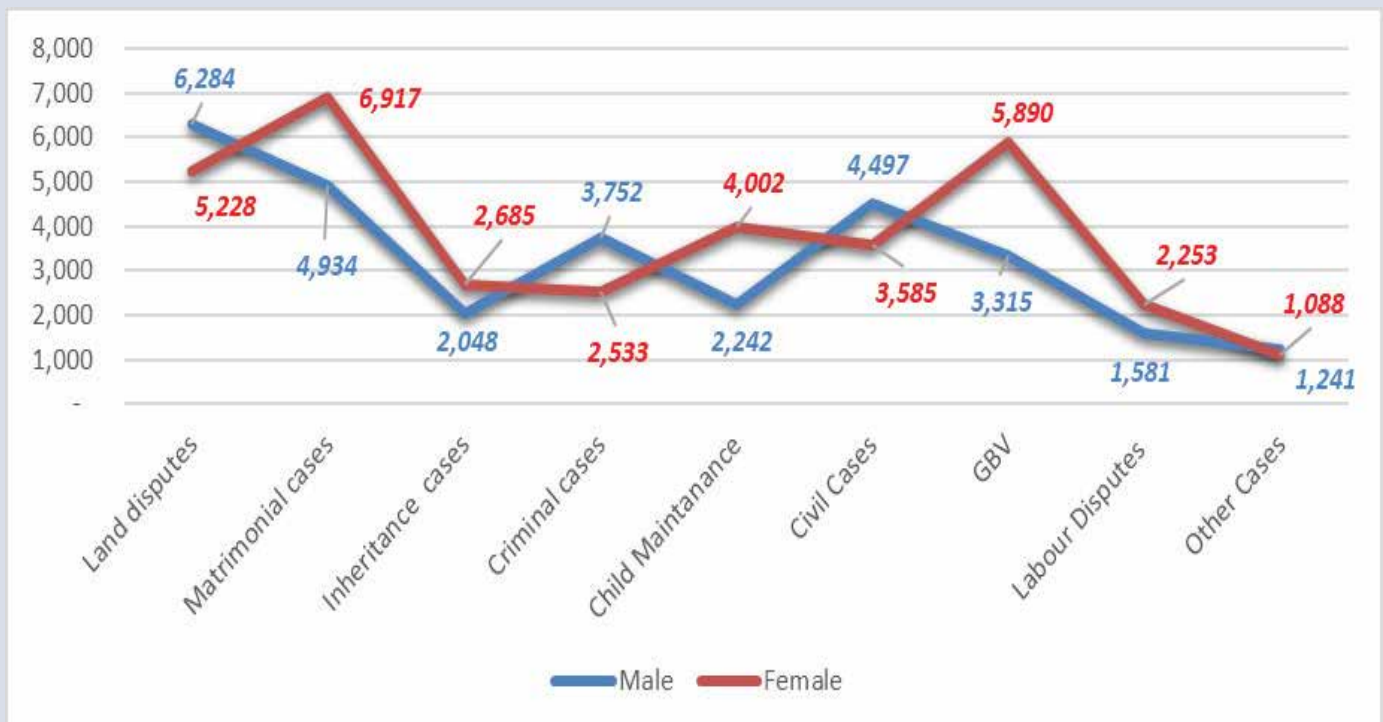
By the end of 2017 a total amount of TShs 10,174,985,143/ = has been disbursed to forty two (42) grantees working across the country.

PERFORMANCE AT OUTCOME LEVEL

Outcome One

- Increased accessibility of legal aid (paralegal or higher forms) services, in particular for women
- The performance and result based management approach appears instrumental for improving performance at both implementation level and in reporting.

