

DELIVERING RESPONSIVE CLIENT SERVICES THROUGH MEDIATION AND LITIGATION



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COMMUNITY LEGAL SERVICES (CLS) PROGRAMME

GOOD PRACTICE REPORT

Good Practice Report Series:

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Forward

The Community Legal Services Programme ends in July 2017. In the preceding five years, we have expanded access to legal services to an estimated 13.9 million Bangladeshis in an additional 16% of the country covering 1232 rural unions and urban wards. Most of our beneficiaries, over 74%, have been women and girls and survey research indicates significant increases in awareness of key legal rights and satisfaction with dispute resolution services in the communities in which we work. Our work has also improved use of legal aid assistance to the poor provided by the Government of Bangladesh. All this was possible through partnering with our NGO partners, drawing on their established expertise and building their capacities and skills to pursue high quality standards for legal service provision. Their remarkable improvements have yielded many examples of good practice that the team wishes to acknowledge and share with the broader community of stakeholders working on improving access to justice in Bangladesh and globally. This series of Good Practice reports is our attempt to do so.



Sincerely,

Jerome Sayre

Team Leader

CLS Programme

Preamble

Community Legal Services (CLS) is a five year programme funded by UKaid through the Department for International Development (DFID). CLS is implemented by a consortium consisting of Maxwell Stamp PLC, as principal contractor, with the British Council and the Centre for Effective Dispute Resolution (UK), as partners.

The programme aims to provide greater access to justice for poor, marginalised and socially excluded communities in Bangladesh, with a specific focus on women and girls. Its overall objectives are to improve the quality and coverage of CLS in Bangladesh, build sustainability into the CLS Programme interventions of potential grant partners, and encourage and create an enabling environment for legal services NGOs and community based organisations to coordinate their activities for improved delivery of CLS to target beneficiaries.

CLS provides grants to local and national NGO partners to deliver programme activities. NGO grantees include both specialised legal services organisations as well as development-focused organisations that are being funded to extend the reach and access of legal services for the poor.

During the course of the programme, the CLS team has recognised partners' strengths in providing different CLS modalities with a series of BEACONS awards for 'shining lights of good practice'. The awards process set a number of performance categories for good practice and research has been carried out to document each of these. This publication is one of 13 that demonstrate how good practice can be developed and results achieved that improve the quality of community legal service delivery.





Delivering responsive client services through mediation and litigation

This report is based on field visits to look at good practice in relation to Mediation and Litigation services under CLS Programme. It reflects the processes that implementing organisations followed, how the organisations and the stakeholders achieved positive changes, what are the lessons learnt and what are the areas that require further improvement. The working areas areas were; BLAST in Dhaka, Nagorik Uddyog in Barisal and Madaripur Legal Aid Association in Barisal and Madaripur.

Communities, NGO staff and a wide range of stakeholders with different interests have been consulted through focus group discussions, key informant interviews, face to face interactions, telephone interviews and observations. Thus, the report highlights a range of activities that have been identified as good practices.

What is Good Practice and how it is used in organisations?

Bangladesh Legal Aid and Services Trust (BLAST)

BLAST operates a Legal Aid Clinic (LAC) – one of the key features about this clinic is that it is trusted by a wide range of beneficiaries and stakeholders. The LAC is used by public representatives, such as, City Corporation Councillors for the referral of cases/complaints, as the LAC is recognised as being able to offer effective solutions. Unlike traditional mediation, poor people do not need to bear any costs to get justice if they come to this clinic, funding has also been made available to pay for transport cost for beneficiaries who are in need and required travel to the LAC from remote areas.

A wide range of information events have been held under the CLS Programme including human rights fair, courtyard meetings, home visits, weekly awareness sessions with targeted

communities and consultations with different stakeholders. These have all helped to ensure awareness of the support that is available through the LAC and the CLS Programme. Ensuring effective communication about the services available is a key part of good practice.

