

The Network

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A Voice for the indigent persons in Uganda



LASPNET
Uganda



Inside this issue:

- Kagadi and Kamuli Legal Aid Open Week
- Annual General Meeting
- Cluster Trainings
- Gender Audit Exercise
- Mapping and Readiness Assessment
- Paralegal Regulations
- The Online Law Library
- Partnership with Uganda Law Society

“Enhancing Access to Justice for the Poor”

www.laspnet.org

CURRENT MEMBERSHIP

NAME OF ORGANIZATION	ACRONYM
1. Abantu for Development Uganda	AFOD
2. Acid Survivors Foundation of Uganda	ASFU
3. Action Against Violence	AAV
4. Action for Poverty Reduction and Livestock Modernisation in Karamoja	ARELIMOK
5. African Center for Treatment and Rehabilitation of Torture Victims	ACTV
6. Alliance for Integrated Development and Empowerment	AIDE
7. Association of Human Rights Organisations	AHURIO
8. Avocats Sans Frontieres	ASF
9. Center for Public Interest Law	CEPIL
10. Defence for Children International	DCI
11. Facilitation for Peace and Development	FAPAD
12. Federacion Internacional de Abogadas	FIDA
13. Foundation for Human Rights Initiative	FHRI
14. Human Rights Awareness and Promotion Forum	HRAPF
15. Inter Religious Council of Uganda	IRCU
16. Justice and Rights Associates	JURIA
17. Kamuli Community Based Paralegals Association	KCOBPA
18. Kawempe Division Legal Rights Initiative	KDLRI
19. Land and Equity Movement in Uganda	LEMU
20. Law and Governance Advocates-Uganda	LGA-U
21. Legal Action for Persons with Disabilities	LAPD
22. Legal Aid Clinic of the Law Development Center	LAC/LDC
23. Legal Aid Project of the Uganda Law Society	LAP/ULS
24. Micro Justice Uganda	MJU
25. MIFUMI	MIFUMI
26. Muslim Center for Justice and Law	MCJL
27. Omaniman Community Development Initiative	OCODI
28. Platform for Labour Action	PLA
29. Public Defender Association of Uganda	PDAU
30. Refugee Law Project	RLP
31. RETRAK International/ Tigers Club	RETRAK
32. Right to Improved Child Health	RICH Consult
33. Teso Legal Aid Project	TLAP
34. Uganda Christian Lawyers' Fraternity	UCLF
35. Uganda Gender Resource Center	UGRC
36. Supreme Council	UMSC
37. Uganda Network on Law, Ethics and HIV/AIDS	UGANET
38. Uganda Youth Development Link	UYDEL
39. War Child Canada	WCC
40. World Voices Uganda	WVU



COMMUNICATION FROM THE SECRETARIAT



Editor: Jacqueline Zawedde – ICDO

Welcome to the 10th edition of “The Network”, a newsletter that offers a voice for the indigent persons in Uganda.

LASPNET has embarked on a number of activities for the past six months as reflected in the articles from both the secretariat and other member organizations. In this issue, the secretariat shares with you its efforts in contributing to enhancing quality and equity of legal aid services throughout the Legal Aid Open weeks which were conducted in Kagadi and Kamuli.

Cognizant of the increasing importance of affordable, equitable, accountable, and accessible justice through an accountable and responsive legal system as key components in promoting good governance, the Uganda Law Society and LASPNET as key non-state players with similar objectives of improving the professional standards of their members, and utilizing synergies of legal aid service providers to promote access to justice, collaborated to drive the legal aid and access to justice agenda starting with agreed positions on influencing the adoption of the National Legal Aid Policy.

In this publication, we bring you what transpired at

WORD FROM THE EDITOR

the meeting between ULS and LASPNET to achieve these goals.

Why do we need a paralegal regulatory framework? How do we define these people? What skills and knowledge should they have? This publication of “The Network” brings you answers to these questions while giving you full insight into the mechanisms of paralegals and how they function.

These and so much more, guide our esteemed readers into some of the achievements we have realised over the passed six months and what we envision to embark on as a way forward in our efforts to enhance access to justice for the poor.

I hope you will enjoy this publication

Jacqueline Zawedde
jacqueline_1100@yahoo.com

Special thanks:

The Editorial team wishes to express their gratitude on behalf of the members, for the support given by the Democratic Governance Facility towards this publication. This newsletter which runs bi-annually will include articles from the members, partners, and other stake holders in the Justice, Law and Order Sector. We welcome all contributions from you different capacities for publication in later issues.

Editorial



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Executive Director: Richard Nsumba Muganzi

WORD FROM THE EXECUTIVE DIRECTOR

I am also glad to inform you that engagements towards expediting the process of adopting a National Legal Aid Policy are on going and in advanced stages. LASPNET engaged with the Ministry of Justice and Constitutional Affairs to articulate the various issues and concerns among the nongovernmental legal aid service providers in Uganda regarding the proposed implementation and institutional framework for the National Legal Aid Body. LASPNET together with her partners will be organizing a second National Legal Aid Conference. It will seek to advance the debate on how to optimise the effectiveness of the existing legal aid framework but also assess progress made towards adoption of the draft National Legal Aid Policy, including the development of appropriate legislation.

As it is in most professions, continuous professional education, information and knowledge accumulation partly serves the purpose of capacity development. With the dynamics of litigation, enactment of new laws and stringent challenges in the practice today, it is important that legal aid service providers are abreast with these developments. Many of the LASPs are unable to regularly update their resource centers and libraries due to the prohibitive cost, lack of information and delays in availability associated with state hierarchy. I am glad to inform our esteemed members that LASPNET is embarking on supporting its membership to subscribe and access the Online Law Library within the few coming months. Acquisition of the the Uganda Online law library will transcend all the challenges mentioned above as it is based on the most recent technology and will provide timely information, literature and case studies to aid LASPs in their work.

As you read through this newsletter, I would encourage and challenge you to find your niche in the work that we do. The success of our services is contingent on YOU! Your involvement helps make good programs great! Many of you have already lent yourselves in giving undivided service in the cause for access to justice for the poor, in partnership with LASPNET. As mentioned in the begining you deserve a big "Thank You!". We have many exciting challenges, and more importantly, opportunities to make a difference in the communities we live and especially in the lives of the indigent. We call upon you to join us on this journey. We continue to welcome new inventions and research concepts towards fighting for our cause, research that works, and that will help us to invest in something that reaps beautiful, strong and meaningful rewards towards the lives of the marginalized people.

Read on. And remember to plan your next quarter's calendars accordingly—a lot of exciting challenges in effective provision of legal aid services are coming your way!

