



FOREWORD

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Dear Colleagues,

I write this on a gloriously sunny Spring afternoon in the depths of the Scottish Highlands. The blossom is coming on the fruit trees, and the early flowers are in resplendent array. This short intro tells you that the first ILAG Newsletter for 2025 is on hand. A further piece on Climate Change and Access to Justice, a reflective assessment of the potential impact of AI on access to justice and an interview with Kim Economides who was involved in the Cappelletti and Garth Access Project all those years ago. Kim is less certain than some as to the potential benefits of AI in the Access to Justice field. We leave our readers to judge.



It being nearly two years since our Conference in Harvard, regular readers will be aware that the next ILAG conference is nearly upon us. From 25-27th June 2025 we will be meeting in Cologne to discuss all things relating to legal aid and access to justice. For those interested in using the conference hotels (please note that the preferential rates expire on April 29th), or how to travel to Cologne I attach the url for the conference website <https://ilag2025.jura.uni-koeln.de/conference>

My thanks again to our ever-industrious Newsletter editor (Peter van den Biggelaar) for generating the contributions to the Newsletter, our webmaster (Paul Ferrie) for his work on the Newsletter and Eileen Richie for sending it out.

Every best wish,

Alan

AI IN LEGAL AID: BEYOND THE HYPE TOWARDS SUSTAINABLE APPLICATIONS

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1. Introduction

Artificial Intelligence (AI), particularly generative AI, is often presented as a revolutionary technology that transforms sectors and optimizes processes. In legal aid, AI is a widely discussed topic, but there is a risk that this technology is seen as a temporary fad without sufficient attention to its long-term impact. It is essential to look beyond the hype and analyze the structural role of AI: which applications truly add value, how these technologies can be sustainably integrated, and what legal and ethical considerations are involved. For smaller non-profit organizations, AI is both a blessing and a curse.¹

2. The contribution of AI to legal aid

AI is playing an increasingly prominent role in legal aid. Through AI technologies such as large language models (LLMs), chatbots, and predictive algorithms, legal processes become more efficient, and access to legal aid improves. AI supports the generation of legal documents, the development of self-help resources, and the acceleration of legal procedures (Chien et al., 2024). AI-driven chatbots guide citizens with legal questions and assist them in filling out forms, thereby increasing access to basic legal aid (Harvard Law School, 2024). Predictive analytics enhance case management and help legal aid providers assess legal outcomes (Byrom, 2024). Additionally, multilingual support through AI tools improves access to legal services for non-native speakers (Chien et al., 2024).

3. The impact of AI on organizations: internal and external

Internally, AI leads to more efficient legal processes, such as automatic document processing and advanced data analysis, allowing employees to handle cases more quickly and accurately. AI-powered knowledge bases improve internal knowledge sharing, while predictive analytics contribute to more effective case management. Automatic transcription and document generation reduce administrative burdens and speed up legal procedures (Chien et al., 2024). Externally, AI enhances accessibility to legal aid through AI chatbots and personalized legal assistance services that provide tailored advice. Automation of standard procedures lowers costs and increases the speed of legal services. At the same time, predictive analytics help

¹ This text summarizes the challenges smaller legal aid organizations face, such as Helder Recht/Droits Quotidiens, based on various brainstorming sessions. The discussions benefited from input from McKinsey, Linklaters lawyers, and Jackie Janssen, a data specialist and former CDO of several major Belgian companies.

clients estimate potential legal outcomes. AI enables legal aid to be personalized and better aligned with the needs of justice seekers, which is particularly relevant for vulnerable groups.

Organizational restructuring for AI integration

The integration of AI in legal aid, both internally and externally, requires a fundamental restructuring of organizations. Traditional legal teams, consisting solely of lawyers, are no longer sufficient to effectively develop, monitor, and adjust AI systems. New disciplines, such as data scientists, ethicists, and technology specialists, are becoming increasingly important. Legal aid organizations will need to appoint specialized AI experts and data officers to ensure transparency, quality, and ethical implementation of AI systems (Janssen, 2024).

A crucial function in this transformation is that of the data officer, who oversees the quality of the data used to train AI models and ensures they are free of bias and misinformation. Additionally, a multidisciplinary team must be formed, consisting of lawyers, technology experts, and policymakers, to safeguard the long-term AI strategy within the organization. Regular audits, ethical checks, and training programs are necessary to keep AI systems accurate, responsible, and accessible.

4. The cost of AI in legal aid

The implementation of AI in legal aid involves significant costs, both in terms of initial investments and ongoing operational expenses. Legal aid organizations must account for costs related to the development, implementation, maintenance, and adjustment of AI systems.

Initial and structural costs

Implementing AI requires investments in infrastructure, such as powerful computing machines, software licenses, and cloud solutions. Additionally, legal organizations must invest in specialized training for staff to effectively use and monitor AI. Open-source AI models can reduce initial costs but often require technical expertise and continuous optimization to function effectively in legal contexts.