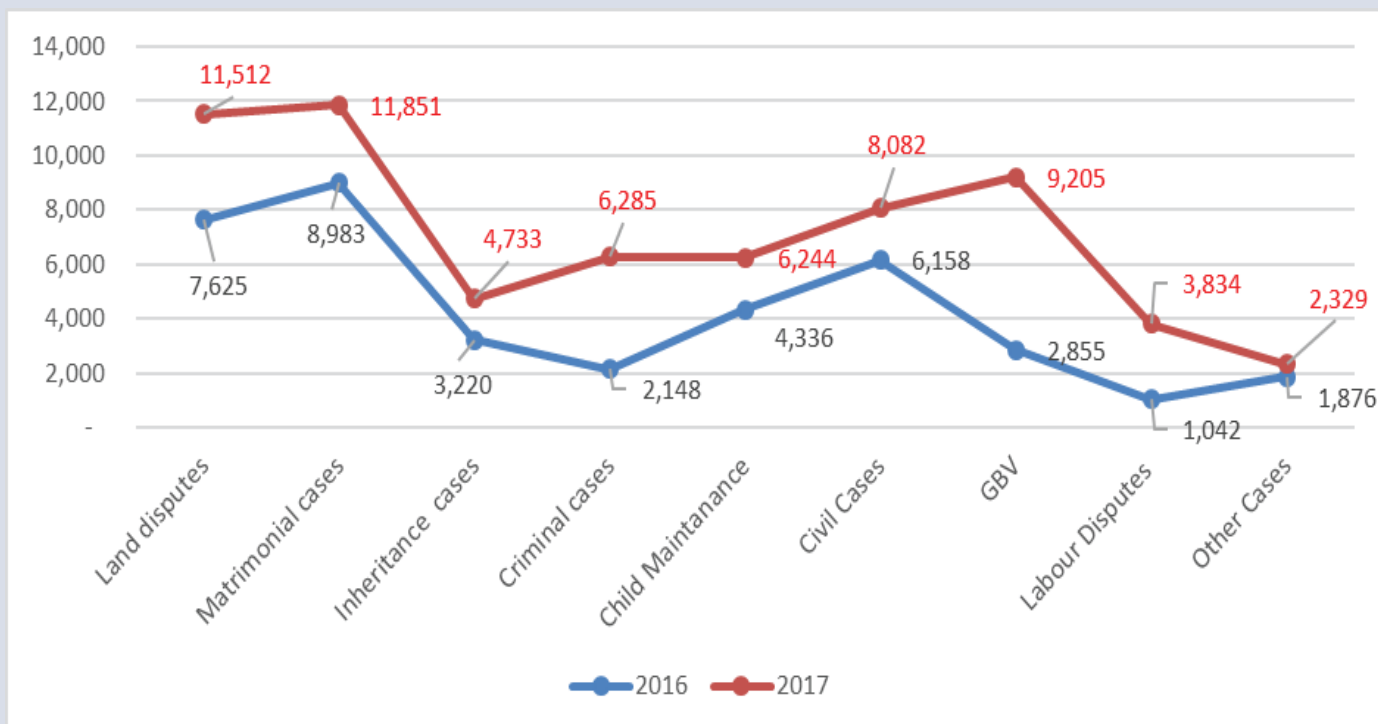
Number of male and female clients who accessed legal aid services in 2017



Source: LSF offline database system

The annual data reported in the previous years, with 38,000 clients in 2015 and 37,000 in 2016, were significantly overtaken in 2017 when 64,075 clients were reported to have used case based legal aid by paralegals.

Comparison of clients reached in 2016 and 2017



Source: Grantees quarterly reports and offline database system

Case typology

The ability of women and men to seek, obtain and assess remedies shows an almost break-even performance against the milestone for 2017 of 60,000. Out of 64,075 clients, 53% were women and 47% men, which ratio is comparable to previous years.

The data include also the interventions done in prisons, in which 1,216 remandees accessed legal aid services in the last quarter. For the cases dealt with in the prison about 900 cases were resolved, in this arrangement a resolved case means that remand prisoners were being bailed out, acquitted or convicted in court and respectively set free or jailed.