Richard Nsumba Muganzi
Executive Director

Thank you! While it is not said enough, it is truly deserved by all on the front lines of service in the Legal Aid Service Provision. First and foremost, please join me in applauding the dedicated staff of our different member organizations. Your hard work over this past quarter has pushed the envelope to improve access to justice by the marginalized and indigent in the country. Your perseverance and commitment has been extraordinary as new initiatives and partnership are developed to deliver efficient and affordable justice such as alternative dispute resolution, legal and human rights awareness and paralegals.

We are making a concerted effort to share with you more often on our achievements, upcoming events, challenges and milestones of our endeavours as a network. After achieving tremendous successes over the last period, we have an eventful quarter lined up in the next few months—and new things keep popping up all the time! Speaking of new things, I'm so happy to introduce to our esteemed readers the new staff at the LASPNET secretariat. These three able bodied individuals with a wealth of experience in Legal Aid practice and provision join the secretariat in the positions of Research and Advocacy Officer, Accounts and Administration Officer and Information, Communication and Documentation Officer. This issue of the Newsletter expounds more on their experience, qualification and orientation in their different fields of expertise.

It was wonderful seeing many of you at the Fourth Annual General Meeting which was held on 26th October 2013 in Jinja. Key to note from the meeting was the amendment of the LASPNET constitution by the membership to bring it in line with the emerging changes at the Secretariat and the needs of the membership. We are glad to share with you what resolutions were reached at from the various discussions. We envisage to start implementation in the next few months, to bring all resolutions into practice.



NEW TEAM ON BOARD

A new team of individuals with a wealth of knowledge and practical experience in the field of legal aid and the humanitarian sector, generally, joined the LASPNET family in the positions of Research and Advocacy officer (RAO), Information, Communication and Documentation Officer (ICDO) and the Accounts and Administration Officer (AAO.). The LASPNET family welcomes you all and wishes you fruitful and delightful stay at the Secretariat.



Mr. Jolly Tonny Mukooyo

Before joining LASPNET, Jolly Tonny Mukooyo, the New RAO was with CAEVA (Care and Empowerment of the Vulnerable in Africa), a Humanitarian organization operating in Eastern Uganda, as the Programmes Coordinator. He brings with him over eight years of experience in the humanitarian sector with special focus on Legal Aid. With a Bachelors of Laws from Makerere University Kampala, Jolly says it is a great opportunity to utilise his legal knowledge and experience for a cause that will enhance access to justice for the indigent, vulnerable and marginalized persons in Uganda



Ms. Juliana Namata Musaazi

In the position of Accounts and Administration Officer, is a robust, out going and energetic lady, Ms. Juliana Namata Musaazi. Juliana is a pragmatic and fore sighted team player who envisions “making an evident break through in our work processes in order to realize end results that will benefit the nation.” With massive knowledge in economics and experience in human resource management from TROCAIR, an Irish funded humanitarian NGO, Juliana will also be the “first impression” of the secretariat.



Ms. Jacqueline Zawedde

Formerly working with the Ministry of Trade, Industry and Cooperatives as the Communications Officer under the Quality Infrastructure and Standards Programme, Ms. Jacqueline Zawedde brings along a wide span of experience in the communication and information realm. The young enthusiastic communication expert has worked on a number of projects from which she saw great successes and achievements. She holds a bachelor's degree in Mass Communication from Makerere University, a diploma in Public Speaking and she is a member of various international and national professional bodies, including the Public Relations Association of Uganda, the Uganda Journalist Association and Rotary International.

Jacqueline joins LASPNET as the ICDO, bringing with her expertise in Initiating and implementing, Effective Communication of the Vision, Mission and Program Objectives as well as documentation and branding to enhance the visibility of the organization



LEGAL AID SERVICES

LASPNET HOLDS LEGAL AID WEEK IN KAGADI AND KAMULI

The Republic of Uganda has put in place most of the crucial relevant instruments of laws and reforms for the enhancement of justice, social protection and observance of human rights and access to justice. Among these efforts are those significant reforms catered for in the 1995 constitution under articles 33, 34, 35 and 36 which provide for the rights of women, children, and persons with disabilities and minority groups respectively. Others are Access to Information Act (2005), Advocates Act (2000) Anti-Corruption Act (2009), and Land Act (1998) as amended, Local government Act (1997), the Children and Family Courts, the Human Rights' Commission, Advocates Act as amended by the Advocates (Amendment) Act 2002, Advocate (Continuing Legal Education) Regulations, 2004, Advocates (Students Practice) Regulations 2004 (SI 70 of 2004), Civil Procedure Rules (Order xxxiii), Justice of the Peace Act, Judicial Service Act, Local Council Courts Act, 2006. This has been supplemented by The Justice Law and Order Sector (JLOS) which is currently implementing its Third Strategic Plan under which enhancing access to justice has been prioritized. This is largely through physical de-concentration of services, simplification of the law and processes, extending use of Alternative Dispute Resolution mechanisms, and strengthening Local Council Courts and bringing justice to the ordinary indigent person; the court briefs, the justice centres to mention a few.

However, despite all those efforts the most indigent persons continue to face the gallows of human rights abuses and lack access to justice. The poor and those in conflict with the law cannot afford the legal fees by private lawyers neither can they manage the court fees. Thence this has succumbed the poor people to continued dire sufferings which has exacerbated poverty levels. This is contrary to Article 50(1) of the 1995 constitution of the republic of Uganda as amended that states that "any person who claims that a fundamental or other right to freedom guaranteed under this constitution has been infringed or threatened is entitled to apply for a competent court for redress which may include compensation" (Constitution of Uganda 199.



Consultations during the legal aid open week in Kamuli

In order to realize the ideals of access to justice for all, World Voices Uganda and Kamuli Community Based Paralegals Association, in partnership with Legal Aid Service providers Network and other LASPs in Uganda came up with a joint strategy of synergizing with a view to enhance legal rights awareness and access to justice for the indigent persons

among which include refranchised, abused women and children, the vulnerable old persons and those in conflict with the law such as the inmates and crime suspects. This was organized through a legal aid week which took place from 2nd to 6th December and 9th to 13th December 2013 in Kamuli and Kagadi Respectively.