Mediators have been trained during the CLS Programme and are now more skilled in mediation processes, able to listen to the statements of the both of the complainant and the accused. They explain the laws and the consequences relevant to the specific complaint to the parties for instance dowry, domestic violence etc. What is being aimed for is fair treatment under the law and it appears that this is being achieved, as even those who are accused/opposite parties expressed their full satisfaction with the processes that mediators follow, when interviewed for this study. The clients are specifically happy that the mediators listen attentively, even to the statement of the accused, as this should result in fair results which can be sustained.

Community Awareness on legal issues, activities for sensitising stakeholders, sharing rights and entitlement information, the activities of the *Nayabichar*/Justice Forum, the process of identifying legal issues prioritised by the community, activating the *Chowki* Court and *Upazila* Legal Aid Committee (UzLAC), capacity building of lawyers to promote the quality of legal services etc. are the range of activities which together have promoted responsive client services at BLAST. Not only client satisfaction, project staff also expressed their satisfaction in terms of delivering legal services through the stages of information dissemination, advising clients, conducting mediation and facilitating litigation.

Delivering a responsive client service can be characterised by a number of factors:

- Understanding and addressing special needs
- Distributing Information to raise awareness of legal rights and the services available to the community
- Involving community leaders in mediation
- Stressing the importance of the needs and choices of clients, and providing options for solution that respect the clients' autonomy
- Ensuring gender appropriate policies and activities
- Responding to beneficiaries' feedback

BLAST's Litigation Service under CLS Programme is gender sensitive and inclusive. For example, BLAST developed an application form for complainants, which has incorporated the option for the third gender. In addition, in engaging panel lawyers, BLAST operates positive discrimination for engaging women lawyers. The CLS staff and panel lawyers have been given gender training and the organisation has gender policy. The project has developed guidelines for doctors and the police on the treatment of victims of rape. Advocacy by the project successfully influenced the court to arrange a separate space for women; and introducing a Family Support Cell in the court premises. There is complaint box at every CLS facility, which enables clients to provide their feedback safely.

BLAST also provided a mediation manual for its staff and partners and undertook capacity building activities, to ensure that a quality mediation service is provided. It also improved its documentation practices, with the development of a software package for its case management

system. Information on cases is uploaded and updates of case information takes place as appropriate. As part of its case management, client confidentiality is strictly maintained.

It is the clients of BLAST who are the key ambassadors for the project. They share their experiences of mediation at BLAST with others and suggest people to visit the BLAST CLS office instead of directly going to court for justice. This CLS funded legal service has become a big hope for poor, destitute, and oppressed women. In studying the clients' files of litigation service, it has been found that most of the litigations would never been possible without the overall assistance of BLAST.

BLAST has separate mediation and litigation policies. The quality of the BLAST publications including Information, Education and Communication (IEC) materials on mediation and litigation are fairly good and the contents are quite communicative. The users expressed their satisfaction in understanding the facets of the community legal services.

Nagorik Uddyog

Nagorik Uddyog organises Ward *Salish* Committees (WSC), which have become reliable Community Organisations, to extend legal services at the community level across the country. The knowledge and information that the WSC members gather has developed their capacity to conduct mediation in line with the law and human rights. Previously, these people used to conduct traditional *Salish*, which in practice was often discriminatory, particularly to the poor and women. One of the key activities of the Nagorik Uddyog has been the capacity building with the *Salishkars* (Mediators), which has led to significant changes in their attitudes and behaviors. Following their involvement with the project interventions, the mediators have become sensitised to such extent that the possibility of human rights violations occurring through meditation practices has been reduced. The *Salishkars* have also acquired gender sensitivity for instance women who never raised their voice on social issues are now actively participating in the *Salish* sessions and their male peers are now more responsive to the gender issues. Key changes have been seen over the period of the CLS Programme, where at the inception of CLS facilitated mediation, representatives of the Union *Parishad* were negative about this form of mediation. However after observing the outcome of CLS facilitated mediation, they changed their minds and started actively participating in this type of mediation.