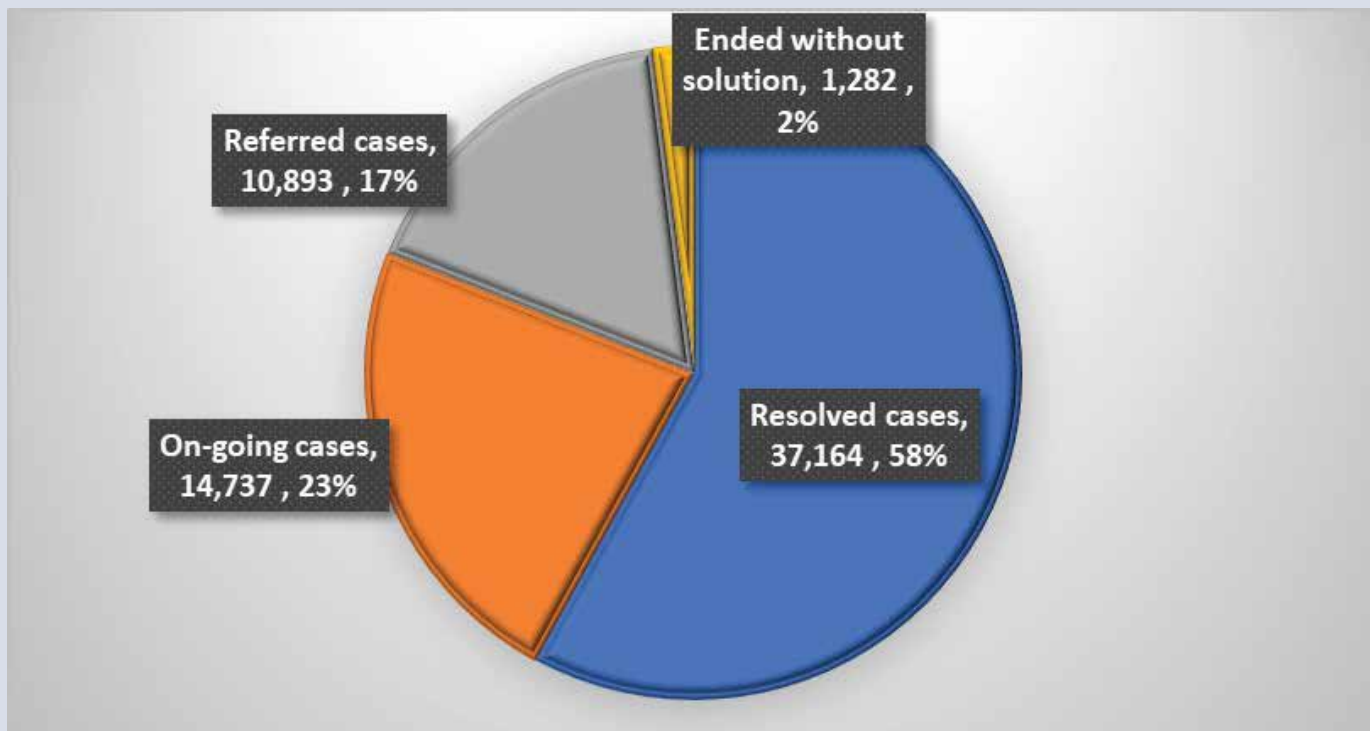
Typology of cases reported to paralegals in 2017

Type of Cases	Male	Female	Total	Percentage
Land disputes	6,284	5,228	11,512	18
Matrimonial cases	4,934	6,917	11,851	18
Inheritance cases	2,048	2,685	4,733	7
Criminal cases	3,752	2,533	6,285	10
Child Maintenance	2,242	4,002	6,244	10
Civil Cases	4,497	3,585	8,082	13
GBV	3,315	5,890	9,205	14
Labour Disputes	1,581	2,253	3,834	6
Other Cases	1,241	1,088	2,329	4
Total	29,894	34,181	64,075	100

Status of Cases

Of the 64,075 clients who reported cases to paralegals 58% was resolved, while 17% were referred to other justice mechanisms such as political or ward leaders, legal aid providers, land tribunals, social welfare departments or to courts.

Status of cases



Source: Grantee reports, 2017

Outcome Two

- Increased legal empowerment, protection of human rights, in particular for women

LEGAL EDUCATION

Paralegals delivered legal awareness via one-on-one sessions, working with groups i.e. VICOBA, entrepreneurship groups, Farmers and other community based groups across the country. Legal education via radio or other media is not considered in the provided figures.

STRATEGIC LITIGATION CASES

The LSF has been funding 6 strategic litigation cases all of them dealing with women rights and addressing discrimination of women in existing legislation

WOMEN'S INHERITANCE RIGHTS

In April 2016, WLAC filed a Miscellaneous, Civil Cause No. 10 of 2016, in the High Court of Tanzania, at Dar es Salaam demanding for a recognition of the widows' efforts and contribution towards the acquisition of the matrimonial assets upon the death of her husband and a right of a widow to inherit her deceased husband's property where the law does not provide so. The petitioner in this case is a widow who has been denied her share of matrimonial assets she jointly acquired with her deceased husband.

Unfortunately the 1st Respondent (The Attorney General) raised a preliminary Objection on point of law