The events were premised on five major objectives namely

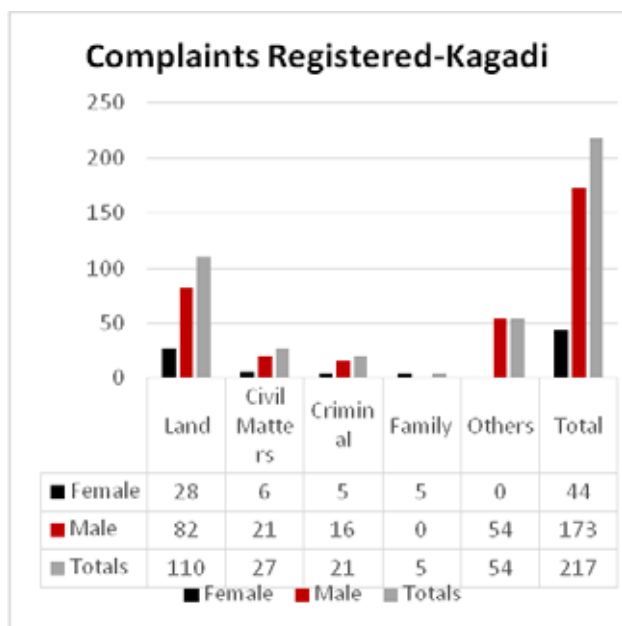
- To provide a robust instant legal support to indigent in rural areas
- To create awareness on legal matters and key aspects of daily human rights violations
- To appreciate the challenges affecting the process of accessing justice
- To provide constructive evidence based engagement among justice service providers/key stakeholders.
- To listen and document evidence of human rights violations and legal aid needs for future strategic interventions

The LCV Chairperson, Salamu Musumba was the Chief guest



A series of activities were lined up in the various catchment areas of the lead implementing LASPs including; Prisons and Police Cell Visits, Community Awareness engagements with opinion leaders, school children and adults, Legal Counselling Sessions at different sites, mobile courts specific to Kagadi for expeditious handling of minor cases, Sensitization workshops for the area leaders and elders, radio programs and publicity events like marching, music, dance and drama activities for awareness purposes. These were fully implemented as per a pre-agreed schedule working in partnership with key players in the two areas from the state and non-state actors and political leadership.

The number of persons registered in the two areas is a



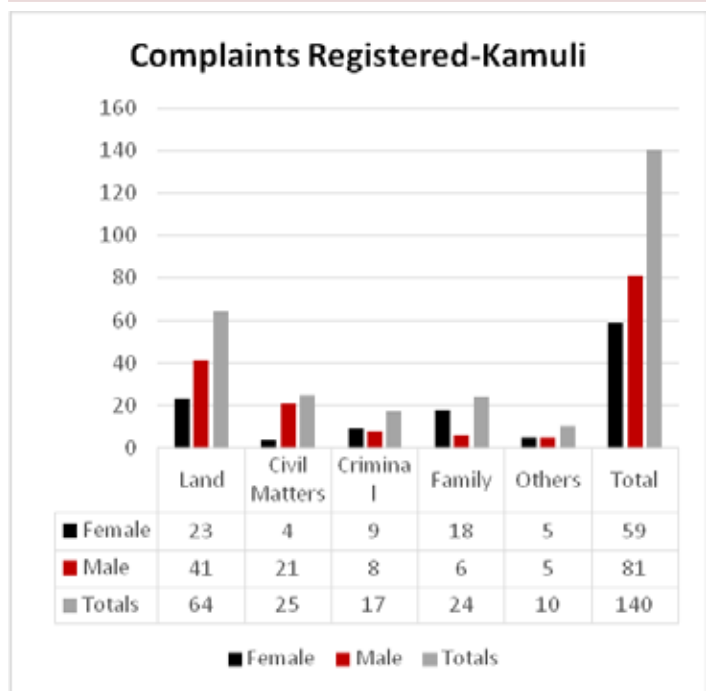
Source (LASPNET Records, Kagadi Legal Aid Open Week Dec 9-13 2013)

reflection of the need for services that is constrained by supply as well as quality further compounded by the relatively low levels of knowledge among the population on matters relating to the law. The nature of the complaints registered had a direct relationship to the common complaints registered in the rural areas where the focus of the legal aid interventions ought to be directed by service providers

Over the two weeks, the participating team handled more than 357 individuals with various legal concerns ranging from Land, Civil to Criminal, Family and other matters like information giving, legal counselling. From the ensuing interactions, a series of remedies were offered to the clientele. Notably, in both areas, a number of suspects obtained their freedom having served longer detention times than mandated by law, accessed police bond or

bail as provided for in the law. The lengthy detentions of persons in contravention of law is an indicator of the levels of ignorance and absence of legal aid services in both places that places the citizens at the mercies of officers in various departments of law enforcement. Observing the information obtained in the two weeks, matters of land continue dominating the concerns among citizens with incidents of forceful evictions, forgeries in land and

...in both areas, a number of suspects obtained their freedom ...



Source (LASPNET Records, Kamuli Legal Aid Open Week Dec 9-13 2013)

inheritance issues surrounding property making the core of the land matters.

Child neglect, domestic violence and battery were at the core of family complaints. Some incidents of inheritance spiraled over into the aforementioned to increase family related complaints. Criminal matters registered were specifically related to criminal trespass, murder, assault which too were mostly related to land. Cases of defilement, mob action, theft and obtaining money by false pretense, fraud and forgery were some of the others most of which were referred.

From the ensuing public engagements, visit to the Prisons and Police and sensitizations over radio and in the communities, LASPNET noted a number of

Continue to Page 8



Continued from Page 7



A client consulting lawyers during the legal aid week in Kamuli

of matters of concern in relation to the administration of Justice that require policy level address notably:

- The inadequate supply of officers of the law from Magistrates to Resident State Attorneys and Law enforcement agencies. The numbers and their limitation in handling cases has resulted into huge backlogs, absenteeism, and lengthy periods on remand for suspects and exploitation by unscrupulous persons.
- Absence of legal aid services in a number of these areas in light of obtaining legal and policy framework. Unscrupulous persons have taken advantage of this to extort money from poor citizens in the name of providing legal aid to them consequently flouting procedures and further compounding their problems. This is one of the areas where a comprehensive paralegal regulatory framework can be of great value to

the citizens. Many were calling for the allocation of Lawyers by the state to help them in matters of the law with the common complaints them register.

On the whole, the two weeks' exercise was a success and a pointer to where service needs and policy advocacy in relation to legal aid ought to focus to enhance access to justice for the indigent as summarized in the common complaints and actions taken then.



Drama group entertaining guests during the legal aid open week in Kagadi

Matters of land continue dominating the concerns among citizens with incidents of forceful evictions, forgeries in land and inheritance issues



LASPNET HOLDS FOURTH ANNUAL GENERAL MEETING

The Fourth Annual Legal Aid Service Providers' Network General Assembly was held on 26th October 2013 preceded by the pre-AGM on 25th October at Jinja Nile Resort.

