



# [Strategic Plan 2017-2022]

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Project : Support to the Improvisation of Government Legal Aid Services

**National Legal Aid Services Organization**

Law & Justice Division

Ministry of Law, Justice and Parliamentary Affairs





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## **Abbreviations**

<b>ADR</b>	<b>Alternative Dispute Resolution</b>
<b>DLAC</b>	<b>District Legal Aid Committee</b>
<b>ERD</b>	<b>Economic Relations Division</b>
<b>IT</b>	<b>Information Technology</b>
<b>JATI Institute</b>	<b>Judicial Administration Training</b>
<b>LASA</b>	<b>Legal Aid Services Act-2000</b>
<b>MOLJPA Affairs</b>	<b>Ministry of Law, Justice and Parliamentary</b>
<b>NGO</b>	<b>Non-Governmental Organization</b>
<b>NLASO Organization</b>	<b>National Legal Aid Services</b>



## Introduction

Legal aid is crucial for effective access to justice since it ensures equality before law, the right to counsel and the right to a fair trial. In Bangladesh, the right of equality before law and the right to a fair trial are guaranteed respectively in Articles 27 and 33 of the Constitution. These Constitutional Articles ensure the basis of our national legal aid system. The government of Bangladesh took the first initiative to provide legal aid services by adopting a resolution in 1994. In the following years, various steps were taken to develop the legal aid system. The government enacted the Legal Aid Services Act (LASA) in 2000 which came into force on 28 April of the same year. The National Legal Aid Services Organization (NLASO) is established for implementing the government legal aid system across the country. The management authority of the NLASO is vested in a National Legal Aid Board that performs at the national level. The government has also created a nationwide network for the administration of legal aid services. At the district level there are District Legal Aid Committees (DLAC); Upazilla Legal Aid Committees work in the Upazilla or Thana level and there are provisions for Union Legal Aid Committees at the Union level. Recently the LASA has been amended to incorporate the provisions for establishment of the Supreme Court Legal Aid Committee and the Special Legal Aid Committees in Labour and Chowki Courts.



Many significant reforms have been made in the legal aid system of Bangladesh to meet the needs of the beneficiaries and to make the service more effective and sustainable. These reforms include raising the income ceiling for legal aid recipients, incorporating the provisions of Legal Aid Officer, reviewing the payment scale of panel lawyers and introducing ADR as a part of legal aid service with a view to reducing litigation and case backlogs. These developments reflect the commitment of the government in ensuring access to justice for those living in poverty. Yet the establishment of a comprehensive legal aid system and ensuring the maximum coverage of the service pose a significant challenge to the NLASO.

This strategic plan articulates the mission or purpose of the LASA, and how the NLASO intends to progress towards achieving the mission. It comprises the goals of the NLASO and the actions needed to achieve those goals. The plan is not a comprehensive account of all activities the NLASO undertakes, it includes only new activities and existing activities that will be modified or expanded to make the legal aid system comprehensive, accessible, sustainable and credible.



## 2. Purpose, Mission and Vision

### **Purpose**

To provide legal aid to those who are incapable of seeking justice due to financial incapacity, destitution, helplessness, physical and mental disability, gender disparity and other socio-economic conditions.

### **Mission**

To provide quality and effective legal services to the poor in accordance with the provisions of the LASA.

### **Vision**

To ensure equal access to justice for all and to be a leader in the delivery of legal services that are provided professionally and with care and excellence.



## 3. Our Guiding Principles

The NALSO has prepared some guiding principles for legal aid with a view to measuring the development of its service delivery and satisfy the needs of justice seekers. These principles are drawn from international standards and socio-economic contexts of Bangladesh. The principles are as follows-

### **Access to Justice**

Legal aid enables the poor and disadvantaged to claim their rights and entitlements under the law and the Constitution and ensures their access to justice.