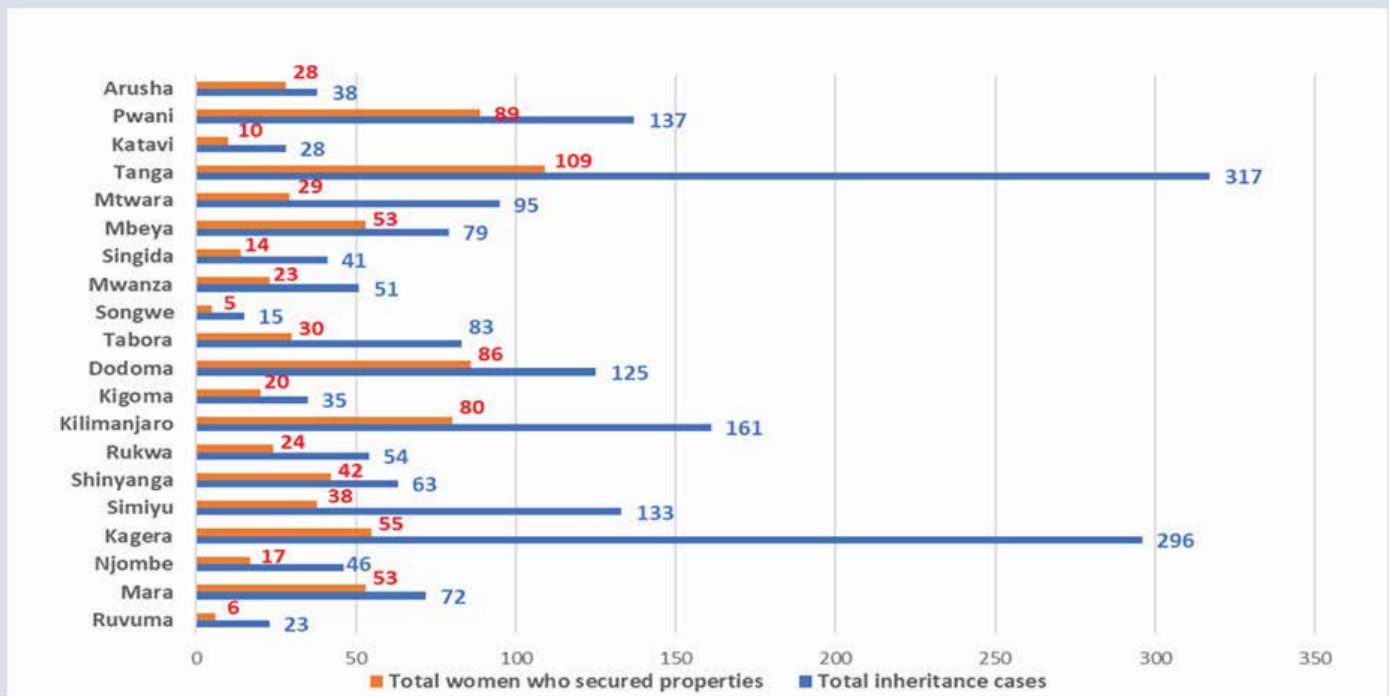
to the effect that the Application contravenes S. 8(2) of the Basic Rights and Duties Enforcement Act, Cap 3 R.E. 2002. As a result the application was struck out with cost. The ruling was delivered on 24th August 2016.

WLAC was not satisfied with the said ruling hence on 17th March 2017 filed appeal against the said ruling in the court of Appeal of Tanzania, Appeal No.77 of 2017 WLAC strongly believes that the intended Appeal has overwhelming chances of success on the grounds that

the court failed to interpret s. 8 (2) and 4 of the Basic rights and Duties Enforcement Act, Cap 3 R.E 2002 together with Article 30 (3) of the Constitution of the United Republic of Tanzania, 1977, Cap 2 R.E 2002 (as amended from time to time). Likewise the trial judge erred in law and fact by ordering cost to the Petitioner without considering that the application was in forma pauperis in the matter which involved public interest.



Women who secured property rights per region



Source: Grantee Reports 2017

Outcome Three

- Formal and informal institutions effectively promote legal aid and legal empowerment and protect human rights, including women's rights

The Commission for Human Rights and Good Governance (CHRAGG) was contracted to build capacities of the LGAs at district and ward levels. At the end of 2017, 120 district officials from 30 districts in five regions (Mara, Manyara, Shinyanga, Mtwara and Mbeya) benefited from the training. The trained district officials will in turn train 600 Ward

Executive Officials (WEOs) from 30 districts. The training will focus on creating a conducive environment for paralegals and WEOs to effectively resolve justice problems facing communities in a collaborative way.