Mediation has been accepted in communities as a good practice because it follows the basic laws, the mediators are neutral and gender sensitive, clients are not charged for it and it enables quick progress towards mutual solution. Nagorik Uddyog goes further as it enables the provision of wider support to poor clients where they need to access litigation. Nagorik Uddyog engages a panel lawyer to take a case on within 24 hours of the submission of an application. This has greatly increased access to justice for the poorest in the community.

As a result of the work of Nagorik Uddyog, local level stakeholders, including local leaders, have acquired the interest in voluntarism, to support the poor in establishing their right to justice. Community people are now able to identify their own issues for example previously rape was dealt by traditional mediators and in most cases, marriage between the raped victim and the rapist was the outcome of this mediation. But now women and girls in the community are conscious enough to seek a legal remedy, and they come to Nagorik Uddyog office for necessary assistance. Before CLS was launched, when a woman divorced her husband, she could not demand any dower and maintenance money. But now women are aware of law and accordingly they can take the necessary legal steps to demand dower. Previously, mediation judgments

often punished the accused by beatings and other humiliating actions. These have now been stopped, because awareness of human rights also involves the awareness on actions which constitute violations of their rights, especially where someone is found 'guilty' through mediation.

It is through activities such as courtyard meetings and educative popular theater shows that make community people aware of laws and the negative effects of common social issues such as child marriage, domestic violence etc. Rural women are sensitised through theater show, have now become active to establish their land rights. Kohinur from Kashipur Union, purchased 20 decimal of land from a neighbour. But she did not have registration of her land. From a theater show, she came to know that without having formal registration she was not the legal owner of the piece of land. Kohinur discussed the matter with her husband, and together with the previous land owner, went to the Land Registration Office and had her land officially registered. Several examples were found where land disputes being resolved by individuals being influenced by the messages disseminated through popular theatre.

Communities now have confidence that local mediators will play a trustworthy role in minimising social and domestic conflicts. This has occurred because they see that the training and experience that the local mediators have received through the CLS funded Nagorik Uddyog project has greatly increased their capacity and knowledge. They also know that if they are not satisfied with the outcomes from mediation, they can go to court for litigation. Community people are also aware Government Legal Aid Fund (GLAF) and District Legal Aid Committee (DLAC).

Some of the community people interviewed stated that information and knowledge about legal services, have increased their confidence to challenge even the illegal acts of local powerful people. Women stated that they previously did not dare to go outside of the boundary of the family. Since their involvement in CLS activities, the community's attitude and practice has changed significantly. It is marked that despite prevailing religious stigma, women are now able to participate in social activities and can spontaneously raise their voices in the face of patriarchy. The women have realised the importance of formal marriage registration and in the case of separation or divorce, they are achieving their rights to get dower and maintenance money.

The Citizens' Rights Group (CRG) started working in 2013. Over time, this group has achieved significant reliability as mediators. They have their own facility with little financial support from the CLS Programme. Initially, this group visited house to house to identify the poor who are in need of legal services. But now, people come to their facility centre to seek legal services. They conduct mediation, but when necessary, they refer cases to Nagorik Uddyog for litigation. Most of the CRG members are women and they are well-known as women leaders in their localities. They told the consultant team that the CRG has become a platform for them to work together for social change. The knowledge they have gained from project interventions are information on laws, policies and conflict resolution procedures regarding domestic violence, child marriage, dowry, women's rights, land rights etc. which has given them confidence to work for the poor in respect of their legal rights. Before, these women were often confined to household chores. But they have become smart enough to come out and participate in social activities. They opined that law enforcement alone is not enough to remove the patriarchal barriers to pave the way for women's empowerment for equal social development. A change in the patriarchal mindset of both men and women is required. The CRG women said that the assistance of the panel lawyers engaged by Nagorik Uddyog is a great support to them.

Attending the events of the *Upazila Network/Apex Body* is an opportunity for their wider focus.

After the project closes, the CRG members have planned to bear the rent of the room by themselves. The members are passionate about their organisation. One of the members commented in Bangla, *Ob` x gti tMtj I b` xi i`r gti bW* – that means, "The power of knowledge and information never decays."

