

THE CASE OF

# Sierra Leone Legal Aid Board<sup>[1]</sup>

COMMUNITY JUSTICE SERVICES

March 2022

## Key facts and figures



Year of establishment

**2015**



Scope of service

**Legal representation, advice and education**



Type of justice problems addressed

**Wide range including criminal and civil, adult and juvenile. Three leading types of criminal cases are larceny, sexual harassment and robbery with aggravation.**

**Most common advice/assistance/mediation cases are child maintenance (65% of the total), land and property disputes (16%), debt (7%) and family disputes (5%)**



Geographical scope

**Country wide**



Legal entity

**Government created institution**



Regulatory embeddedness

**Part of the government**



Number of affiliated staff members

**58 paid by govt,  
33 funded by external donors  
and 18 volunteers**



Number of cases resolved

**18,555 represented,  
49,282 advised/assisted /mediated  
45,004 received legal education**



Citizen satisfaction

**Best performing justice institution  
In public survey 47% rated excellent  
Next highest institution only scored 10%**



Costs of services for citizens (average and range)

**\$22 per client (total budget/ 67,000 legal rep and legal advice clients).  
As budget also covers legal education unit costs for representation/advice likely to be lower**



Annual Budget

**Government funding \$1.0 million  
ODI estimate other sources to be no more than \$0.5 million  
Total budget \$1.5 million**

*\*All figures refer to 2019 unless otherwise stated*

## Inception of the Legal Aid Board

The establishment of the Sierra Leone Legal Aid Board (SLLAB) has been a long drawn out process. Its genesis lay in a Open Society Justice Initiative in 2002 that explored options to support transitional justice in Sierra Leone, in the aftermath of the civil war and the general elections that followed it. The experiences of Street Law and Black Sash, two NGOs in South Africa that had implemented a pioneering paralegal programme, sparked the interest of local civil society organisation Forum for Human Rights, based in Sierra Leone. Forum for Human Rights perceived lack of access to as one of the drivers of conflict in the country.

In response to this interest, the Open Society Foundation began funding community paralegal work which led to the creation of Timap for Justice, an NGO in Sierra Leone in 2005 [2].

The UNDP Commission on Legal Empowerment of the Poor and Open Society Foundation supported recommendations of TIMAP in innovatively deploying paralegals to deliver justice services in the community. This increased the interest of international stakeholders further. By 2010, TIMAP and a group of four other NGOs had covered eight of the twelve districts and in 2013, had resolved 4,300 cases that year, owing to the support of the Open Society Foundation [3]. The group then also began to advocate for formal recognition of the role paralegals could play [4].

At the same time, the judiciary and bar association gave pushback to the institutionalisation of paralegals in the country because they perceived the paralegals to be competitors. To convince them that the paralegals are going to perform tasks that lawyers are not interested in, supporters of the programme utilised the media and held legal conferences with them. In 2009, the Justice Sector Development Programme of the Sierra Leone set up a Pilot National Legal Aid scheme (PNLA) [5]. In 2011 the UN Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems were drafted. With support of the Open Society Justice Initiative, the then Attorney-General, Frank Kargbo, worked towards getting the Legal Aid Act in Sierra passed in May 2012. The Act both established the Legal Aid Board and formally recognised the role of paralegals, but there was no solid financial support or provision for funding made by the government.

After much delay, in 2015, the Legal Aid Board secured financing commitments from both government and bilateral and multilateral aid agencies. The government committed to providing a million dollars a year in funding whereas the Charles Stewart Mott Foundation and the Global Fund provided another half a million. To sum up, the Sierra Leone Legal Aid Board began as a community and civil society led initiative and was later assimilated into the government. It is therefore overseen by the government and enforces its actions through the formal legal system.

In 2013, TIMAP — the local NGO that started the initiative — together with four other NGOs, covered 3% of the total legal needs in Sierra Leone. As the Legal Aid Board scaling, the scale has reached to a factor of 10 i.e the Legal Aid Board met one third of the justice needs in the country.

## Services provided by the Legal Aid Board

To prevent and resolve disputes, the Legal Aid Board provides justice seekers legal representation and provides support to widows and women who are survivors of domestic violence including expulsion from their matrimonial homes via paralegals. The paralegals provide guidance on dispute resolution methods to administrators of local and informal and traditional courts. They also conduct legal education, awareness and empowerment activities during town hall meetings, community and school outreach events and community radio phone-ins.

The Legal Aid Board monitors justice institutions such as police stations, correctional centres, local courts, informal courts (presided over by traditional authorities) and magistrate courts. It oversees child maintenance matters when couples separate. The Board also seeks to educate people on the rights in both the formal local courts and the informal/traditional courts.

## Financing the development of the Legal Aid Board

The Legal Aid Board has scaled up community-based justice advice and assistance by a factor of 10 and has done so affordably, reducing unit costs by a factor of 5 compared to previous donor-supported NGO implemented programmes.