Market dynamics and pricing

Competition in the AI market influences the price and accessibility of AI solutions. Large language models and predictive AI systems, such as ChatGPT, Co-Pilot, and the more affordable Deepseek, demonstrate that large tech companies dominate the development and maintenance of advanced AI systems. This can lead to high licensing costs and dependence on commercial parties, making it difficult for smaller legal aid organizations to implement such technologies.

Impact on NGOs and small-scale legal aid organizations

For NGOs and small-scale legal aid organizations, which typically operate on limited budgets, AI implementation poses an additional financial challenge. Collaborations with research institutions and technology companies, leveraging subsidies, and securing external funding are crucial strategies to enable these organizations to integrate AI responsibly. Without such initiatives, AI may remain primarily accessible to commercial players, leaving non-commercial organizations behind.

Accessibility and cost management

To control costs and enhance the accessibility of AI in legal aid, policymakers and organizations must advocate for transparent pricing models, open-source initiatives, and public investments in AI development. This prevents advanced legal AI solutions from being exclusively available to well-funded institutions and contributes to fair access to AI-assisted legal aid.

For legal aid organizations, this means considering not only the initial investment costs but also the long-term expenses for maintenance and updates. If market prices remain high in the short term, a gap may emerge between larger organizations that can afford advanced AI and smaller entities that remain dependent on less powerful technologies.

Additionally, costs influence the accessibility of AI-driven legal aid. If AI solutions are primarily developed by commercial entities, there is a risk that affordable legal assistance will only be available to those who can afford it. This could lead to inequality in access to legal aid, a concern previously highlighted in discussions about a two-tiered legal aid system (Simshaw, 2022).

5. Bias in AI and liability in legal aid

One of the biggest challenges in deploying AI in legal aid is the presence of bias in AI systems (hallucinations). AI models are trained on existing datasets, which may contain inherent biases, leading to unequal treatment of clients. This is particularly problematic in legal applications, where unintended discrimination can have far-reaching consequences. Research has shown that some AI models, for example, impose harsher assessments on certain ethnic groups in criminal law or exacerbate inequalities in civil cases (Federal Judicial Center, 2023 in Chien et al., 2024).

Bias in AI not only leads to unjust outcomes but also raises questions of legal liability. When an AI system provides legal advice or influences a decision, it is unclear who is responsible for errors or harmful consequences. Is it the AI developer, the organization using the system, or the legal professional relying on AI? These issues make it necessary to develop regulations and ethical guidelines for the responsible use of AI in legal aid.

To mitigate the risks of bias and liability, AI systems must be transparent and explainable. This means that legal aid providers and clients must be able to understand how an AI model arrives at a particular conclusion. Additionally, regular audits and improvements in training data are essential to minimize bias and ensure fairness in AI-driven legal services.

6. Conclusion

While AI offers significant improvements for legal aid, careful regulation and ethical oversight remain essential. Transparency, explainability, and the prevention of bias must be central to AI implementation. AI should be used as a complement to human legal expertise, not as a replacement. Legal aid organizations must strategically and responsibly engage with AI technology to optimize internal operations and ensure access to legal aid for all citizens. This requires a well-considered and forward-looking approach, where AI is not seen as a hype but as a sustainable innovation in legal aid services.

Bibliography

- Byrom, N. (2024). Computational Law and Access to Justice. Journal of Cross-disciplinary Research in Computational Law.
- Chien, C., Kim, M., Raj, A., & Rathish, R. (2024). How LLMs can help address the access to Justice Gap. SSRN.
- Harvard Law School. (2024). Harvard Law expert explains how AI may transform the legal profession in 2024. Retrieved from <https://hls.harvard.edu>.
- Janssen, J. (2024). *AI, de hype voorbij: Alles waar we om geven beter maken*. Tielt, België: LannooCampus.
- Simshaw, D. (2022). Access to A.I. Justice: Avoiding an Inequitable Two-Tiered System of Legal Services. Yale Journal of Law & Technology.
- OpenAI. (2024). ChatGPT (2025 [Large language model]). chat.openai.com/chat

CLIMATE CHANGE ADVOCACY IN THE 21ST CENTURY: PROVIDING LEGAL AID IN CLIMATE LITIGATION

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1.0 Introduction

Climate litigation has been increasingly successful in addressing climate issues, with a growing number of cases being filed worldwide. According to a report by the Grantham Research Institute, at least 230 new cases were filed in 2023, seeking to hold government and companies accountable for climate action. From the landmark Urgenda² case to the growing tide of climate-related human rights petitions, this emerging field of climate justice is redefining the boundaries of international law, pushing the envelope of state responsibility, and inspiring a new era of climate activism. There is therefore a strong case in favour of tailoring legal aid towards climate litigation.