Outcome Four

- Institutional sustainability of legal aid services, legal empowerment and legal aid providers

As part of rolling out the Legal Aid Act, LSF is part of the Legal Aid Act implementation National Committee formed by the MoCLA, in which also TLS, Law School of Tanzania, CHRAGG, UNICEF,

120

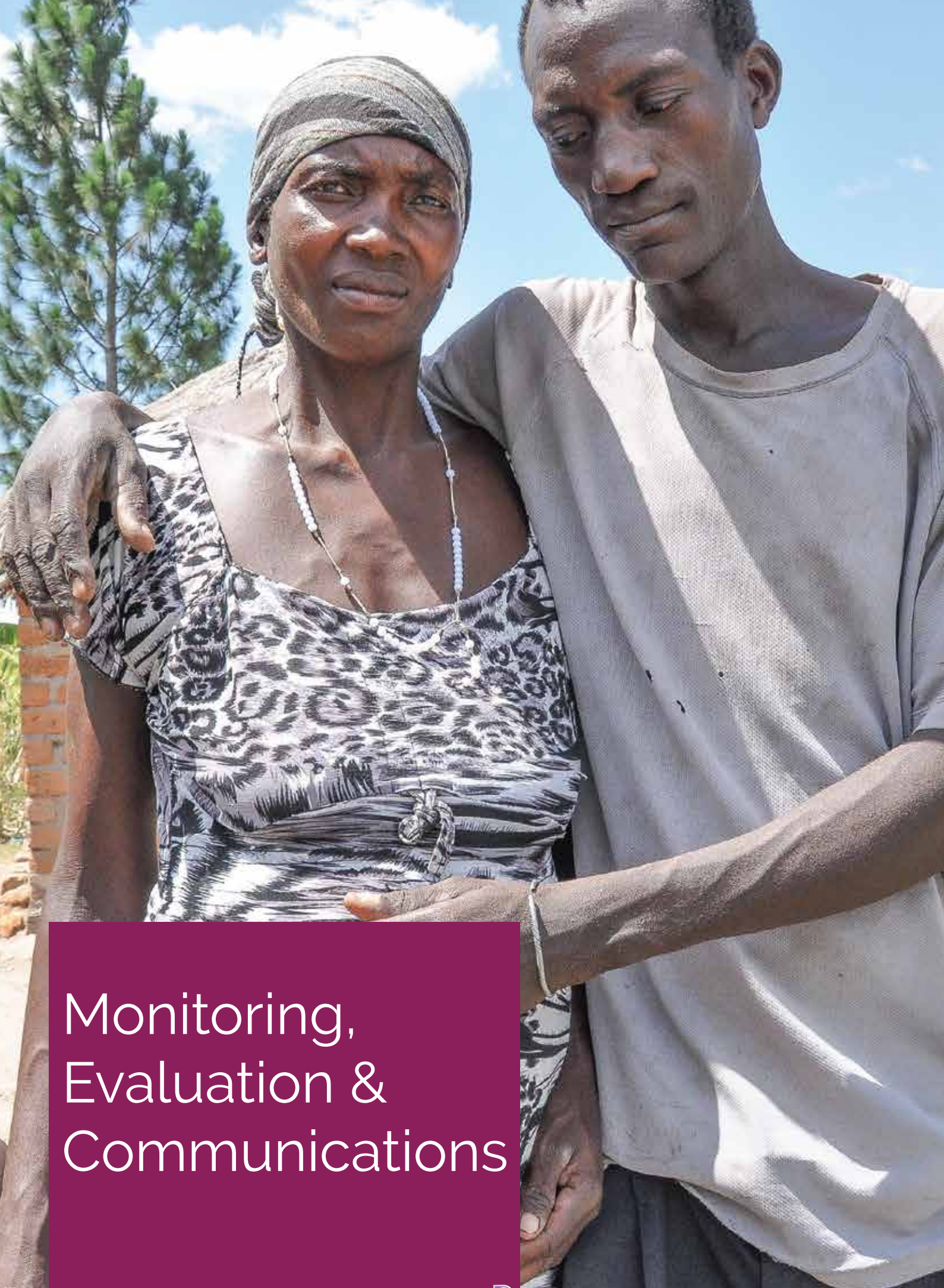
BENEFICIARIES

...At the end of 2017, 120 district officials from 30 districts in five regions (Mara, Manyara, Shinyanga, Mtwara and Mbeya) benefited from the training...

UN Women and TANLAP participate. The committee managed to draft a plan of action that will guide the Ministry and legal aid providers on the roll out the legal aid act.

Capacity Development

In 2017, LSF started the implementation of its new capacity development strategy that includes grantees, paralegals, LGA's, other stakeholders and LSF staff. The strategy among other things recognizes the roles of capacity development in improving performances in programming, grants management including finance management, monitoring and results, leadership and governance.



Monitoring, Evaluation & Communications

MONITORING & EVALUATION

Data Collection

An offline data collection system was developed to cope with the increasing number of new LSF grantees. To further strengthen the system, several M&E working group sessions were held. The sessions helped both monitoring and program officers to have the same understanding of the LSF monitoring context.