Under the theme, "Where are we, where should we be?" the AGM was attended by Justice Lawrence Gidudu, as the



The Board Chairperson, Ms Salima Namusobyia, giving a speech

chief guest. He pointed out that Legal aid in Uganda is a need of yesterday and now, not the future. "The provision of legal aid is a need partly attributed to our known past of impunity for the powerful and wealthy that left the rest of the masses to the vagaries of chance and nature but critically the obligation and responsibility to initiate, nurture and entrench the rule of law as citizens of Uganda", he said in his key note speech.

In her report, the Chairperson, Mrs. Salima Namusobyia noted the following achievements that the LASPNET realized this far:

- Partnering with LASPNET members, the Law Council, and the Uganda Law Society to complete development of the paralegal regulations.
- Conducting capacity building workshops for the members through

theme-tailored curricula and other cross-cutting skills.

- Holding more regular meetings with representatives from member organisations through the working groups and thematic clusters Instituting consultancies to inform amendment of the LASPNET constitution, evaluation of the LASPNET strategic plan as

well as formulation effective planning, monitoring, evaluation and reporting frameworks among the LASPs.

- Organising meetings between LASPNET and the Uganda Law Society to build strong working relations and networking opportunities towards setting legal aid agenda
- Engaging like-

minded organisations and academia to dialogue with members on contextual issues relevant in ensuring improved access to justice for all.

- Developing and publishing different IEC materials/information kits to improve knowledge about members and activities of the Network.

She also informed members that there is an ongoing engagement with the Ministry of Justice and Constitutional Affairs in order to expedite adoption of the Draft National Legal Aid Policy as well as articulate the various issues or concerns among the non-governmental legal aid service providers in Uganda regarding the proposed implementation and institutional framework for the National Legal Aid Body.

Key issues that arose from the meeting.

1. Validation of the membership Field Visit report Amendment of the LASPNET constitution by the membership to bring it in line with the emerging changes at the Secretariat and the needs of the membership.

The former was conducted on the 25th of October 2013 with feedback from the membership present about the strengths, weaknesses, opportunities and challenges of the network as individual component units of LASPNET inclusive of the secretariat and the corporately as a network.

2. In line with the needs of the membership, the Constitution had key amendments that were adopted during the General Assembly. Forthwith;

The LASPNET values are;

- Transparency
- Accountability
- Integrity.
- Cooperation.
- Excellence.
- Non-Discrimination.
- Professionalism.

The membership composition to the Network shall from that point forth be distinguished thus;

- Ordinary membership.
- Associate Membership.
- Honorary

With regard to the Network and Organisation structure, the Assembly adopted that:

- The Steering Committee becomes the Board of Directors of LASPNET.
- The National Coordinator is now an Executive Director.
- The Secretariat team under the Executive Director shall be led by Managers and Officers in place of the previous titles held.



LASPNET IN PICTURES





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A: *LASPNET ED Mr. Richard Nsumba Muganzi addressing participants of the Joint Cluster Training at Ivy's Hotel Wakaliga October 2013*

B: *Ann Kampire, E.D for AIDE, delivering a speech during the legal aid open week in Kagadi*

C: *Busoga Entertainers doing a Kisoga dance to entertain guests during the Legal Aid Open Week in Kamuli*

D: *The LCV Chairperson Kamuli District, Mrs Salamu Musumba, delivering her speech.*

E: *Laspnet members during the ULS partnership meeting*

F: *Mr. Aaron Besigye, Head LAP project giving a speech during the ULS partnership meeting*

G: *LASPNET secretariat staff during their retreat at Lindsey Cottages Lubowa*

H: *The Kamuli district MP giving a speech during the Legal Aid Open Week in Kamuli*

I: *Runyege dance during the Kagadi Legal Aid Open Week*

J: *Mr. Fredrich Walulya and Mr. Aaron Besigye at break time during the ULS partnership meeting*

K: *Laspnet staff and members deliberating on one of the cluster meetings held at the secretariat*



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THE NEED FOR A PARALEGAL REGULATION FRAMEWORK

A number of CSOs in legal aid and human rights practice have over time established huge community networks of persons that assist in the provision of support to clients and persons in conflict with the law. A common denominator with most of these persons is basic knowledge on common procedures and process like access to police bond, basic human rights information that can easily be passed onto the communities they serve and at times a network of resourceful persons among law enforcement, lawyers, community leaders and the citizens that helps many come to the rescue of their fellow residents in time of need often times with titles associating them with the institution that provided the training initially.

With this comes status for many, temptations and responsibility that may by omission or commission be wrongly executed and impede rather than facilitate



Deliberations on Paralegal Regulations by members at Dolphin Suites

access to justice though often times the former has been found true. The merits of this notwithstanding, the challenges of these arguably vital players in access to justice in the communities are enormous and at times grave. Allegations of extortion, obtaining money by false pretense with some accused of masquerading as lawyers and others as go-betweens for judges and defendants where hefty sums of money have been collected from litigants abound. With many trained all over Uganda, a number of challenges ensue notably:

How do we define these persons in the justice system? What kind of skills and knowledge should they have? Is their role important? If so what should the limits of their work be? If generally accepted, who shall be responsible for their management and administration?

These and so many other questions have lingered

in the minds of Legal Aid Service Providers, and other players in the justice system. With a number of LASPs responsible for a sizeable number of these networks and claims of their indispensability where the number of Lawyers and Paralegals as defined by law is limited let alone unaffordable to many, this debate is vital to the operations of the Network and its membership and is a critical point of engagement with the regulators- the Uganda Law Council.

LASPNET on 21 November 2013 had meeting on the matter of Paralegals at Dolphin Suites where the membership and the regulators exchanged ideas in an attempt to find a working and progressive solution to the challenge of legal aid service providers especially in hard to reach and rural areas where the ratio of legal professionals to the existing need is abysmal.

The specific objectives of this meeting were;

- To bring together professionals involved in implementing, monitoring and supporting Paralegal programmes within their organizations in order to discuss the most efficient framework required for the regulation of Paralegals.
- To provide a platform for discussing the categorization of Paralegals especially when accreditation by ULC is sought.
- Providing a platform and opportunity for ULC to gauge the nature/ categorization of LASPNET membership as per the regulatory framework.

The ensuing discussion in the meeting provided key regulatory proposals regarding paralegals as;

1. Academic Certification: Here the proposal is in the grading depending on the academic qualification obtained and where it is gotten. Categorisation is proposed in three tiers namely;
 - * Diploma Holders in Law from LDC and any other legal diploma,
 - * Certificates from higher institutions of learning,
 - * Thematic Certificates from CSOs.
2. Professional Categorisation: This seeks to examine different tiers of professional recognition based on service provision cognizant of the varying academic backgrounds of holders from Graduates seeking particular skills to those whose only academic qualification is the certificate obtained then. Different levels could be examined to include but not limited to
 - * Degree holders who added a diploma in law for paralegal skills

Continue to Page 13



Continued from Page 12

- * Diploma holders in law
- * Sessional qualifications attended to which certificates are issued whether thematic or generic with no other professional qualification

The different categories can receive varying levels of recognition with specificity of what kind of legal service provision they can engage in with clear limitations as shall be defined within their scope of skilling.