The globe seems to be on the brink of a certain climate catastrophe, and the opportunity to avert that catastrophe keeps ebbing away rapidly. Phenomenon such as elevated levels of heat waves, droughts and floods caused by climate change are already affecting scores of people around the world and causing potentially irreversible changes in global ecosystems.

² The case of Urgenda Foundation v. State of the Netherlands filed by a Dutch Environmental group and 900 Dutch citizens against the Dutch government on GHG emissios went from the District Court up to the Supreme Court in favour of Urgenda. making it a mandatory responsibility of government to reduce GHG emissions.

The climate challenge also obscures the effectiveness of human rights; interfering with the enjoyment of a wide range of rights recognized under international law³ and encapsulated in the popular international Bill of Rights. The right to life and the right to livelihood is always threatened by climate change. It is because of the potency of the climate catastrophe transcending or cutting across every facet of human existence, every strata of society, and every strand of our collective existence; that experts describe climate change as the most severe challenge facing planet earth and all humanity in the 21st century⁴.

The United Nations Framework on Climate Change (UNFCCC)⁵ came into force around 1994 with the aim of stabilizing greenhouse gas emissions.⁶ Unfortunately, the existence of the United Nations Framework on Climate Change (UNFCCC)⁷ has not translated into genuine action by multinationals and companies in the fossil fuel business operating all over the globe but with large presence in the United Kingdom (UK). The spatial and temporal extent of the challenge to climate deeply connects it to ethical questions⁸ as well as legal questions. Climate change potentially impacts food production, health of human and animal, global water supplies, energy infrastructure, etc.⁹ It follows logically then that the solution must not remain in the realm of policy and cutbacks alone, but a lot can be done through the instrumentality of climate litigation.

2.0 Climate litigation

Climate change litigation is litigation directly or indirectly linked to climate change seeking to address green-house gas emissions. Such litigation may be mitigation focused, anti-regulatory litigation or adaptation related litigation.¹⁰

The Black's Law dictionary defines litigation as the process of carrying on a lawsuit.¹¹ A Complex litigation is a lawsuit involving several parties who are separately represented involving multifarious factual and legal issues in this instance involving climate or environmental issues. Although the definition proffered suffices, Campbell (1968) definition seems better suited for the subject matter herein discussed. Campbell (1968) defines litigation as a contest in a court of justice for the purpose of enforcing a right.¹² The attraction of the definition is the fact that a reason or purpose to litigation is imputed in the definition. In the American case of **Summerour v Fortson**¹³ The very same definition of litigation being a contest

³ Kumaravadivel Guruparan & Harriet Moyrahan, *Climate change and Human Rights based Strategic Litigation* (Royal Institute Of International Affairs Chatham House, 2021) 2

⁴ Georg feulner, *Global Challenges: Climate Change* (John Wiley & sons Ltd, 2015) 5

⁵ United Nations General Assembly (UNGA), 'United Nations Framework Convention on Climate Change', (May 9, 1992) 1992 31 ILM 84; Treaty Doc No. 102-38, article 2

⁶ Felipe Duarte Santos, 'The Climate Change Challenge: A Review of the Barriers and Solutions to Deliver a Paris Solution' [2022] 10 (75) CLIMATE 1 <<https://doi.org/10.3390/C/i/0050075>> accessed 24 March 2023

⁷ United Nations General Assembly (UNGA), 'United Nations Framework Convention on Climate Change', (May 9, 1992) 1992 31 ILM 84; Treaty Doc No. 102-38

⁸ George Feulner, *Global Challenges: Climate Change* (John Wiley & Sons Ltd, 2015)

⁹ *ibid* at 5

¹⁰ Jacqueline Peel & Hari M. Osofsky, *Climate Change Litigation: Regulatory Pathways to Clearer Energy* (Cambridge University Press, 2015) 5

¹¹ Bryan A. Garner (ed), *Black's Law Dictionary* (8th edn West Publishing 2004 pdf) 2967

¹² Henry Campbell Black, *Blacks' Law Dictionary* (4th edn St. Paul Minnesota: West Publishing Co. 1968) 1082

¹³ 174 Ga 862, 164 S.E 809

in court in order to enforce a legal right was affirmed. In the case of *In RE Loudenslager's Estate*¹⁴ to litigate was described as an act to bring into or engage in litigation, the act of carrying on a suit in a law court, any legal controversy decided upon evidence. Litigation is therefore a judicial contest, a judicial controversy, a lawsuit or civil actions.¹⁵ Climate change litigation is therefore approaching the courts of law to determine climate or environmental issues in a bid to enforce environmental rights, and secure active positive outcomes from governments and individuals towards a clean, green and safe earth.

There are a number of cases that have arisen in the Netherlands, United States and Australia including some other not so popular jurisdictions but all of which tends to have a much more direct link to climate change, by addressing either the greenhouse gas emissions that cause the problem or the potential forecasted impacts of climate change on individual lives, ecosystems, communities, and infrastructure.¹⁶

Funding being a crucial aspect of litigation, the need for legal aid in climate actions cannot be overemphasized.

