

# Paralegal Service Delivery



## The challenge

Backlogs within the court system exist in most countries. This includes Zambia where the judicial system is challenged with case accumulation. In addition, most detainees do not have access to legal assistance, leaving them unaware of their rights and vulnerable to injustice.

According to the Zambia human rights commission<sup>1</sup>, close to 50 % of accused persons spend at least 6 months in remand. More than 13 % spend over two years before their cases are concluded in court. Juveniles are often arrested for thoughtless misbehaviour, so some of the most decisive years of their lives may be lost in

Prison

LSUs and desks in correctional facilities and police stations provide information sessions to detainees on the bail and police bond application processes. They assist detainees in remand or in police custody to apply for bail or police bond, and help them link with their families and communities, in order to identify sureties.



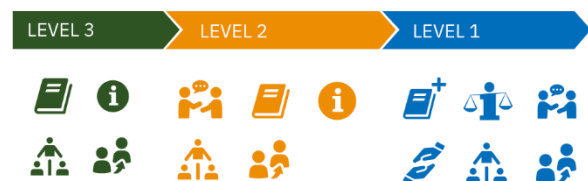
### What is a Paralegal Desk?

It includes criminal justice A paralegal desk is an office or secured place where paralegals provide free legal aid to members of the public especially the vulnerable members including women, children, people with disability and others. Since most of the poor and vulnerable Zambians currently have limited access to legal aid services, paralegals can fill the gap of limited

legal aid service provision. They offer affordable/no cost legal assistance to the population in all areas of the country and create equal access to legal aid.

### Different Types of Paralegals/ Paralegal Desks

Paralegals are organised in three levels and their mandates vary depending on the level of qualification. The training courses on level 3 offer basic training for paralegals at community level. Training level 1 is an extensive training course which allows graduated paralegals to provide legal advice at subordinate courts together with legal assistants from Legal Aid Board. Paralegals level 2 often work at Correctional Facilities or Police station desks to provide services to remandees and suspects. Some paralegals also work at legal desks at Civil Society Organisation's main offices and provide legal aid to community members.



**Level 3:** Basic legal education | legal information | mediation | orientation & referrals

**Level 2:** Legal advice | mediation & negotiation | orientation & referrals

**Level 1:** legal education | legal information | legal advice | legal assistance | mediation & negotiation | orientation & referrals

Subsequently, there are four different types of paralegal desks depending on the location of the paralegal desk and its clientele.

1. Legal Service Units (LSUs) are located at subordinate courts and are managed by paralegals level 1
2. Correctional facility desks offer legal services in correctional facilities and are managed by paralegals level 1
3. Police legal desks located at police stations and are managed by paralegals level 2