### **Accessibility**

The government legal aid system is designed in a top to bottom approach in order to reach the target groups. Various initiatives are taken to make the poor and the common people aware of the programme and its activities.

### **Quality**

The legal aid system is committed to improve the quality of the service in order to meet the needs of its beneficiaries and stakeholders.

### **Effectiveness**

Legal aid is an essential element of a fair and efficient justice system based on the rule of law. It contributes to a better understanding of rights and their enforcement, and thus enables the poor to have their rights protected.



## **Equity**

The legal aid system takes into account the special needs of women, children and disadvantaged groups. The needs of these groups are prioritized and provisions are made to satisfy them.

## **Accountability**

The legal aid system is accountable to clients, the public and stakeholders by ensuring compliance with its mandate and the effective and systematic use of resources.

## **Collaboration**

The government collaborates with other government and non-governmental organizations to meet the needs of the target groups.





## 4 Strategic Priorities

<b>Responding to the needs of the poor and disadvantaged</b>	<b>Efficient use of Resources</b>	<b>Quality Legal Services</b>	<b>Sustainability</b>
<p>The NLASO will take initiatives to adequately address legal needs of the poor and disadvantaged by adopting new approaches to service delivery and the development of innovative ways drawn from international standards and best practices.</p>	<p>The NLASO will make appropriate budget provisions for legal aid services and establish mechanisms to ensure efficient use of resources.</p>	<p>The NLASO will provide legal aid services that are of high quality and satisfy the needs of the poor.</p>	<p>The NLASO will run its activities in a sustainable manner to fulfill its objective and, to maintain and enhance good governance as a part of the National Sustainable Development Strategy 2010-21.</p>



## 5 Strategic Goals and Actions

This section presents the key elements of the NLASO 's strategic goals. Each strategic goal comprises specific initiatives that will be implemented to advance towards each goal and the Strategic Plan as a whole.

### 5.1 Strategic Goals-Organizational

**The NLASO will be equipped with adequate human resources, logistics, modern technology and communication infrastructure that improve services and operational efficiency of the organization.**

Focus on developing a more engaged and responsive workforce and on improving the quality of systems and processes to deliver a quality service.

Design and implement capacity building programme to conduct regular research on the provision and delivery of legal aid service and to publish the findings of such research. Research will also be conducted to evaluate the delivery of legal aid services in accordance with international human rights standards and recognized good practices.

Create IT supported office management systems and make effective use of this system to fulfill the organization's mission.

### 5.2 Strategic Goals-Operational

The NLASO will design, establish, implement and oversee high quality and effective legal aid services to uphold its values. This goal will be achieved by the following actions-



### **Use of the Hotline Service**

Undertake measures to make the NLASO Hotline service well-advertised and to ensure that the Hotline service retains the capacity to meet demand for its service by providing relevant legal information, procedural advice and referrals.

### **Undertake Awareness Raising Programmes**

Design and implement comprehensive legal aid awareness programmes to ensure the maximum and effective outreach of the service.

Build capacity of legal aid committees to deliver effective and appropriate service.

### **Review and Monitoring the activities of legal aid committees**

Review legal aid service provided by committees at the district, upazila and union levels and assess their strengths, weaknesses and areas of further development. The NLASO will also monitor the activities of the Supreme Court legal aid committee and other committees established in Labour and Chowki courts.

### **Conduct Community Legal Education Programme**

Undertake measures in order to enhance the knowledge of the people about their rights and obligations under the laws and the Constitution. Implementation of this scheme will require adequate research and the assessment of local needs of the community.



A pool of suitable resource persons should be developed to conduct the sessions. Legal literacy materials should be published and distributed among the participants of the sessions for future reference.

Develop necessary regulations and implement chosen policy options in this regard.

### **Establish Mechanisms to Ensure Early Access to legal aid for those arrested, detained or charged of a criminal offence**

Design and establish mechanisms to ensure 'early access' to legal aid for the protection of the interests of those persons or children who have been arrested or detained or charged of a criminal offence in accordance with the provisions of existing laws of the country. Research will be undertaken to adopt appropriate models for this mechanism based on international standards and best practices.