3.0 Legal Aid in Climate litigation

To aid means to support, help, assist or strengthen in other words supplement the efforts of another.¹⁷ Legal aid simply means free, or subsidized or inexpensive legal services provided to those who cannot afford to fund a legal process.

Legal Aid in Climate Litigation is therefore the provision of free, subsidized and inexpensive legal services and/or representation in pursuing or addressing climate or environmental issues or claims before a court of law, in a bid to enforce environmental rights, and secure active positive outcomes from governments and individuals towards a clean, green and safe earth.

Climate change litigation is taking place within international, regional and national legal framework with the Paris Agreement¹⁸ being the main treaty providing for climate change obligations which States need to uphold.¹⁹ It is therefore imperative to tailor legal aid in the direction of this nature of litigation as it is a glowing remedy for the climate challenge and a ready tool for assurance of any form of climate justice.

Legal Aid in climate litigation will promote equality and access to justice for marginalised communities, vulnerable groups and indigent persons who may not be able to afford legal services or find climate or environmental litigation. Legal Aid thus will empower affected and aggrieved communities, groups and individuals navigate the legal system and asserts their rights in order to secure redress.

¹⁴ 13 N. J. Eq 418, 167 A. 194, 195

¹⁵ *Sunshine mining co v Carver DC Idaho 34 F. Supp 274, 280*

¹⁶ Jacqueline Peel & Hari M. Osofsky, *Climate Change Litigation: Regulatory Pathways to Clearer Energy* (Cambridge University Press, 2015) 5

¹⁷ Henry Campbell Black, *Blacks' Law Dictionary* (4th edn St. Paul Minnesota: West Publishing Co. 1968) 91

¹⁸ Conference of the Parties, Adoption of the Paris Agreement, Dec 12 2015 U.N. Doc. FCCC/CP/2015/L.9/Rev/1 (Dec. 12 2015)

¹⁹ Ivano Alogna & Eleanor Clifford, *Climate Change Litigation: Comparative and International Perspectives* ((British Institute of International and Comparative Law, 2020) 4

4.0 Conclusion and Recommendation

Climate change has far-reaching consequences, including devastating natural disasters, displacement, and human rights violations. Climate litigation has emerged as a critical tool for holding governments and corporations accountable. However, accessing justice remains a significant barrier for marginalized communities, groups and individuals.

The costly and complex nature of Climate litigation makes it inaccessible to those who need it most. Retaining an expert with specialized knowledge and skills in climate law and litigation may pose a challenge due to the financial implication.

Legal aid ensures marginalized communities, individuals. Groups, organizations can access the same legal remedies as those with more resources. Legal Aid can also be in the provision of specialised knowledge and skill required for such litigation and also help balance the power dynamics between communities, individuals, NGOs and powerful opponents.

INTERVIEW WITH PROFESSOR KIM ECONOMIDES, A DISTINGUISHED RESEARCHER ON THE INTERNATIONAL SCENE IN THE FIELD OF ACCESS TO JUSTICE AND LEGAL AID IS PUBLISHED IN A LAW JOURNAL IN BRAZIL



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The "Revista Confluências", which is the academic journal of the postgraduate program in sociology and law at the Universidade Federal Fluminense (UFF), in Brazil, published in its first four-month edition of 2024 an interview with Professor Doctor Kim Economides, who is internationally recognized for his long and expressive academic trajectory dedicated particularly to studies and research in the field of access to justice and legal aid.

The interview was conducted remotely by Brazilian professors Cleber Francisco Alves and Joaquim Leonel de Rezende Alvim, both from the Universidade Federal Fluminense (UFF). As highlighted in such publication, since the 1990s a fruitful rapprochement and increasingly intense interchange began between Professor Kim Economides and some Brazilian academics and researchers working in law and the social sciences. And this was the main reason that justified the invitation for the interview. Considering the relevant contribution of Prof. Economides' work on issues related to access to justice, it seemed to us that it could be of interest to ILAG members, which is why we proposed to Editor Peter van den Biggelaar that he also publish it here in this space of the ILAG Newsletter.



KIM ECONOMIDES

Kim Economides, who in his days as a young doctoral student was one of the collaborators on Mauro Cappelletti's team on the occasion of the famous Florence Project on Access to Justice, participated in an "International Justice and Citizenship Seminar", held on September 10 and 11, 1997, in the auditorium of the Fundação Getúlio Vargas, in Rio de Janeiro. As a result of the lecture given at this seminar, a book chapter was published in which Professor Economides carry forward the metaphor of the three 'Cappellettiques' waves of access to justice by proposing an original 'fourth wave', an idea that ended up becoming highly influential throughout Brazil (<https://researchnow.flinders.edu.au/en/publications/lendo-as-ondas-do-movimento-de-acesso-%C3%A0-justi%C3%A7a-epistemologia-ver>). Since then, he has been consolidating a relationship with Brazilian researchers and academics in the field of social sciences and ethics of the legal professions, on which he has come to focus his work.