1. **Periodic Accreditation:** As is the practice with advocates, the meeting suggested regular certification on a time basis to be determined basing on the regularity of engagement in paralegal work. The participants suggested that persons not engaged in paralegal work would require longer times since a number take on these trainings for information and skilling not necessarily for earning a living from it. Nevertheless, those whose livelihood is from the skills would require regular accreditation from the law council based on mechanisms to be determined to ensure quality and standard in their work.
2. **Work Supervision:** The meeting had different proposals of supervising the work of these “paralegals” to ensure they stick to their competencies, protect the public, have standards in services and ensure quality.

The supervision proposals put forward include; Attachment of the paralegals to a law firm or advocate, a court or NGO with whom they perform their duties.

Obtaining information about the training institution and tasking the institution to periodically assess the work of the paralegals. These two strategies could also be critical in the certification process.

3. **Centralized Registration.** To further improve the regulations, it was proposed to have a centralized system of registration of these paralegals from the point of training to detail the skills imparted, the trainer and areas of specialisation. Details of academic certificates obtained, the location of operation and services offered would then be captured in a centralized registry.

The above areas of consensus as arrived at in the meeting captured the pertinent concerns among the LASPs and the Uganda Law Council upon which future engagements in matters pertaining regulation and standardization of paralegal services in Uganda shall be hinged.

the meeting suggested regular certification on a time basis to be determined basing on the regularity of engagement in paralegal work

DEVELOPING MEMBER CAPACITIES:

LASPNET CARRIES OUT GENDER AUDIT

LASPNET identified the need to streamline gender among various interventions of the membership and the Secretariat from conception, planning, to implementation through to monitoring and evaluation. This was premised on the realization of the need to deliberately address the gender challenges where the legal system operates on the presumption that all persons are equal before and under the law in all spheres of political, economic, social and cultural life and in every other respect and do enjoy equal protection of the law yet in most instances of dispute resolution, services are lopsided in favor of the powerful with the vulnerable at the detriment.

LASPNET engaged a consultant to examine the extent to which the Secretariat and the membership undertake the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels and strategies for making women’s as well as men’s concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all spheres with the ultimate goal of achieving gender equality.

Upon conclusion of field visits and development of the draft report, the respondent membership and other vital stakeholders were invited to adopt recommendations made or otherwise propose necessary changes that can enhance access to Justice that can enhance LASPNET’s gender mainstreaming actions as peers in legal aid service provision.



Participants contributing to the Gender audit report during the validation meeting at Silver Springs Hotel in November 2013

Continue to Page 14



Continued from Page 13

The exercise involved a sample of 20 LASPs for the data collection with only 19 interviewed in addition to 6 staff from the Secretariat.

The areas of focus of data collection were:

- Internalization of gender mainstreaming as a concept among the LASPs.
- Extent of gender mainstreaming among the member LASPs and Secretariat.
- Allocation of resources to gender mainstreaming among the sample LASPs and the secretariat.
- Gender balance in terms of staff composition.

Using the Participatory Gender Audit methodology adopted from the International Labour Organization the findings of the consultant in relation to the mainstreaming of gender among the Network membership were thus.

1. *Knowledge/Perception of the gender concept. The consultant realized low levels of knowledge and awareness on gender among the LASPs sampled.*
2. *36% of the sampled LASPs have gender mainstreaming activities in their implementation framework and plans.*
3. *With regard to Monitoring and evaluation of gender, it is generally weak among LASPNET due to non-allocation of resources and poor training of staff on gender.*
4. *Many of the LASPs and Secretariat have gender mainstreaming emphasis in their literature.*
5. *On staffing, only 16% of the LASPs place emphasis on the gender composition of their human resource.*
6. *With policy, the audit found only 8% of the LASPs with policies on gender. Relatedly, only 19 percent of the LASPs have their staff knowledgeable about the policies of their organizations.*
7. *Organisational cultures were found to exacerbate gender inequalities within the organizations.*
8. *Concerns were raised on the issue of a family friendly work environment where leave days to attend to sick children, maternity and paternity, separations of washrooms and other facilities were considered. A sizeable number of LASPs did not have these.*
9. *A review of company documents for gender sensitivity showed neutrality on gender for most LASPs that availed their documents.*
10. *Regarding Public Relations and Advocacy Campaigns and Strategies, most LAPSs did not focus or pursue the gender dimension of these undertakings.*
11. *Sexual harassment, the consultant registered no complaints of the nature among LASPs. However, the interaction of the consultant with the LASPs was limited to top level management.*

From the ensuing information, a number of best practices were identified that members could use to improve the gender component of their programming notably.

- » A written policy on Gender found with one of the LASPs as a strategic pillar of their work
- » Documented incorporation of gender into all elements of programming by some of the LASPs visited
- » The Human Resource Policy of the one of the

- » members that provides for equality on all bases.
- » Gender Mainstreaming as strategic foundation of one of the members throughout their work and as an institution.

Identified challenges to the mainstreaming of gender among the members visited were;

- Limited financing to the gender mainstreaming element, usually not provided for by the development partners.
- Limited expertise on gender mainstreaming among the LASPs and their staff.
- Shallow conceptualization of gender that makes its mainstreaming disappear at different levels of the project cycles.
- PWDs especially women finding it hard to make choices in their lives that further increases their vulnerability.

From the findings of the exercise, to imbue gender in the network and her membership, the following set of actions were recommended and adopted by the validation meeting;

- * Deliberate Integration of gender equity in the LASPs programming and planning through;
- * Development of effective gender mainstreaming policies.
- * Development of operational strategies for gender mainstreaming.
- * Developing the capacity of LASPs and their staff to implement gender interventions.
- * Improve financing and other resource allocation to gender mainstreaming among LASPs through including it in resource mobilization and fundraising with deliberate emphasis upon it among development partners.
- * Improving the Monitoring and Evaluation for the gender component in programming. Specifically, the consultant recommended,
- * Building the capacity of LASPs and the Secretariat to develop and utilize gender audit tools.
- * Developing gender specific indicators for all programs.

To the Network and membership, considering streamlining gender in all activities and including the gender component in the pre-qualifications for membership.

On the issue of staff capacity and perceptions,

- Building their expertise on gender through training.
- Encouraging games, sports and promote staff informal interactions with management.
- Putting in place and enforcing sexual harassment policies.
- Designing and empowering existing gender clusters to work with LASPs.
- Developing gender communication strategies individually or collectively.
- Putting in place an appropriate gender quality assurance mechanism.