### **Addressing the special needs of Women, Children, Persons with Disabilities and Other Disadvantaged Groups**

Undertake measures to ensure that the special needs of women and children in accessing legal aid are prioritized and they receive effective service. The NLASO will also ensure that people with disabilities, tribal people and linguistic minorities have effective access to legal aid by adopting awareness raising and other appropriate programmes.

### **Quality Assurance**

Continue to explore options for collaboration to develop and provide training and motivational programmes for panel lawyers.



Arrange comprehensive trainings for the legal aid office staff to enhance their skill in office management, client dealing, use of modern technology and dealing with other related affairs.

Commit resources to the regular update and development of the NLASO website which is to be a main point of reference.

### 5.3 Strategic Goals-Financial

#### **Stable Funding and Preparing the Budget to fulfill the purpose of the LASA**

Continue to work with relevant government offices (Ministry of Law, Justice and Parliamentary Affairs/MOLJPA, Finance) to ensure increased and regular funding.

Budget requests will be made based on the examination of statistical reports of service recipients, areas of need and service trends.

Establish procedures to ensure that the allocated funding is effectively utilized to enhance access to justice and contribute to the achievement of the government's strategic goals.

#### **Obtain and Effective Use of External Funding**

Continue to coordinate with relevant government bodies (MOLJPA, ERD and Planning Commission) to explore external funding by international donors or other developmental organizations to support capacity building and develop legal aid programmes in accordance with the NLASO's strategic priorities.

## 5.4 Strategic Goals-Collaborative

**The NLASO will work in collaboration with other stakeholders to enhance access to justice in Bangladesh.**

### *Collaboration with the Judiciary*

Develop the contents of training on legal aid in JATI programmes for new judges and the use of resource persons having expertise in the area of legal aid in conducting the sessions.

Arrange comprehensive trainings for Legal Aid Officers to create service mindedness to discharge their duties in compliance with the provisions of the LASA. Legal Aid Officers will also participate in training courses on ADR programmes and related issues including the role of a mediator and his/her responsibilities.

### *Collaboration with other Government institutions*

Establish and maintain relationships with other Government functionaries at national (for instance, Ministries of Social Welfare, Women and Children Affairs) and sub-national (for instance, Zilla Parishads) levels to make the legal aid programme well advertised and effective.

### *Collaboration with Bar Associations*

Establish partnerships with Bar Associations to increase and ensure effective outreach of legal aid services. This partnership will involve areas of funding and participation in the delivery of legal services. The NLASO will arrange meetings with the Bar Council of Bangladesh to initiate and develop programmes in this regard.



### *Collaboration with Law Schools*

The NLASO will collaborate with law schools to establish law clinics to promote clinical and public interest law programmes involving legal aid activities and community legal education programme among faculty members and students as a part of their academic curriculum. Take initiatives to coordinate with the Bar Council and University Grants Commission in this regard.

### *Collaboration with Civil Society and Non-governmental Organizations (NGOs)*

The NLASO will establish collaboration with Civil Society and NGOs and take initiatives to make legal aid programmes more accessible, effective and commensurate with the needs of the target groups. Areas of such cooperation and collaboration will be identified through adequate research, meetings and exchange of views.

### *Collaboration with International Bodies*

Continue to share and exchange ideas with internationally recognized legal aid providers and/or institutions and incorporate new ideas as appropriate into the legal aid system of Bangladesh to make it comprehensive and dynamic.

## **6 Monitoring, Reporting and Evaluation**

It is important to monitor and report what initiatives are taken to advance each goal of the Strategic Plan to fulfill the organization's mission and vision. The Plan will be monitored and evaluated yearly to indicate what results



have been achieved and reported to the NLASO Board along with recommendations for change or further development, if necessary.