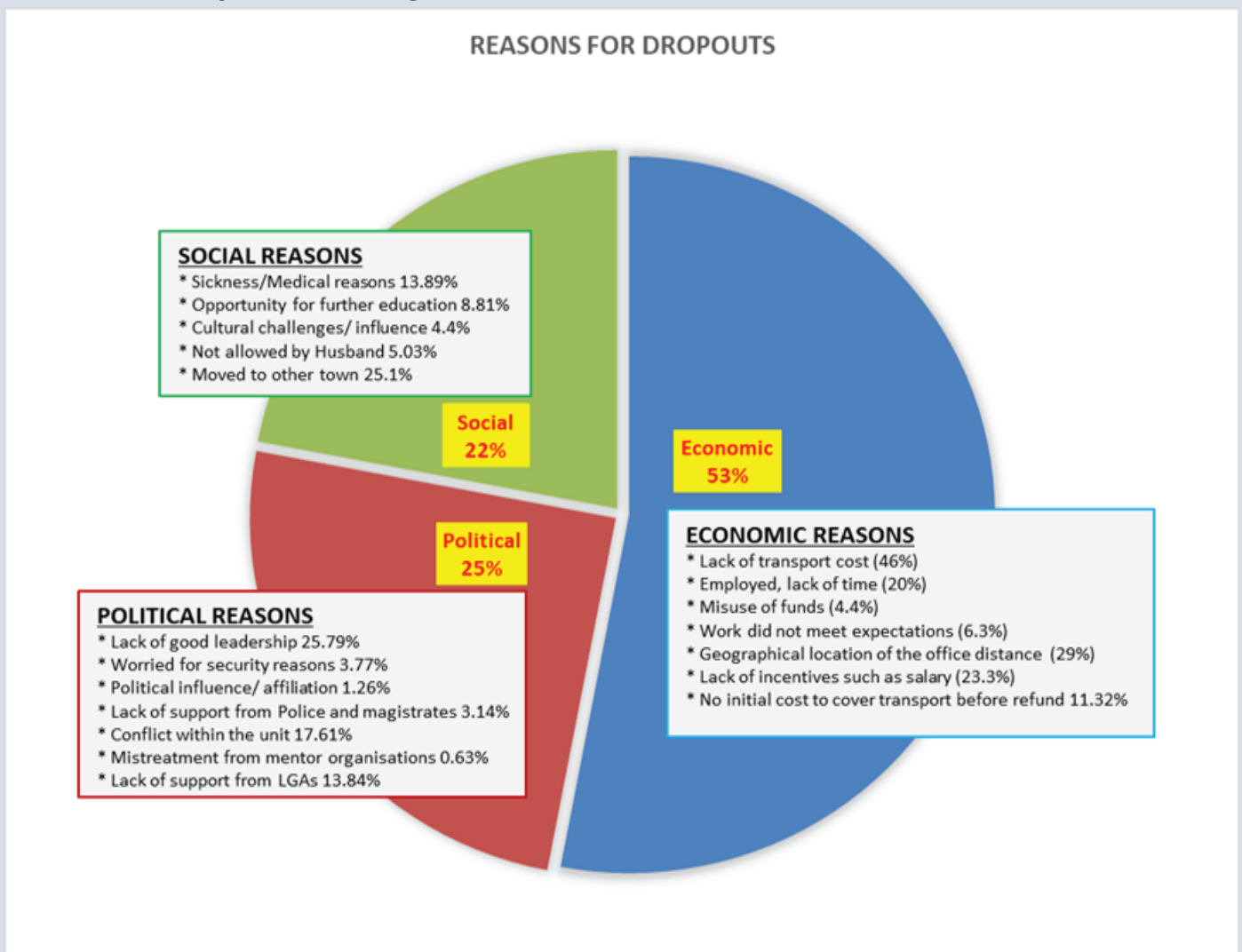
Field Monitoring

The Secretariat and Board members visited all the regions in the country, the majority (90%) of which were visited twice in 2017. Some observations from the field monitoring visits include:

- Increased motivation among paralegals
- Paralegal units increasingly are structured as NGOs
- Improved collaboration with stakeholders
- Increased thinking about unit sustainability
- Capacity to deliver

The most prevailing problem reported is the dropout rate of paralegals. The dropout survey 2017 suggests a number of reasons causing the paralegal dropouts.

Reasons for dropout of Paralegals



Source: LSF Dropout Survey 2017

Data Verification and Validation

The data reported by paralegals and implementing partners to the LSF Secretariat are routinely subjected to third party validation, verification and checks on the data quality assurance mechanisms and practices.