The interviewee is currently Professor Emeritus at Flinders University (Australia), of whose Faculty of Law he was Dean (2012-2017) and also Honorary Professor of Law at the University of Southern Queensland (Australia). He was Professor of Law and first Director of the Legal Issues Centre at the University of Otago, Dunedin, New Zealand (2009-2012); Professor of Legal Ethics (2000-2009) and Dean of the Faculty of Law at the University of Exeter (1999-2004), in the United Kingdom, where he was also Director of the Exeter University Centre for Legal Interdisciplinary Development (EUCLID) (1989-1993) and Acting Director of the Centre for Legal Practice (2005-2006). Before arriving at Exeter in 1979, Kim - who is the son of an immigrant Greek Cypriot father (a communist who fought against Franco in the International Brigades, as he himself points out in the interview) and a white English middle-class mother - studied Law in London (LLM at King's College) and, as mentioned above, was one of the first researchers at the European University Institute in Italy, where he worked on the Florence Access to Justice Project (1976-79) in the team coordinated by Mauro Cappelletti.

His subsequent career has focused on access to justice and policy-oriented law reform, in which he applies socio-legal, interdisciplinary and comparative methods to explain legal behaviour, with particular reference to civil litigation, professional regulation, rural legal services, legal education/skills, and legal technology. In addition to the academic study of legal ethics, he has pioneered new collaborations between law and management studies, and law and geography.

This context of his biographical origins and international trajectory, as Professor Kim Economides himself considers in the interview, was not only drawn upon but also, in a certain way, a product of his family background, which came to shape his disciplinary research agendas and his interest for comparative methods.

Professor Economides holds triple British, Australian and EU Cypriot citizenship, with permanent resident status in New Zealand, and brings a global perspective to his research. He currently collaborates with Brazilian, Spanish and German researchers and lectures regularly at the University of Cyprus (Research Methodology, Sociology of Law and Legal Ethics) and is also a leading enthusiast and contributor to the new “Global Access to Justice Project” - <https://globalaccesstojustice.com/> (as Regional Coordinator for Oceania, and Thematic Coordinator for Professional Legal Ethics and Anthropological/Postcolonial Approaches from the Perspective of First Nations Peoples).

The text of the interview is published in a bilingual edition (Portuguese and English), available for free download on the "Revista Confluências" website, accessible via the following link: <https://periodicos.uff.br/confluencias/article/view/62170/36519> (for direct access to the English version of the interview) <https://periodicos.uff.br/confluencias/issue/view/2991> (to access the full issue of the journal issue)

THE TRANSFORMATION OF ZAMBIA'S LEGAL AID SYSTEM – KEY DEVELOPMENTS OVER THE PERIOD 2018-2024 / PART II

KAROL LIMONDIN

CHIEF ADVISER AT THE DANISH INSTITUTE FOR HUMAN RIGHTS (DIHR), CURRENTLY POSTED IN LUSAKA, ZAMBIA, PROVIDING EXPERTISE AND SUPPORT TO THE IMPLEMENTATION OF THE ENABLING ACCESS TO JUSTICE, CIVIL SOCIETY PARTICIPATION AND TRANSPARENCY (ENACT) PROGRAMME



- ✓ Taking legal aid services closer to vulnerable groups
- ✓ Involving paralegals at all levels of the justice system in both formal and customary justice
- ✓ Based on cooperation between the state Legal Aid Board and non-state legal aid providers
- ✓ In collaboration with the Judiciary, prisons, police stations; and at community level, with Chiefs, traditional leaders and customary courts

- ✓ Empowering individuals to claim their rights and obtain remedies
- ✓ Supporting increased protection of human rights in Zambia

In the previous ILAG Newsletter, Part I of this Article on “The transformation of Zambia’s legal aid system – Key developments over the period 2018-2024” covered:

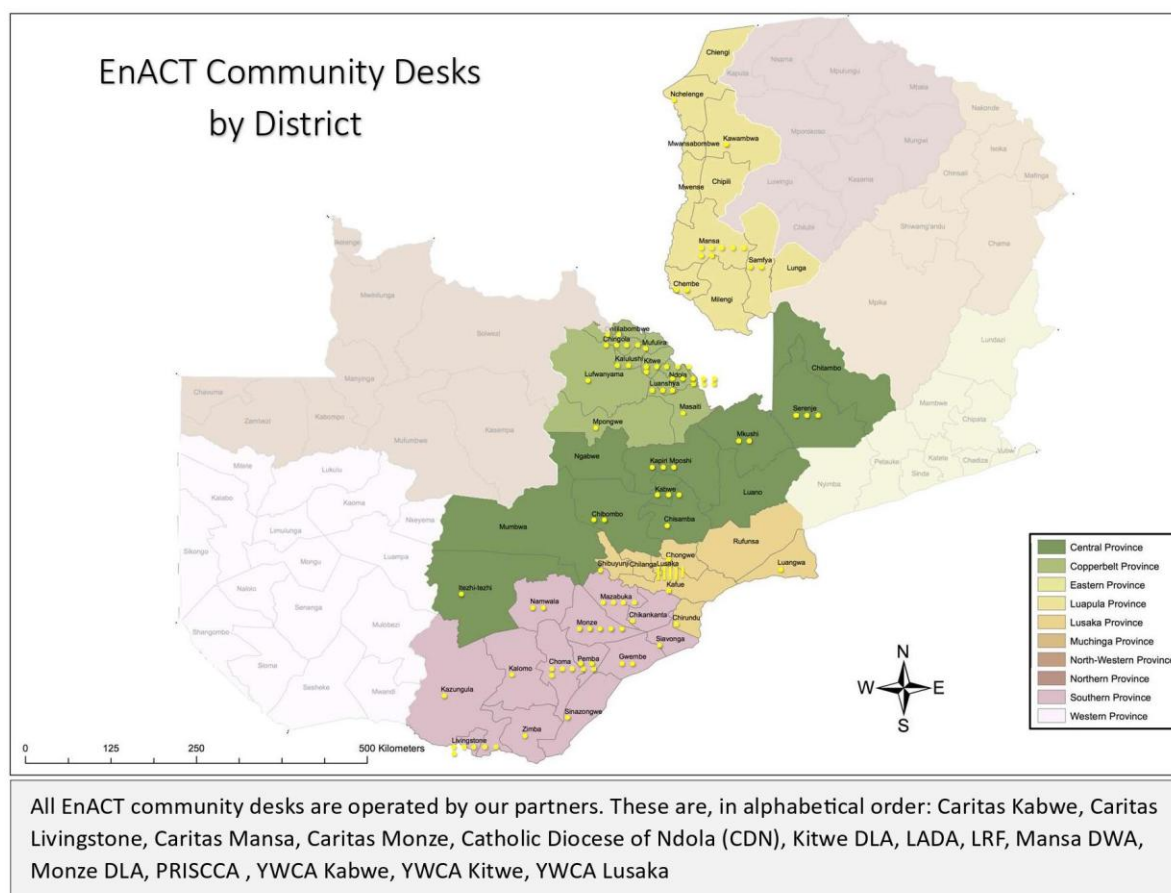
- The adoption between 2018 and 2021 of a National Legal Aid Policy, a new Legal Aid Act and a standardised national three-level paralegal training scheme; and
- The joint efforts from the Legal Aid Board and civil society legal aid providers in creating and strengthening a more accessible legal aid system, through the work and services provided by a network of 35 legal aid desks based in courts, prisons and at police stations, with legal aid provided at various levels of the justice system.

Part II of this Article now relates to the work and services provided by legal desks based in communities, and developments taking place between Local Courts, customary courts and community-based paralegals.

81 legal aid desks based in communities

In 2023, an additional 81 community-based legal aid desks were established or strengthened across 5 select provinces in Zambia i.e. Central, Copperbelt, Luapula, Lusaka and Southern provinces. 60% of these desks were already in operation but had extremely limited support or no support at all, and limited outreach to the community. The other desks were set up in areas deprived from any legal aid service provider.

The community-based legal aid desks take **legal aid services closer to vulnerable groups, especially women, children, persons with disabilities and poor people**. They empower women and other vulnerable groups to claim their rights using formal and customary justice systems. Paralegals’ intervention is important as it has a positive impact on respect for human rights and inclusiveness, strengthening equal access to justice for all in communities and



Source: GIZ, 2024.

Legal aid services are provided by 162 paralegals who are members of the community where each desk is operating from. Paralegals are qualified at level 3 or level 2 of the TEVETA-approved paralegal training scheme in Zambia. Services mainly consist of legal information, mediation, orientation and referrals. Paralegals are affiliated to various civil society organisations depending on the area, namely Catholic Diocese of Ndola, Caritas Kabwe, Livingstone, Mansa and Monze, District Land Alliance Monze and Kitwe, Law & Development Association, Legal Resources Foundation, Mansa District Women Development Association, Young Women's Christian Association Kabwe, Kitwe and Lusaka.

All community-based paralegals are placed under the supervision of legal assistants or paralegals qualified at level 1 of the TEVETA-approved paralegal training scheme. Further, the Legal Aid Board is presently developing guidelines for community paralegals supervisors, in order to assist and guide them in carrying out their supervisory duties.

In 2023, with most desks being operational from May 2023 onwards, 14'905 Zambians have received legal aid services at the 81 community-based legal aid desks. 61% of them were women and children. Out of this number, 4'644 cases (31%) were successfully resolved by

community paralegals through (informal) mediation. In 2024, it is anticipated that more than 26'000 people receive legal aid through the community desks.