The project has made rural women know about DLAC and visit the court compound for the first time in their lives. On the other hand, CLS panel lawyers have visited remote villages to witness the real situation of the extreme poor for the first time. They have become sensitised to provide pro-bono litigation support to such victims of injustice. Advocate Zahidul Islam Panna said, "If I did not visit the remote locations where CLS works, I would never have known the acute financial constraints that destitute women experience. These women find nowhere to go for seeking justice. They cannot express their inner agony of bearing all the sufferings silently. Previously, I was not used to looking at the face of the clients to feel their crisis. But now I take special care of the cases of poor women from hard-to-reach areas and provide necessary support benevolently." Training on laws, sexual violence, and domestic violence has contributed to their professional development. The lawyers mentioned that the CLS activities have played a contributory role to activation of the DLAC, to be more responsive to the poor. Advocate Mahmuda Akhter Mony said, "There is no alternative to witness life in the remote rural areas to understand the reality of poor women. The CLS Programme gave us the opportunity to realise the hard reality. Now we understand why NGOs invest in working for the hard to reach communities."

Nagorik Uddyog has their mediation policy and guideline for conducting mediations. But there is scope for improvement in achieving greater effectiveness of such important documents. Their publications and IEC materials are also praiseworthy.

Madaripur Legal Aid Association (MLAA)

Prior to the CLS Programme, there was corruption and bad practice in traditional mediation. This included clients denying the decisions of the mediation, decisions being influenced by politically powerful local leaders and nepotism of the mediators. There is now a distinct difference. In the mediation process initiated by MLAA under the CLS Programme, mediators listen to both the complainant and the accused and analyse the consequences of the situation openly and discuss the laws which affect the issue under mediation. The process aims to facilitate the process where both of the parties can take decisions by themselves to reach a mutual solution. The community is very happy with this process of CLS facilitated mediation and the agreements that come out of it are satisfactory to the clients. Beneficiaries of this mediation process also noted that it is free and quick means solutions can be obtained in a short period of time.

Abu Jafor Siddique, a client said, "Part of my land was grabbed by my cousin. I consulted with community leaders but found no solution to recover my land. Then I applied to the MLAA mediators. They examined all of the relevant papers of the land and accordingly noticed my cousin three times and the problem was solved. My cousin realised that he illegally grabbed part of my land. I was very happy to be able to recover my land. If I had to go to the the court, I would have to spend money on lawyer and other purposes and I would have to go through lengthy judiciary process. But mediation helped me get back my land within short time without any cost."



One of the mediators, Lucky Akhter, said, "Before, the women hardly had any scope to participate in the local mediations and no woman was allowed to comment on the decisions. But after participating in the CLS project, we have acquired knowledge and gained confidence, even to preside over a mediation session. The men are also recognising our neutral role in the mediation procedure." Sima Rani said, "We, the CBO members, have social acceptance, earlier people did not pay any heed to women's voice". Helena Begum said, "We came to know about law and women rights and we know how to maintain the documentation in every step of a mediation. We receive complaints on our application form; send notices to the accused and also to the complainant. We listen to both parties, with equal importance. We give advice to the conflicting parties, give them options for a solution according to law, policy and rights, and ask the parties to take a decision by themselves. We then make a written document with the result and this is kept, for follow-up."

Follow-up activities are carried out by the project staff. They commented that most of the Union *Parishad* (UP) members are illiterate and they are neither aware of human rights, nor of the law. The project uses the mediators as community mobilisers, to inform villagers in general about the law. Lucky Akhter said, "CLS is a school and a school should not be closed." The trained mediators consider the mediation as a decentralised system of the Justice Sector. One key outcome from the work of the project has been that male mediators have developed a gender sensitive view of their work. Shamsuddin Hawladar, a retired Social Welfare Officer, said, "I did not realise that women are equally capable as men. Now when I attend any event of the CLS Programme, I take my daughter-in-law with me, thinking that she should also come out of the home, to achieve knowledge and to take part in social development activities."