Web-based Online System

Due to increase in number of grantees, a newly developed, state of the art, online system was required, that could absorb past data and those for the next 10 years, a large number of new accounts and that has more extensive analytical and reporting options, which can be further extended. This required a considerable investment and more importantly, deep reflection and anticipation from the side of the LSF what the long-term requirements of such system will be.

Communications & Media

The LSF uses different media platforms to deliver content on a number of legal aid-related topics

emphasizing human rights, women's rights and legal empowerment, while highlighting the important contribution of paralegals and other legal aid providers. Other issues covered were property rights for women, safety and security, women in an industrial economy and were linked to the work of paralegals, other legal aid providers and the importance of legal empowerment.

We also engaged Haki za Wanawake (HAWA) project which produced TV programs on women's rights and paralegal work. This was aired on WANAWAKE LIVE TV SHOW on EATV station. The programs placed the work of paralegals in a collaboration framework with local government authorities at regional, district and ward level.

Use of Social Media

Social media are an important part of the LSF communication approach. The present focus is on Facebook, YouTube and Twitter and of course the LSF website. These platforms are used to engage the audience on different topics such as human, children and women rights, laws, gender-based violence, land rights, as well as sharing our success stories.



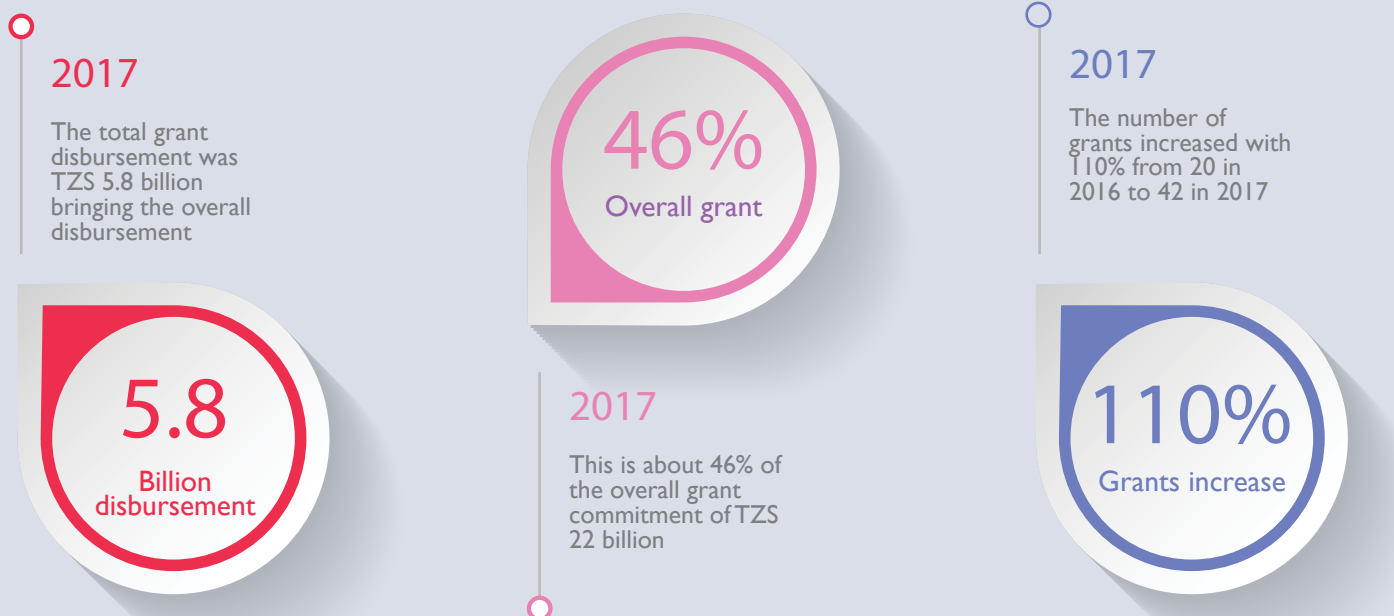


Grants &
Finance

GRANTS & FINANCE

Grant management

By the end of 2017, the total grant disbursement was TZS 5.8 billion bringing the overall disbursement to TZS 10.1 billion in this 2nd phase of the LSF. This is about 46% of the overall grant commitment of TZS 22 billion. The number of grants increased with 110% from 20 in 2016 to 42 in 2017. RMOs sub-grant paralegal units an annual sub-grant of TZS 8 million.