In addition, community-based paralegals dedicate extensive time to awareness raising. In 2023, 38'744 persons participated in such events focusing on legal education. 72% of the participants were women and children. Topics are mainly centred on human rights, women's rights, children's rights, family and property issues, gender-based violence, land matters, child justice, criminal procedure (in particular police bond and bail), disability rights and availability



Paralegals from Legal Resources Foundation, community awareness session in Choma district, Southern province, Zambia



Paralegals from Legal Resources Foundation, community awareness session at Livingstone market, Southern province, Zambia

of legal services and legal desks.

Pursuing community justice – Involving the Local Courts, customary courts and community-based paralegals



Customary court in session at palace level, Chooma Chiefdom, Southern Province, Zambia

Customary courts in Zambia (called 'traditional courts') make a vital contribution in providing access to justice for the Zambian population. The customary courts in comparison to the formal courts of law are closest and easily accessed by the most vulnerable community members especially in rural areas and are the "no option" institution of civil justice in most rural communities in the country. Based on data collected at chiefdom level, customary courts continue to handle 80 to 90% of the disputes arising at community level. Cases relating to customary marriage and the family, often including disputes related to property (land), teenage pregnancies,

divorce, child maintenance, make up a great part of the work of the customary courts.



Chikuwe Local Court, Eastern Province, Zambia

Similarly, the Local Courts (formal courts of Law under the Judiciary of Zambia, constituted under the Local Courts Act) make up the first level of the Judiciary. Some 505 Local Courts in the country handle more than 110,000 civil

“Justice in Zambia must reach out even to the remotest parts and to the poorest of the poor in the communities. This can only be achieved if all justice providers work in a collective and coordinated manner as we are all pursuing the same goal.” Mrs. Agatha Chipende, former Chief Local Courts Officer, Directorate of Local Courts, Judiciary of Zambia

cases per year – this represents a higher caseload than all other formal courts of law combined. Local Courts are located in town but also in the communities at chiefdom level. The Local Courts in comparison to higher courts are closer and easily accessed by the vulnerable

community members even in rural areas and are the backbone of civil justice in the country. The Local Courts primarily apply customary law, subject to statutory law and the principles of the Bill of Rights and natural justice, and subject to judicial review and supervision.

Because of its dynamic nature, customary law has the potential to respect and protect constitutional rights and principles of natural justice. Between 2011 and 2016, the Judiciary and the House of Chiefs worked together to facilitate access to the Local Courts and customary courts. These courts further took measures to reconcile customary law with constitutional and human rights. This was made possible through legal capacity development for the Local Courts and customary courts, combining joint training workshops based on specific training manuals, new reporting and consultation mechanisms on casework, and the development of practice guidelines, tools and handbooks to assist courts in handling disputes. On 30 March 2015, a set of national norms and standards defining the role and conduct of customary court adjudicators handling disputes at the customary courts, was endorsed by the House of Chiefs and a call was made to rollout the training of Chiefs and customary court adjudicators to all the provinces in Zambia.

In 2023, new training manuals for Local Courts, and for Chiefs and traditional leaders as customary courts adjudicators, were prepared. A new round of capacity development workshops is now taking place in Zambia, involving 56 Local Courts, and Chiefs and traditional leaders from 37 different chiefdoms in Central, Copperbelt, Luapula, Lusaka and Southern provinces, as well as community-based paralegals. In this process, community justice actors discuss and agree on innovative collaboration approaches. For example, a number of chiefdoms establish ‘Community Justice Boards’ operating as a platform at chiefdom level where paralegals, Local Courts, traditional leaders and customary courts, the police and other relevant stakeholders such as social services and health centres, meet on a regular basis, address justice issues, coordinate interventions in their respective areas and organise collaboration and joint action to improve justice delivery to communities.

“Local Courts are our first stakeholders and traditional leaders are now willing to work with the Local Courts and their supervising officers. We are now looking forward to improving our performance so that the contribution made by traditional leaders and customary courts in Zambia will be recognised by everyone and all institutions and

Overall, this community justice model establishes innovative channels of constructive engagement among justice actors at the community level. It bridges the gap between the Local Courts and customary courts, to create a dynamic working relationship based on mutual respect, active cooperation and engagement which benefits rights-holders in the community. It helps reconcile customary law with the guarantees of constitutional and human rights in the country.

This work is supported by the “Enabling Access to Justice, Civil Society Participation and Transparency” (EnACT) Programme in Zambia, implemented by the [Deutsche Gesellschaft für](#)

[Internationale Zusammenarbeit](#) GmbH (GIZ) with technical assistance from the Danish Institute for Human Rights (DIHR). EnACT is commissioned by the German Ministry of Economic Cooperation and Development and is co-funded by the European Union.