The findings of the gender audit exercise were appreciated and validated by the members with a task accorded to the Secretariat to spearhead the mainstreaming of gender right from the Secretariat to the member LASPs



LASPS ENCOURAGED TO WORK WITH ACADEMIA IN ORDER TO COMPLEMENT EACH OTHER

Non-Governmental Organisations are known for their commitment to action in the various service delivery fields to improve the lives of poor, marginalized, and vulnerable people. On the other hand, Universities and academia are recognized for their commitment to evaluation of evidence. The focus of the work of Legal Aid Service Providers (LASPs) is largely limited to receiving clients; not much thinking or even innovation has been invested beyond that function.

Interventions that are designed and implemented by LASPs are rarely evidence based (there is often no baseline conducted) which could partially explain why some fail to achieve the desired outcomes or even justify longer project funding from donors.

In order to encourage and improve reciprocal complementarities in evidence based programming, LASPNET held an inaugural dialogue with different academia and like-minded Organisations in October 2013. The dialogue was intended to explore ways of bringing the best of both of these cultures together in an open-learning forum and through a very dynamic knowledge network that improves the performance of both entities.

A quick scan through the work of LASPs indicates that they are more inclined towards legal counsel, mediation and court representation as opposed to empowerment of citizens through expanding their focus to encompass issues around health, education, livelihoods and more - it should be a holistic package that yields tangible life transformative results.

The success of their work for instance in terms of court representation is largely measured based on the number of clients whose cases enter into the Justice system without much focus on whether those clients actually got what they wanted out of the process.

In other words most of the work of LASPs is basically guided by targets in terms of quantitative analysis simply looking at numbers reached without necessarily evaluating the quality.

In terms of Legal and policy advocacy, LASPs usually find difficulty in assessing impact since their role is simply complementary to various efforts by the state and other players in relation to enacting laws and setting policies, similarly most access to justice projects are mainly involved in providing first line advice which therefore makes it very difficult to assess impact.

The meeting noted that the relationship between CSOs and the academia is largely based on consultancy contractual obligations and yet there can actually be

real and constructive engagement by academia to come and share knowledge to inform research capabilities in Civil Society Organizations.

While LASPs do a lot of field work, they grapple with the challenge of very poor documentation practices which would otherwise inform engagements with donors and policy makers.

The LASPs have always wanted an opportunity to engage with Government on a number of fronts including the need to justify that they are relevant to national development, the need for a legal and policy framework to regulate Legal Aid actors, the need for more support from the Government but they lack evidence to inform these engagements.

On the other hand, the academia have accomplished major research works that often remain lying idle and yet they can strategically feed into the work of LASPs. Academic institutions periodically grapple with the challenge of students in search of research

As a way of resolving and coming up with a way forward, the meeting agreed on the following key issues

- There is need to work with the academia to evaluate the different models that LASPs are using locally and internationally in order to identify the best models that can cause transformation in people's lives.
- There is urgent need for a Justice Survey, this has not been conducted since 2004 - therefore LASPs are not in position to evaluate how well the courts are operating, how many people are accessing justice or even how long it takes on average to conclude a matter in the Justice System among other key components of the operations of the Judiciary.
- LASPs should collaborate with the academia in order to explore ways of translating existing models and the myths around them into potential research studies that can inform more effective and innovative interventions and achieve tangible results.
- LASPs should be encouraged as CSOs to start conducting baseline surveys before implementation of activities as this would help in assessing the impact of our interventions.
- Institute mechanisms for receiving and evaluating feedback and levels of satisfaction for both staff and clients.
- CSOs should engage more of local academia in baselines and consultancies because they have a better understanding of the local context.
- Data collected from CSOs' field activities should be translated into curricula for teaching university students and should be aligned to the skills needed in the civil society sector.



LASPNET TRAINS MEMBERS ON SMALL CLAIMS PROCEDURES AND LAND POLICY REFORMS

Following earlier capacity assessments across the membership; there was an indication of the need for continuing legal education and professional development in several thematic areas of interest to the member organizations.

In pursuit of this, the Network contributed to bridging this gap following analysis of information obtained from the various Clusters and Working Groups during their periodic



LASPNET ED Mr. Richard Nsumba Muganzi addressing participants of the Joint Cluster Training at Ivy's Hotel

meetings held over time. In October, a training workshop was held at Ivy's Hotel Wakaliga to provide education and information on Land Policy reforms in light of the then recently adopted National Land Policy of 2013 and the small Claims Procedure mechanism for addressing claims in court.

The main objective of the training was to provide participants with insights into various aspects that strengthen access to justice.

- Familiarization with the Small Claims procedures, necessary in a number of complaints the LASPs handle most of which do not exceed the UGX10 million.
- An update on the Sentencing Guidelines in line with the updates made as of then
- Training in Land Policy reforms cognizant of the recently adopted National land policy that is due for implementation.
- Providing a platform to jointly supplement upon the training needs as ascertained in the needs assessment carried out earlier through membership visits and cluster engagements.

Suggestions of areas of capacity development the members deem most critical in service delivery was to be done with the most cross cutting and common to be

adopted for future similar engagements.

Mrs. Christine Birabwa Nsubuga, one of the facilitators trained about; the Sentencing guidelines as at October 2013 and the small claims procedure in Uganda that addresses claims not exceeding UGX10million shillings where only persons can complain under this arrangement with organizations only limited to appearing on the defense side. The process of filing the complaint under Small Claims in Court and obtaining a judgment takes no more than 14 days.

However, this intervention one among many aimed at decongesting courts and handling the issue of backlog that has dogged the judiciary for long is under pilot and is not available in all courts in Uganda.

Literature about the small claims procedure; brochures, handbooks and copies of the presentation were provided to the team for reference and further enrichment. The facilitator



Ms. Christine Birabwa Nsubuga facilitating a session during the Joint Cluster Training at Ivy's Hotel Wakaliga

provided copies of the most recently gazetted sentencing guidelines to all the participants to help with their Legal Aid Work.

Mrs. Hilda Akabwai and Mr. Eric Hatanga facilitated different sessions on land policy cognizant of facts that most work of LASPs based in the countryside, land wrangles feature supreme among the cases handled and legal aid given. A discussion on the new national land policy as well as the process of handling complaints ensued with the team.

Appreciation was accorded to the challenges of land in legal aid for most of the times it involves run-ins with political actors, investors, local communities and has a great bearing on livelihoods and socio-economics of the communities the LASPs serve.