<sup>1</sup> The State of Human Rights in Zambia, 2017–2018

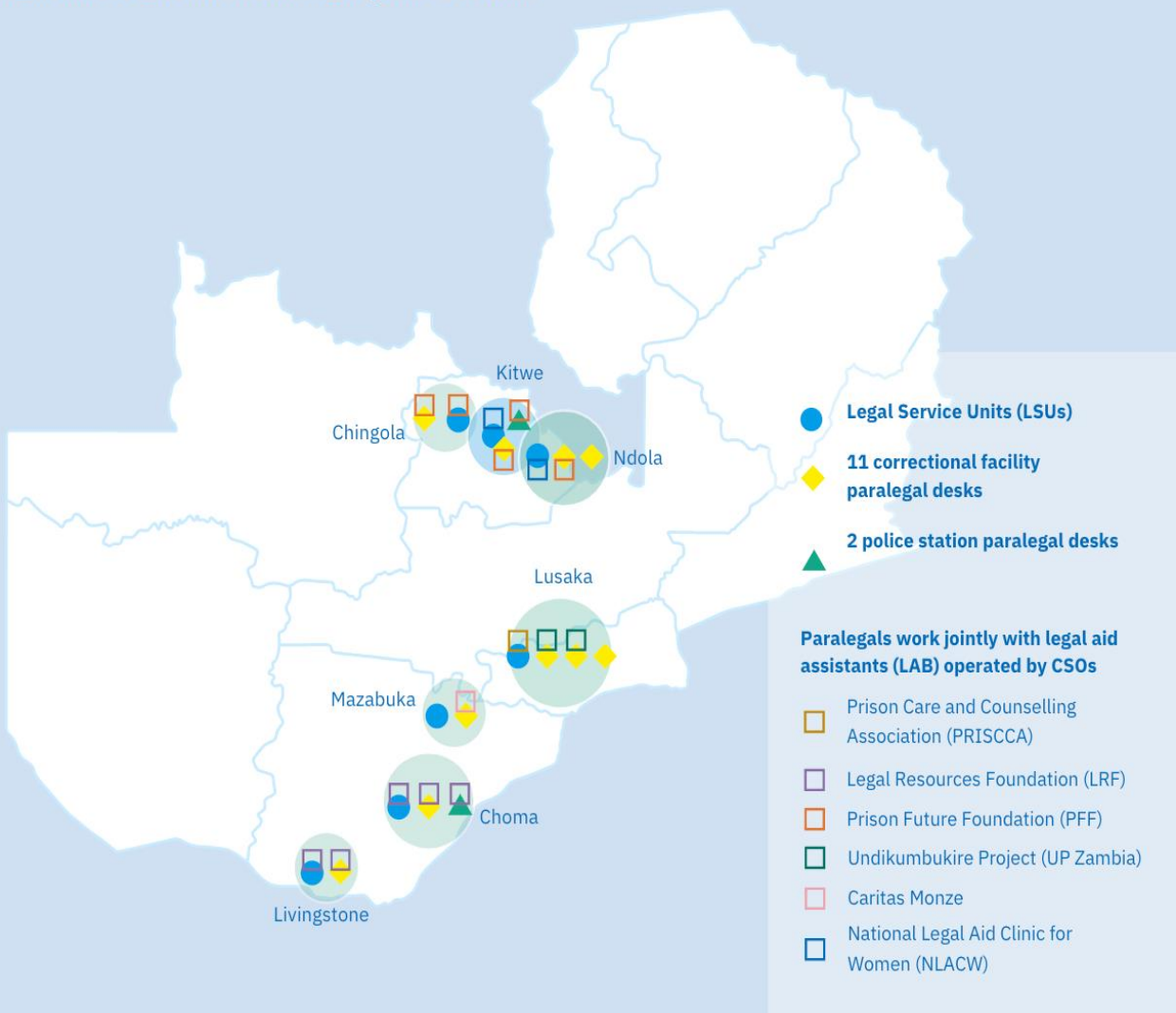
- 4. Community desks operate at community level such as compounds in urban areas and villages in rural areas and are managed by paralegals level 3

LSUs (Legal Service Units) and paralegal desks in correctional facilities & police stations operate under the supervision of a legal practitioner from the Legal Aid Board who ensures professional standards.

LSUs and paralegal desks are currently located in three provinces namely Southern, Copperbelt and Lusaka.



**PLEED supports the following 19 Legal Services Units and desks in correctional facilities and police stations:**



## ACCOMPLISHMENTS

### → Better accessibility

Since 2016, PLEED has contributed to a strengthened and more accessible legal aid system. In cooperation with a network of civil society and state actors, PLEED is currently supporting the operation of 19 legal aid desks in courts, correctional facilities or police stations and communities. In 2021 these desks assisted more than 16,052 poor and vulnerable persons. This includes 2407 female adults, 12,549 male adults, 102 female juveniles/minors, and 994 male juveniles/minors. More than 54,000 clients have received help and assistance through the programme since 2016.