FINANCIAL STATEMENTS FOR THE YEAR 2017

	2017	2016	2017	2016
	TZS '000	TZS '000	USD '000	USD '000
			Memorandum figures	Memorandum figures
Receipts				
Opening balance at 1 January	4,678,289	2,281,768	2,158	1,055
Remittances from the Royal Danish Embassy (DANIDA)	4,670,778	7,623,907	2,092	3,494
Remittances from the Department for International Development (DFID)	1,443,859	2,675,589	650	1227
Remittances from United Nations Educational, Scientific and Cultural Organization (UNESCO)	5,421	7,980	2	4
Interest income	27,147	19,052	12	9
Refunds from Grantees	66,169	-	30	-
Total funds available for the year	10,891,663	12,608,296	4,944	3,596

FINANCIAL STATEMENTS FOR THE YEAR 2017

Expenditure Grant making activities	5,961,813	4,865,872	2,719	2,232
Capacity building	846,531	506,830	386	233
Coordination, policy dialogue and advocacy	571,568	772,192	261	354
Technical assistance, think tank, mid-term review, evaluation and audit	451,852	340,388	206	157
Finance, administration, communication and handover	1,855,012	1,008,248	846	462
Governance	71,662	65,011	32	30
Partnership for Change Pilot Project	-	367,428	-	169
Partnership, Network Fundraising	68,457	0	31	
UNESCO Project expenditure	4,038	4,038	2	2
Exchange gain on translation of the cash at bank balance	(126,712)	-	(70)	(6)
Total expenditure	9,704,221	7,930,007	4,413	3,631

	<u>2017</u>	<u>2016</u>	<u>2017</u>	2016
	TZS '000	TZS '000	USD '000	USD '000
Surplus for the year	1,187,442	4,678,289	531	2,158
Represented by:				
Cash at bank as at 31 December 2017	1,188,776	4,677,361	532	2,158
Staff outstanding (claims)/imprest	(1,334)	928	(1)	-
	1,187,442	4,678,289	531	2,158

CAPTIONS

COVER PHOTO:

Shungi Yusuph, 33, was denied by her husband to work anywhere, although he didn't earn enough to cater for the family needs. She was helped by paralegals in Mbozi district to convince the husband to let his wife work, as is her right, and he finally agreed. She now is catering for the family needs, did build a new house, and has started a small business for her husband

PAGE 1 PHOTO:

Magreth Philipo, a single parent of three children lives in Bugando village in Geita district. She was abandoned by her husband who married another woman. Despite attempts by relatives to settle their differences, the husband kept threatening Magreth's life if she continued to stay in their house. Fearing for her life, she decided to seek a divorce. Nzela paralegals helped her file the divorce case at the primary court which ruled in her favour. Magreth now is the legal owner of two houses, a farm and two goats.

PAGE 6 PHOTO:

Fausta Marandu is a widow who lives in Mayoka, Babati district in Manyara region in northern Tanzania. She lost her hands, one completely chopped off, after being attacked by her partner who lived with after the death of her late husband few years ago. Paralegals in Babati helped Fausta achieve her justice and Migire Amri, the offender, was finally put behind bars after a long struggle.

PAGE 10 PHOTO:

Mama Bakari, 35, is a champion and promoter of women rights at Soni Bus Stand in Bumbuli district, Tanga region. She became so after she was helped by Bumbuli paralegals to reclaim her house from her husband, who wanted to sell it to clear his long-standing debts. She is now helping other women in Tulli village in Soni ward to demand their rights.

PAGE 12 PHOTO:

Kephline Charles (pictured with her husband), a resident of Nyamizeze village, Serengeti district in Mwanza region, was a victim of gender-based violence after being whipped in public by the Sungusungu on allegations of witchcraft. Paralegals helped Kephline file a case against the culprits.

PAGE 14 PHOTO:

James Sendame (left) is a paralegal from Sengerema district in Mwanza region and talks to a group of community members on human rights, the laws of Tanzania and how to access justice.

PAGE 15 PHOTO:

Mzee Ally Balamu who live in Chambalo village in Dodoma, lost his land to a neighbor who claimed to own it. He tried to follow up the matter by himself but failed because he didn't know the right channels. Paralegals from the Human Rights Agency for Rural Development based in Chemba district assisted Ally to file his case at the land council in Chemba. It was finally ruled that the land rightfully belonged to Ally. He has planted maize and sunflowers on his 9 acre piece of land.

PHOTO ON BACK PAGE:

Emmanuel Alphonse is a family man who balances his life of being a bodaboda driver to support his family economically with volunteering as a paralegal in Musoma town. Emanuel provides legal aid and education to his customers while driving them to their destinations as well as to his fellow bodaboda riders during their informal hot debates at the stand.



LSF 2018



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