ODI research suggests that even after the scale up, the Legal Aid Board is able to meet only a third of total justice needs [6]. This is mirrored by Legal Aid Board's own concern that while the Act envisaged paralegals in all chiefdoms, it has only been able to place paralegals in one third of the 190 chiefdoms to date. On the other hand, the unit-costs of the Legal Aid Board at \$22 per client is in line with ODI global estimates [7].

However, funding poses a big challenge to scaling the initiative. The current funding by the Sierra Leone government (9% of the justice budget) is not realistic to expect on a long term basis [8]. Bilateral donors have also been unwilling to fund the initiative and other avenues may be needed in the future if these efforts have to continue and grow.

#### Role of enabling environment in the growth of the Legal Aid Board

The Sierra Leone Legal Aid Board, after its formation, did not experience challenges from regulatory bodies except for opposition by bar associations and lawyers at the inception stage.

After the Legal Aid Board was established, changes in the government did not affect its funding. The political party that came into power after the one that had established the Legal Aid Board continued funding of the Legal Aid Board, in the same capacity as the previous party. Sierra Leone Legal Aid Board is now the most highly regarded legal institution in Sierra Leone with nearly half of the population rating it as 'excellent'.

## Lessons learnt

Lessons learnt from the experience of setting up the Sierra Leone Legal Aid Board are:

- Community justice services have to be locally owned by the people of that country. TIMAP and the other NGOs that collaborated with it were able

to demonstrate the effectiveness of paralegals before the programme was nationalised. I

- Rallying the support of existing service providers – lawyers and bar associations — was necessary to be able to institutionalise the paralegals. Similarly, buy-in of national leaders was also essential to the nationalisation of the programme.
- Having some 'smart friends' with 'smart finances' outside can be really helpful. For example, the journey wouldn't have taken off without the Street Lawyers or Open Society Foundation telling the world about the work of the Street Lawyers.
- One of the key indicators of the success of the Legal Aid Board has been that the unit cost of resolving a dispute came down massively owing to the deployment of paralegals.

## Critical success factors

Factors that are critical to the success of the Sierra Leone Legal Aid Board are:

1. Long term persistence of more than a decade by a group of committed Sierra Leonean champions and a few international colleagues who collectively had the vision and the skills to create successful paralegal programmes and draw on this experience to effectively advocate for change.
2. Long term investment by both donors and philanthropic agencies over multiple project funding cycles, whose politically smart flexible funding enabled the Sierra Leonean champions and key government ministers and officials to draw inspiration and lessons from other countries (in particular South Africa and Malawi).

3. Long term commitment of the paralegals in Sierra Leone whose difficult work in remote areas over many years demonstrated what was possible.
4. The post- conflict recovery of the economy, and hence government revenues, which enabled the government to eventually take on some of the financing costs.
5. Political stability with the same party in power from 2007-2018 covering most of the key years and the same Attorney-General (Frank Kargbo) between 2010 and 2015.
6. Political freedom, especially contested elections, which give an incentive to the new incoming government to continue to fund services that are shown and known to benefit people in a cost-effective way.
7. International efforts to make the case for legal advice for the poorest, most notably the Commission for the Legal Empowerment of the Poor.

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To learn more, read the [policy brief on Community Justice Services](#) or visit [www.hiil.org](http://www.hiil.org) and [dashboard.hiil.org](http://dashboard.hiil.org).

## Sources

[1] This case has been developed based on: Manuel, M., Laval, S. and Manuel, C. (forthcoming) 'Case study of Sierra Leone Legal Aid Board – background paper' for P. Domingo and A. Pellini (forthcoming) *The political economy of domestic resourcing of access to civil justice*. London: ODI.

[2] Maru, V. (2006). Between law and society: paralegals and the provision of justice services in Sierra Leone and worldwide. *Yale J. Int'l L.*, 31, 427; Maru, V., Braima, L., & Jalloh, G. (2018). Squeezing Justice Out of a Broken System: Community Paralegals in Sierra Leone. In V. Maru & V. Gauri (Eds.), *Community Paralegals and the Pursuit of Justice* (pp. 210-240). Cambridge: Cambridge University Press.

[3] Maru, V., Braima, L., & Jalloh, G. (2018). Squeezing Justice Out of a Broken System: Community Paralegals in Sierra Leone. In V. Maru & V. Gauri (Eds.), *Community Paralegals and the Pursuit of Justice* (pp. 210-240). Cambridge: Cambridge University Press.

[4] Ibid

[5] Suma, M. (2014). *Sierra Leone – Justice sector and the rule of law*. Open Society Foundation for West Africa.

[6] This is based on the latest WJP survey for Sierra Leone shows 54% of households have a legal need every two years, i.e. 27% every year.

[7] DFID Project Completion Report for AJSP noted unit cost for paralegal services ranged from \$70 to \$800 with an average of \$150 per case. It also noted that the Legal Aid Board offers the best prospect for a longer term more sustainable model.

[8] Ibid.