The good practice of MLAA has challenged the corruption of traditional mediators and also of some members of the Police Department. The CLS Programme has promoted pro-poor mediation and litigation process. The targeted communities have started to understand that mediation minimises the cost of legal services and people do not need to go for litigation in the case of every conflict. The CLS mediation has achieved popular acceptance because CLS mediation follows a transparent process based on law, logic and context to inspire the conflicting parties to take a mutual decision for a win-win solution. CLS demonstrates women's participation in mediation, where women play an informed role with gender sensitivity and autonomy.

The lawyers of the Madaripur District Judge Court said that CLS has contributed a lot to section 151 of the Criminal Procedure Code (Arrest to prevent the commission of cognizable offense) and lessened social crimes. They also mentioned that the after-litigation follow-up by the project staff, the travel support given to poor women from remote areas and the engagement of panel lawyers were really effective for ensuring justice for poor women. The lawyers praised the activity of courtyard meetings that provided community awareness on law, human rights and child rights. Obaydur Rahman Khan, the President of Madaripur Bar Association, said, "A wider group of people are learning about the law and this is contributing to lessening the large amount of litigation."

The senior leadership of MLAA including the CLS staff identified the following good practices:

- Vulnerable people, especially women, have been enabled to identify legal service providers. The number of applications for mediation and litigation is increasing. Communities are submitting letters to UP and local government offices. The activities of the Village Court have also been promoted. Some of the justice seekers are sharing problems over the phone, and by e-mail and postal letters.
- After mediation follow-up activities have contributed to the sustainability of the solutions brought by mediation. The CBO members are also frequently visiting families who have received mediation and litigation services.
- Women's leadership in mediation has contributed to women's empowerment. Women are increasingly involved in income generating activities such as small businesses, livestock rearing, poultry farming etc. and contributing to family incomes, which have enhanced their status among family members. Women's participation in outside activities is increasing. The women are participating in formal elections and being elected as members of the UP. Women are getting dower money.
- Awareness activities have decreased the trend of demanding dowry, child marriage, verbal divorce and domestic violence. Communities have been made aware of all of these issues through yard meetings, street theatre, campaigns and workshops, and so on. The CBO members are voluntarily preventing child marriage and dowry.
- Religious orthodox are changing their attitudes towards girls and women. Discrimination between men and women is decreasing.
- The gaps between poor citizens and the public service providers are minimised.
- Communities are aware about DLAC, UzLAC and ULAC.



Observing two mediation sessions, the consultant remarked on the noteworthy nature of women's participation. Both men and women mediators were found equally active in listening to the parties as well as their witnesses. The CLS staff assisted the mediators in documenting the statements and decisions.

MCAA has the necessary policies and guidelines for quality mediation and litigation. Excellent publications on law and mediation are in place.

Why and how the practice was developed

BLAST

BLAST recognised that in order to alleviate the issues related to lack of access to justice for the poor, marginalised and socially excluded people who are the victims of socio-economic and cultural discrimination, a comprehensive approach is needed. It is needed to address both the visible and invisible challenges faced by the poor and marginalised, especially women, and also the sensitisation and capacity building of stakeholders and partners to deliver more effective services which would be focused on providing responsive client services. In addition, BLAST recognised that both the formal and informal legal systems need to be influenced to respond to changes, to achieve client focused services.

Nagorik Uddyog

For Nagorik Uddyog, poverty is the most powerful barrier of access to justice and realising human rights for marginalised communities, especially of women. Citizens are ignorant of their rights and violence is perpetrated at both the family and society levels. For Nagorik Uddyog, providing training for communities and stakeholders (including influential personages) on human rights and legal processes is therefore critical. Through this means, Nagorik Uddyog has challenged the practice of manipulating resolution processes in both mediation and litigation. Nagorik Uddyog has promoted gender sensitivity and the active participation of women in



community mediation processes. They have also organised Community Legal Aid Clinics, where trained lawyers' participation has been ensured to enable people to understand court procedures and legal knowledge. The project has addressed the full span of legal services, by strengthening the capacity and skills of the community, stakeholders and CBOs to promote a pro-poor justice system, both institutional and non-institutional.