Continue to Page 17



REVIEW OF THE STRATEGIC PLAN AND MAPPING AND READINESS ASSESSMENT OF LASPS

The Legal Aid Service Providers Network (LASPNET) uses a Strategic Plan to determine the overall planned direction of the organization in the longer term. The current plan commenced in July 2010 for a period of five years ending in June 2015. However, it is apparent that the first period of the Strategic Plan has been affected by inadequate funding for programme implementation and a weak logical framework to enable effective monitoring and evaluation of coordination among Legal Aid Service Providers (LASPs) in Uganda.

In that regard, LASPNET implements several project actions with focus on strengthening synergies among LASPs in Uganda for improved quality, capacities, and standards. Currently, the Network targets three critical aspects of coordination:

- (a) Bringing together different Legal Aid Service Providers for solidarity in strategizing, sharing lessons and experiences, while minimizing duplication.
- (b) Capacitating them through collaborative research and analysis in order to link the international/regional developments on legal aid to national interventions.
- (c) Documenting, providing needed feedback, and amplifying voice on key issues regarding access to justice/legal aid at national level.

A Steering Committee was constituted to review and evaluate some of the pertinent aspects within the Strategic. The Vision was reviewed to read, “An effective and professional legal system that is affordable, accountable, sustainable, and accessible for all persons in Uganda.” In addition, the mission was modified as “To strengthen access to justice through utilizing synergies of the Network.”

From that basis, an independent Consultant was commissioned to assess progress made and involve members to improve existing implementation frameworks in effectively complementing government’s efforts for enhancing access to justice but also ensure mechanisms of setting legal aid agenda in partnership with other like-minded actors.

The major aim was to assess the implementation of the current Strategic Plan over the last two and a half years in order to provide key actors with necessary information on the progress made, constraints learnt and draw lessons to possibly redirect the actions and interventions to optimize outcomes. intended users.

On the other hand, there is little information on the current service provider map in legal aid service provision across the country and it is equally difficult to determine

Continued from Page 16

Though a lot of questions were answered, the facilitators of the meeting emphasized the need for LASPs to be equipped with the new laws, policies and regulations whenever they are put in place.

As a Secretariat, the joint training further validated the cluster strategy since clusters and working groups informed the training which was relevant as per the feedback from participants.

From the workshop, the participants proposed further areas of skills and information improvement notably;

1. Policy Advocacy: Many of the LASPs present expressed need to be given skills on how to engage policy makers and influence policy in their respective thematic areas of work.
2. Corporate Governance: How to run organizational and institutional development.
3. Sustainability: Programmatic, financial and political. In times when the political environment determines so much among Civil Society, the need to work within the political environment amicably to advance the agenda of the most indigent with the state is most important in a non-antagonist yet independent manner.

Fundraising: A common challenge among many LASPs that has a negative effect on capacity to deliver services, the quality of human resource and attracting further. These will inform the next trainings to be held in the quarters that will follow.

The process of filing a land complaint under Small Claims in Court and obtaining a judgment takes no more than 14 days.

their readiness in systematically addressing the prerequisites (present or not) for implementing a meaningful results-based M&E system that can inform an effective reporting system. With hope of garnering information to ascertain what essential support does or does not exist, what technical training, organisational capacity building, and sequencing of efforts will be needed to design and construct the necessary infrastructure to produce, collect, analyze, and report relevant information, LASPNET contracted a consultant to undertake a Mapping and Readiness Assessment of LASPs.

The purpose of the consultancy was three-fold. First, is to ascertain the existing coverage map in legal aid service provision across the country by area of thematic focus, geographical location, and type of establishment.

Secondly, to assess the understanding of LASPNET and its beneficiaries of what institutional capacity they do or do not have, what resources they can draw on, and which challenges they face to initiate meaningful planning, monitoring, evaluation, and reporting frameworks.

Finally, to determine which reforms LASPNET and

Continue to Page 18



MONITORING AND EVALUATING THE QUALITY AND STANDARDS OF LEGAL AID SERVICE PROVIDERS:

The provision of legal aid services requires competence and quality to attain the desired levels of access to justice for the most indigent. In the pursuit of enhancing the quality, impact and equity of legal services, joint action with key players in the justice system is paramount.

As a network of Non-state legal aid service providers, the enhancement of skills of the membership and expanding the repertoire of competencies can never be over emphasized.

With the mandate to maintain and improve the standards of conduct and learning of the legal profession in Uganda through facilitating the acquisition of legal knowledge by members of the legal profession in Uganda as regards conditions of practice and otherwise, the Uganda Law Society is strategically placed with non-state and state legal practitioners as a major player in the justice system of Uganda.

With a diverse membership of thousands of legal brains with extensive experience in research, litigation, legislation and other facets of law, partnership with the ULS would greatly enhance quality improvement, skill and standards of legal aid that LASPNET seeks through capacitation of her membership to improve access to justice for the indigent. As a strategic focus in quality and standard improvement, LASPNET has conducted engagements with the ULS at different levels with the aim of symbiotically improving access to justice. Notably, the ULS has been one of the strategic partners in the quest for a national legal aid policy from the inception of this noble pursuit.

As we await the adoption of a National Legal Aid Policy, LASPNET identified the strengths of the ULS and seeks a symbiotic engagement to empower the member LASPs (apart from ULS itself).

The objectives of these engagements are to jointly identify and agree on policy issues to strategically engage the state to enhance access to justice.

LASPNET is not oblivious of the various platforms and clout the Law Society possesses with regard to issues of the law in Uganda, which situation shall be advantageous for the Network and the membership in terms of collective advocacy especially in relation to the need for adoption of a National Legal Aid Policy.

Joint action plans to enhance each other's capacity in mutually agreeable areas in skilling and advocacy to enhance legal aid are also very pertinent.

As LASPs, the comparative merits different players have over one another are evident and require harnessing to

Continued from Page 17

its beneficiaries might begin, under auspices of one or more champions, and what demand, if any, exists for the use of M&E frameworks.

The Consultancy lasted for thirty days and as part of the deliverables, an Inception Report in which the lead consultant will discuss his/her understanding of the TORs, methodology to be applied, approach, various data collection methods and work plans identifying the time frame for each activity involved was developed. A technical report for review by the national coordinator and the board that will inform establishment of baseline and indicator tracking tools to support LASPNET in assessment of the achievements made in meeting its set objectives is also in place. All this will inform the basis upon which the Secretariat will proceed in the next few year.

improve the skill and subsequent quality in delivering justice to our clientele.

With skilled experienced professionals in different fields of practice, sharing experiences and sharpening each other's competencies enhances the quality of service rendered.

With those as the basis for engagement, an initial meeting was held with the Technical Leadership of the Uganda Law Society headed by the Executive Director Ms. Grace Babihuga and the Head ULS Legal Aid Services Project Mr. Aaron Besigye with LASPNET members and Secretariat on 20th November 2013.