### → Reduced case accumulation

In 2019, for LSUs based in Southern Province, criminal cases provided with legal representation were concluded within four to five months on average. 39 % were acquitted, discharged, withdrawn or diverted away from the criminal justice system. 30.5 % received a non-custodial sentence and only 30.5% were sentenced to prison.

### → Increased protection of human rights

The LSUs and desks in correctional facilities and police stations address cases of ongoing stay in remand or in police custody, ongoing trials and delayed judgments. Similarly, LSUs and desks liaise with the Department of Immigration on cases of illegal immigrants facing ongoing detention. LSUs and desks assist juvenile offenders in detention and support the increased use of diversion measures.

Overall, the LSU and legal aid desk model ensures greater respect of the legal rights of the poor and vulnerable in the justice system and reduces case accumulation in the penal system.



## PLEED's support

The Programme for Legal Empowerment and Enhanced Justice Delivery (PLEED) has provided financial and technical support during the establishment and orientation of legal desks in the following areas:

- Training and coaching of paralegals
- Monitoring and expert advice to
  - Civil society organisations
  - Legal Aid Board (LAB)
  - Other justice institutions such as courts
  - Police
  - Paralegals
  - In some cases rehabilitation of office



## The Programme for Legal Empowerment and Enhanced Justice Delivery (PLEED)

The Programme for Legal Empowerment and Enhanced Justice Delivery (PLEED) was a component of GIZ's Civil Society Participation Programme (CSPP). It ran between 09/2015 – 03/2021 and was co-funded by the European Union. The objective of PLEED was to improve justice delivery for all and enhance protection of human rights. In cooperation with the Ministry of Justice, PLEED supported state and non-state actors, such as the Legal Aid Board, the Zambia Police Service, Correctional Services, and CSOs offering paralegal services.

As of 08/2021, CSPP was succeeded by the programme 'Enabling Access to Justice, Civil Society Participation and Transparency' (EnACT).

	OPERATED BY CSOS	NUMBER OF PARALEGALS	LAB LAWYER SUPERVISION	START DATE
<b>7 LSUs – Paralegals work jointly with legal aid assistants (LAB)</b>				
LSU Lusaka	PRISCCA	2	LAB Lusaka Office	7 January 2013
LSU Livingstone	LRF	2	LAB Livingstone Office	15 March 2017
LSU Choma	LRF	2	LAB Choma Office	1 April 2017
LSU Mazabuka	–			1 June 2020
LSU Ndola	NLACW	2	LAB Ndola Office	1 August 2017
LSU Kitwe	NLACW (since 16 Oct. 2019, previously YWCA Kitwe)	2	LAB Kitwe Office	1 April 2017
<b>Paralegal Services at 11 correctional facilities</b>				
Lusaka Central, Lusaka Female and Lusaka Remand correctional facility desks	UP Zambia	20 (legal assistants and legal interns )	LAB Lusaka Office	1 May 2018
Chainama East correctional facility desk	UP Zambia	20 (legal assistants and legal interns )	LAB Lusaka Office	22 June 2020
Choma correctional facility	desk LRF (since 16 Oct. 2019, previously WLSA)	2	LAB Choma Office	15 April 2017
Mazabuka correctional facility desk	Caritas Monze	2	LAB Lusaka Office	1 May 2017
Livingstone correctional facility desk	LRF	2	LAB Livingstone Office	1 January 2018
Ndola Central correctional facility desk (also covering Kansenshi Correctional Facility)	PFF	2	LAB Ndola Office	1 August 2017
Kamfinsa correctional facility desk	PFF	2	LAB Kitwe Office	1 June 2018
Chingola correctional facility desk	PFF (since 16 Oct. 2019, previously PRISCCA)	1	LAB Kitwe Office	1 April 2017
<b>2 police station paralegal desks</b>				
Choma police station desk	LRF	2	LAB Choma Office	1 April 2017
Wusakile police station desk	PFF	2	LAB Kitwe Office	9 July 2020

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