MLAA

MLAA identified the inability of remote communities to have access to legal services due to their lack of knowledge about the services. Less accountability of the duty bearers is also a barrier on the way to poor people receiving legal service. Women's financial dependency is another limitation for them to have their right to justice. MLAA further found requirements of promoting UP's function in providing legal services to the poor citizens. The organisation planned to create strong bridging between Community and Government Legal Aid Fund at District level. MLAA addressed the relevant causes by intensive awareness raising activities and comprehensive legal services for pro-poor through mediation and litigation to restrain domestic and social injustice.

The difference that this good practice is making to the work of the organisation

BLAST

The good practices contributed to the organisational work of BLAST in a very effective way, as they adapted the inclusive approach of CLS in their organisational practice. BLAST mediation, instead of directly giving a decision, facilitates the clients to choose a solution from a set of options based on state laws and policies. They updated their formats and other documents relevant to client responsive services. BLAST improved their organisational documentation process and developed software called Case Management System to preserve detailed data and information about the cases dealt with and supported. BLAST has initiated a specific policy of positive discrimination in engaging panel lawyers. They engage women lawyers with special expertise to ensure that they can provide a sensitive litigation service towards vulnerable women and persons with special needs. They have implemented a specific advocacy programme

to provide gender friendly court facilities, to improve institutional litigation services. The organisation has also improved its complaints receiving mechanism and has worked on ensuring clients' confidentiality.

Nagorik Uddyog

Nagorik Uddyog has provided the CRGs with comprehensive capacity and knowledge building support which enabled them as independent community organisations to extend legal services at community level. They have created an effective network between CRGs, Apex Body (Federated platform of all of the CRGs) and service providers to sustain the process of mediation and assisting litigation for vulnerable people, in particular women who have been discriminated against in both socio-economic and religious terms. Nagorik Uddyog maintains a rapid response mechanism in handling complaints formally received and this also applies to its outreach facilities. They engage panel lawyers within 24 hours of receiving a complaint from any part of their working area. The CRG has already planned to continue renting their office after the end of the project and Nagorik Uddyog has committed to providing technical assistance. Nagorik Uddyog's strategic plan for 2017 has included to support CRG, communities and other stakeholders to promote pro-poor legal services through mediation and litigation services, working with lawyers and the courts, as well as DLAC, UzLAC and Union *Parishad*.

MLAA

MLAA, following the CLS's provision of engaging women in legal service activities, has updated its organisational core activities to ensure women's participation and their voice for the promotion of legal rights and entitlements for women clients. They are also concerned about the sustainability of neutral attitudes in mediation and on the part of litigation service providers. Within this, MLAA will continue to challenge bad practices in traditional mediation and also corruption and negligence within the police department.

At the community level, MLAA receives cases through e-mail and mobile phone messages. The courts are also referring some of their cases to MLAA for mediation. This is seen as a valuable development, working with the formal litigation system and helping to take pressure off of the courts. MLAA will continue to support the volunteer activism of the CBO members, as part of its organisational practice.

The difference that this good practice is making to and with other stakeholders

BLAST

Police personnel have developed a trust in the reliability of the services that BLAST provides, and refer complainants to the BLAST legal aid clinic, particularly for mediation. But more importantly, the clients of the services provided by BLAST are aware of how the mediation process works and the stages of litigation processes. Clients themselves are important in disseminating messages about community legal services and how to access them, to the wider community.

Nagorik Uddyog

CRG members and in particular women, have been empowered through the work of Nagorik Uddyog with them. As a result, they have been able to work at the community level to assist victims of domestic and gender based violence to get justice. In relation to wider stakeholder groups, Nagorik Uddyog publications have helped mediators and lawyers to be better informed

about laws and rights, ensuring further skill development towards effective mediation practice and pro-poor litigation services. Through the capacity building that Nagorik Uddyog has undertaken, women mediators have developed confidence to play an effective and equal role in facilitating mediation sessions. Most importantly, it is the clients themselves who have been given the confidence to raise their voices for justice.

