

Access to Justice for Marginalised People

The Department of Justice is implementing a project on 'Access to Justice for Marginalised People' with UNDP support. The focus of the Project has been on empowering the poor and marginalized to be aware of their rights and demand legal services, while at the same time supporting national and local justice delivery institutions to bring justice to the poor.

Background

The Department of Justice has partnered with United Nations Development Programme (UNDP) on access to justice issues since the year 2006. The partnership began with a preparatory phase, Strengthened Access to Justice in India (SAJI) to carry out a justice sector diagnosis, identify entry points and to support innovative small pilots in identifying good initiatives for replication (2006-2008).

Subsequently, the Project on Access to Justice for Marginalized People (A2J) commenced in 2009 and is scheduled to reach its conclusion in 2012. The next phase of the Project has been planned from 2013 to 2017.

The Project

The A2J Project Covers the 7 States of Bihar, Chhattisgarh, Jharkhand, Madhya Pradesh, Uttar Pradesh, Odisha and Rajasthan. Under the project, activities are being conducted in 87 districts and there has been collaboration with 25 local and national partners.

A large variety of rights and entitlements are being covered under the Project. These include rights against domestic violence and other women's rights including their right to property and land, rights of Scheduled Castes (SC) and Scheduled Tribes (STs), land rights, forest dwellers rights, Right to Information (RTI) and rights under the existing criminal laws.

Apart from the traditional methods of conducting large scale public education and training of communities as well as service delivery bodies, innovative activities such as law school based legal clinics, creating paralegal workers and using SMS, MMS, games, skits and community radio to generate awareness have been conducted in this project.

The key Project deliverables are:

- Supporting national and local justice delivery institutions
- Developing legal and representational capacity of Civil Society Organisations (CSOs) and networks providing access to justice services to disadvantaged groups

- Enhancing legal awareness of women and men belonging to marginalized groups
- Informing policies and institutional structures through action research and studies

Supporting Legal Services Authorities

Recognising the importance of Legal Services Authorities in ensuring access to justice of the marginalized, the Project has worked with the National and State Legal Services Authorities and supported initiatives to bridge the gap between communities and the Legal Services Authorities. The Project is also supporting 3 SLSAs in training of paralegal volunteers under the National Legal Services Authority scheme (Uttar Pradesh, Odisha and Rajasthan). Additionally, a field survey to assess the needs of SLSAs and DLSAs has been conducted. In the coming days, *Delegation Visits for Mutual Exchange of Ideas in the Field of Access to Justice* is being planned. 4 delegations comprising representatives of NALSA, SLSAs, and Department of Justice will visit Sierra Leone, South Africa, Malawi and Indonesia with a view to observe and learn from other jurisdictions, good practices in legal aid and empowerment. This will be followed by an international conference on legal aid and empowerment.

Key Milestones Achieved

- Over 2 million people reached out through legal awareness programmes
- Over 7000 paralegal workers have been created as local resources to assist the marginalized communities. These paralegals have been drawn from Self Help Groups, Community Based Organizations, PRIs, and the marginalized communities. Of the 7000 paralegal workers trained, 60% are women. The trained paralegals have become a skilled resource at the community level and these paralegals help in organising legal awareness events, act as bridges between community and Legal Services Authorities and assist people in getting their entitlements. For instance 6 RTI and land rights clinics have been established in Kalahandi to assist people in accessing their rights. As a result, 1164 individual claims and 14 community claims under Forest Regulation Act have been settled. Villagers have ensured access to electricity and solar panels by using RTI.
- Over 300 legal aid lawyers have been trained. 60 lawyers are being provided a year-long training and handholding support to assist marginalized communities in 3 States

- Training Manuals and Modules developed to sensitize/train judges on laws related to marginalized people
- Studies conducted on discrimination against Scheduled Castes (SCs) in public places, in land alienation and in access to public services in select districts of Rajasthan and Jharkhand
- Assessment Studies conducted on Legal Service Authorities and law school based legal aid clinics
- District and State level networks have been created to assist marginalized people access justice. The networks comprise government officials, police officers, media, NGOs and representatives from the communities

Convergence with other Government Departments

The Project has forged synergies with other relevant Departments/Ministries/Authorities to ensure maximum impact and avoid duplication. The Project Team works closely with Legal Services Authorities at the National and State levels and State judicial academies. The project is supporting the Ministry of Women and Child Development in training adolescent 'Sabla' girls as paralegals in select districts of Rajasthan and Madhya Pradesh. The Project has also entered into a convergence programme with Ministry of Human Resource Development with the result that legal literacy is now a part of continuing adult education under the Sakshar Bharat programme of the Ministry. Similarly the project has converged with the National Mission for Empowerment of Women to conduct an action research on women's access to justice in the areas covered by the Schedule VI of the Constitution. The Project is also supporting the Maharashtra Judicial Academy to produce a module on anti-human trafficking laws and procedures.

Innovative approaches to create Legal Awareness

Tremendous advances have been made in the field of communication and dissemination of information in the last decade. In addition to the traditional methods of reaching out to people, the Project has used many innovative and modern techniques to ensure that the target groups are able to access justice. Some of the examples of the use of modern techniques can be seen here

- Innovative games such as *Nyayapat*, a snakes and ladders game, explaining various laws in an easy to understand manner
- Laws related to women, children and Scheduled Castes & Scheduled Tribes have been simplified in local languages
- Paralegal training module and a judges training module on laws related to marginalised people have been finalized
- Posters have been created for explaining various rights and laws

- Short films are being created on rights and laws relating to domestic violence, forest dwellers, third gender and free legal aid
- Audio songs to motivate people and to inform them on their rights under the various laws in operation
- Street Plays organised on thematic areas to raise awareness levels among target communities
- Community radio programmes are being aired in remote villages of Jharkhand, Madhya Pradesh, and Chhattisgarh (narrowcasting also used). The use of radio has proved to be very effective in creating legal awareness
- Telephone help lines have been established in 6 districts of Chhattisgarh and Rajasthan. The telephone lines have been advertised through local media & are being used to provide legal advice
- Regular legal awareness camps are being held across the 7 States. Attempts are being made to bring the LSAs on board. Some partners have used tools like panchayat shivirs to empower the PESA Gram Sabhas to take control of their lives and development in their areas.