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LEGAL AID NEWS FROM AROUND THE WORLD

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Australia

[Legal Aid Crisis Looms Unless Government Acts, New Report Warns](#) – Lawyers Weekly

[Legal Aid Is A Lifeline For Vulnerable Australians, But Consistent Underfunding Puts The System At Risk](#) – The Conversation

[New Platform To Improve Access To Justice In Australia](#) - Law Society of NSW Journal

Brazil

[Symposium Examines Civil Justice in Brazil](#) – Yale Law School

Canada

[Alberta Budget Bill Cancels Planned Benefits For Adopted Children, Changes Legal Aid Funding](#) – CBC News

[Chatbots For Justice: The Impact Of AI-Driven Tech Tools For Pro Se Litigants](#) – Thomson Reuters

[How B.C. Can Increase Access To Justice In Family-Law Cases](#) – Policy Options

[Indigenous Bar Association Challenges Proposed Legal Profession Act Amendments](#) – Canadian Lawyer

[UCP Cuts To Alberta Legal Aid Will Hurt The Most Vulnerable](#) – Policy Options

England and Wales

[Civil Legal Aid Reform: Restoring Access To Justice Or Running Out Of Time?](#) – Solicitors Journal

[Government Seeks Power To Provide Legal Advice In Employment Disputes](#) – Legal Futures

['Intermediate Courts' Will Complicate Legal Aid, Leveson Review Told](#) – Law Society Gazette
[Legal Aid Fees Must Increase To Protect This Vital Public Service](#) – The Law Society – Today's Family Lawyer
[New Report By Migrants Organise Highlights Crisis In The Quality Of Immigration Legal Aid](#) – Electronic Immigration Network
[Will Legal Aid, As With So Many Other Public Services, Simply Be Co-Opted Into A System Of Managed Decline?](#) – Solicitors Journal

Ghana

['Access To Justice Now The Preserve Of The Rich' - GNAAP President](#) – Ghana Web
[Parliament Approves GH¢40.26 Million For Legal Aid Commission](#) – Graphic Online

India

[11 Richest States Allocate 4% Of Budget For Justice Delivery](#) – India Spend
[CJ Urges Legal Aid Counsels To Strive For Justice For Poor](#) – Times of India
[Timely Justice In India: Can AI Be The Answer?](#) – Hindustan Times

Ireland

['Desperation Out There' Looking For Lawyers Through Civil Legal Aid Scheme](#) – Irish Examiner

New Zealand

[Court Ruling Set To Change 'Mean -Spirited', 'Hostile' Legal Aid System](#) – The Post
[Government Launches Review Of Legal Aid System To Ensure Accessibility And Efficiency](#) – NZ Lawyer

Nigeria

[Edo Govt Strengthens Access To Justice Through Mediation, Legal Aid](#) – Nigerian Observer
[Legal Aid Council Handles 7,140 Cases](#) – Punch NG

Northern Ireland

[Justice Minister Warns Industrial Action Over Legal Aid Causing 'Serious Damage'](#) – MSN
[Law Society Calls For Urgent Action To Address Legal Aid Crisis In Northern Ireland](#) – Law Society of Northern Ireland

Scotland

[Defence Solicitors To Boycott Justice Scheme Over Legal Aid Fees](#) – Scottish Legal News
[Legal Aid Reforms Will Make System 'Simpler And Easier'](#) – The Herald
[More Equal Than Others: Legal Aid Crisis, Scots Law Students And Inequality In Access To Justice](#) – Law Society of Scotland
[Scotland Has Been Reported To The UN Over Its Dire Access To Justice For The Public](#) – The Canary
[Scottish Legal Aid Crisis Deepens](#) – Solicitors Journal

South Africa

[South Africa Hasn't Given Individuals Access To The African Court – This Needs To Be Fixed](#) – The Conversation

United States

[Florida Legal Aid Groups Warn Bank-Backed Legislation Could Slash Their Funding](#) – Herald Tribune

[Legal-Aid Organizations See Surge In Need Under Trump](#) – San Francisco Examiner
[Legal Aid Report Shows Illegal Strike’s Toll On Prisoners](#) – My Twin Tiers
[White House Reportedly Halts Funding For Legal Aid For Unaccompanied Migrant Children](#) – The Guardian
[US Judge Blocks Trump Cuts To Legal Aid For Migrant Children](#) - Reuters
[Why Are New York Taxpayers Funding The Legal Aid Society As It Promotes Crime?](#) – New York Post

The news items shown below are largely compiled from online articles, found based on a simple search for terms such as ‘legal aid’, ‘access to justice’ and ‘pro bono’. Therefore, readers must, just as buyers, beware of authenticity. The links worked at the time of writing, but some will obviously fail after a period.

For more information about the work of the *International Legal Aid Group*, please visit our website which can be found at <http://www.internationallegalaidgroup.org>.