MLAA

A key development is that the panel lawyers engaged by MLAA under CLS Programme have offered to provide volunteer services after the project end. This has made a significant difference to the ability of poor clients to access litigation services. MLAA has established strong linkages between justice seekers and service providers through a range of interactive activities. Targeted communities have been enabled to directly communicate with the DLAC, UzLAC and ULAC. Stakeholders in general recognise MLAA as a most reliable legal services provider.

The learning from the process of developing this practice and from its implementation

BLAST

- Quality pro-poor legal services are developed when stakeholders are properly informed.
- Legal service quality is enhanced through a systematic digital Case Management System.
- The engagement of women panel lawyer improves access for vulnerable women to legal services.

Nagorik Uddyog

- Empowerment of community organisations, such as the Citizens' Rights Groups, develops sustainable mechanisms for the extension of community legal services.
- Panel lawyers' exposure visit to hard to reach areas, where the poor clients come from, enhances their sensitivity to responsive client services.
- Popular/Street Theatre becomes an effective tool when its content includes diversified issue-based information on mediation and litigation.

MLAA

- Popular knowledge of law and human rights lessens the pressure on courts and promotes social harmony.
- Community people use 'complaint box' to put forward their complaints to MLAA by maintaining confidentiality.
- Follow-up procedures after mediation is the key for sustainability of the results.

Areas for further improvement

BLAST

- Mediation venues could be better arranged to maintain privacy and confidentiality.

- Mediators should not be expected to be judgmental nor to stereotype at any point during mediation process, even if this is intended to be positive. Clients should have uninterrupted time to deliver their oral statement.
- CLS Programme could have established a Shelter Home to provide a place of safety for women victims of gender based (domestic) violence.
- BLAST could undertake advocacy to reform DLAC, and there should be the leadership of women lawyers in DLAC.

Nagorik Uddyog

- The people of the Union *Parishad* need further clarification about the difference between mediation and the Arbitration Council.
- The project could address the issue of political influence, specifically of the local representatives of the ruling political party on mediations and also on litigation process.
- More training on human rights and laws will contribute to the sustainability of CLS facilitated mediation.
- The project should expand its coverage for training for more mediators and community representatives to build their conception of legal services and human rights.
- A motivational programme for powerful political leaders is also required.

MLAA

- The scope of improving mobilisation for CBO members is to ensure their attendance in meetings regularly.
- Sitting arrangements at mediation sessions requires improvement – the complainant and the accused could sit at opposite sides and their companions could sit at the back. This kind of sitting arrangement is helpful for the parties of dispute to frankly state their feelings. It also helps them to witness facial expressions of the opposite party, which is helpful for the parties of dispute to understand one another.
- The inclusion of men in gender workshops will improve overall gender sensitivity.
- Project exit strategy should be in place, to gradually minimise CBOs' sole dependency on MLAA.
- MLAA needs to promote the usefulness of their policies and publications in relation to mediation and litigation services.
- The content of posters could be more precise, to ensure that the messages are quickly understandable to the viewers, even if they are just being seen briefly by people on the move.

Conclusion

CLS Programme has set a noteworthy example of good practices to improve access to legal services and to achieve client responsive legal service delivery based on communities' needs and priorities. This is particularly important in relation to mediation and litigation. The good practices developed through the CLS Programme have brought in positive changes in the arena of community legal services. They have contributed to the enhancement of stakeholders' knowledge and sensitivity about poor people's rights and access to justice. The programme has been an effective bridge between the poor justice seeker and the service providers, including community mediators. The inclusion of women in systematic processes and their informed actions have been contributory in promoting women's rights and women's empowerment. However, there is still scope for addressing religious stigma, and the political influence and nepotism of powerful community leaders. The programme has created a vibrant environment for changing the quality of legal services – both institutional and non-institutional. However, the community still requires the interventions at least for a limited term to construct a sustainable environment for the pro-poor community legal services.



CLS PROGRAMME

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