From the meeting, the two parties hinted on possible areas of working together like;

- Harmonization of training workshops to cater for the skilling interests of each one in the future.
- Utilization of the repertoire of skills of the various players in specific areas of the law.
- Exploring the potential of accrediting LASPNET workshops to earn CLE (Continuous Legal Education) points for participants as a mechanism of improving quality, collective advocacy and standards' management.
- Co-opting trainers from the different sides but also including other players in the judicial systems to harmonize curricula, times and standards.
- Jointly contributing proposals to the harmonization of a paralegal regulatory framework.

Subsequent engagement could see the concretization of a plan of action to realize the proposals put forward as a key step towards harmonization of standards to ensure quality legal aid services.

The variety of skills and competencies that ULS (a member of LASPNET already) and the Network in its entirety possess are a

gold mine of legal knowledge that when utilized in capacitating others, collective advocacy, research and litigation can adequately advance legal aid agenda and enhance access to justice concerns of the indigent as well as developing a critical mass of skill and wisdom to drive legal aid agenda.



THE UGANDA ONLINE LAW LIBRARY - A USE MECHANISM FOR LASPNET

As part of its mandate in networking and coordinating the work of Legal Aid Service Providers, LASPNET has over time taken up the responsibility of building the capacity of her membership using various means.

As it is in most professions, continuous professional education, information and knowledge accumulation partly serves the purpose of capacity development. It is on the basis of the above that LASPNET subscribes to the Uganda Online Law Library.

With the dynamics of litigation, enactment of new laws and stringent challenges in the practice today, it is important that legal aid service providers are abreast with these developments. Many of the LASPs are unable to regularly update their resource centers and libraries due to the prohibitive cost, lack of information and delays in availability associated with state hierarchy.

The Uganda Online law library transcends all the challenges mentioned above as it is based on the most recent technology and provides timely information, literature and case studies to aid LASPs in their work. It is vital to subscribe to this powerful and available resource to help members in providing and aiding access to justice for the most indigent.

Specifically, subscription and use of the library serves to:

- Provide LASPs with unlimited access to all laws of Uganda especially the newly enacted ones, whose copies many may not possess. Being online, this is a resource that can be utilized all over the globe.
- Equip the membership with vital information to aid in their daily work.
- Provide access to a pool of resources like judgments and references for use in litigation, research and documentation for academic and other legal purposes
- Help LASPNET contribute to the capacity development of her membership especially those LASPs that cannot afford accessing or paying for the hard copies of these vital materials necessary in their daily work.

Who are the Beneficiaries?

All subscribed members of the Network inclusive of the Secretariat staff will benefit to this arrangement, which will be on annual basis. Upon payment of the subscription, various access codes are to be availed to the Secretariat that shall be shared amongst the membership based on Thematic Clustering mechanism, Subscription Status and The Secretariat that shall be the administrator of these access codes.

Depending on the number of codes accessed upon subscription, they shall be equitably availed to the different members to access the library. The Secretariat

shall have the duty to monitor the logins and regularity of use of the library by the different access codes (member holders) upon which a periodical report shall be written. From time to time, the code holders shall be asked to deliver simple reports with particulars on the use of the library in litigation, sensitization, academic research, scholarly articles or any other information or contribution this access shall have enabled them execute. This shall be the monitoring and evaluation mechanism of the library.

The Uganda Online Law Library is an opportunity to access a compendium of the Laws of Uganda from the early 21st Century, judgements, statutory instruments, regulations and other documentation relating to the Judicial Law and Order Sector wherein Legal Aid lies. With the possibility of using the rich resource to advance the Legal Aid agenda through enhancing the capacities of member LASPs for more informed, succinct, issue based litigation, mediation and dispute resolution, LASPNET shall not pass up this opportunity to augment legal aid for the most indigent- the vision the network is out to achieve.

QUOTES

“Like slavery and apartheid, poverty is not natural. It is man-made and it can be overcome and eradicated by the actions of human beings.”

Nelson Mandela, speaking at the launch of Britain’s Make Poverty History campaign.

“It is the daily; it is the small; it is the cumulative injuries of little people that we are here to protect....If we are able to keep our democracy, there must be one commandment: THOU SHALT NOT RATION JUSTICE”.

Learned Hand Address at the 75th anniversary celebration of the Legal Aid Society of New York, Feb. 16, 1951

“Equal justice under law is not merely a caption on the facade of the Supreme Court building, it is perhaps the most inspiring ideal of our society. It is one of the ends for which our entire legal system exists...it is fundamental that justice should be the same, in substance and availability, without regard to economic status.”

Lewis Powell, Jr., U.S. Supreme Court Justice





LASPNET

Uganda

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SCHEDULE OF UPCOMING LASPNET ACTIVITIES

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SUBJECT/ ACTIVITY	VENUE/ SCOPE	DATE
1. Hold a technical Access to Justice concerns working group meeting	LASPNET secretariat	30 th January
2. Hold the LASPNET thematic cluster meetings	LASPNET secretariat	3 rd – 7 th January
3. Ensure members have access to the on-law library	secretariat	17 th February
4. Production of membership information sheet	Secretariat	3 rd Feb -28 th
5. Support members to acquire law books for accreditation	Secretariat	March
6. Production of posters on cross- cutting issues	Secretariat	3 rd Feb- 28 th March
7. Hold an institutional Development working group meeting	Secretariat	13 th February
8. Hold a crosscutting issues working group meeting	Secretariat	14 th February
9. Consultancy for determination of baseline and indicator tracking tools		3 rd Feb- April
10. Hold follow up task force meetings to review progress on paralegal regulations	All members	18 th February
11. Conduct generic capacity building workshop for members	All members	20 th February
12. Hold meeting with like -minded organizations and various academia		21 st February
13. Production of newsletters	Secretariat	24 th February
14. Hold symposium between LASPS and ULS		25 th February
15. Consultancy for integration of a results model into the P,M and E framework		February
16. Continuing support in accountability practices for learning		Jan/Feb/ March
17. Run jingles and radio talk shows		On going
18. Hold National Legal Aid Conference		6 th -7 th March
19. Organize and conduct legal aid open week (Moroto)	Moroto	10 th – 14 th March
20. Conduct M&E circuits in responding to quality recommendations	All members	17 th -31 st March
21. Conduct capacity building activities for secretariat staff		21 st March
22. Hold a validation of resource mobilization strategy meeting		27 th March
23. Conduct regional talk shows on access to justice concerns emerging in the communities		March



CARTOONS



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The Coordination unit for the LASPNET Secretariat is composed of seven team members who provide various services to assist in the Network's activities

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