



FOREWORD

PROFESSOR ALAN PATERSON OBE, KC (Hon)

*CHAIR, INTERNATIONAL LEGAL AID GROUP & DIRECTOR, CENTRE
FOR PROFESSIONAL LEGAL STUDIES, STRATHCLYDE UNIVERSITY,
GLASGOW*

Dear Colleagues,

Whether it is droughts in Western Europe or the threat of El Nino our climates seem constantly to be in the news. However, come rain or come shine the challenges of delivering access to justice to our jurisdictions remains another omnipresent. In this issue of the ILAG Newsletter we have four stimulating accounts of initiatives being taken in four quite different contexts: Belgium, Japan, Jordan and Rwanda. My thanks to each of the authors for their efforts. Taken together the papers are guaranteed to provoke our reflective processes and to whet our appetites for the next ILAG conference in 2027.

As readers will have seen in the last two weeks, I hope, we can now confirm that ILAG 2027 will indeed be held in Rio de Janeiro, but on the 1-3rd September and not in June as usual. This is due to the June dates clashing unexpectedly (at least on our part) with FIFA's holding of the Women's Soccer World Cup in Rio next June. Alas that means there are no affordable, accessible hotels there for us in June and July. Hence the need for us to move our dates to September when the hotels and the airfares will be far more affordable. Please put the dates in your diaries now. The Call for papers will come in a month's time as will details of the support packages that will exist for those who need help with the airfares.

My thanks again to our ever-industrious Newsletter editor (Peter van den Biggelaar) for generating the contributions to the Newsletter, and our webmaster (Paul Ferrie) for his work on the Newsletter and for sending it out.

Every best wish,

Alan



LEGAL AID REFORM IN JAPAN OVER THE PAST QUARTER-CENTURY: CHALLENGES FOR SUSTAINABILITY

TOMOKI IKENAGA

DEPUTY SECRETARY GENERAL OF THE JAPAN FEDERATION OF BAR ASSOCIATION'S CENTRAL BOARD ON THE JAPAN LEGAL SUPPORT CENTER (JLSC) AND FORMER CHAIRPERSON OF THE CIVIL LEGAL AID COMMITTEE IN THE ABOVE CENTRAL BOARD ON THE JLSC



1. Introduction

While Japan is located in the East Asia and an island nation, it has a history of studying the legal systems of Western countries and adapting them to suit its own circumstances dating back to the late 19th century. This article briefly reviews the history of civil legal aid reform in Japan over the past quarter-century and discusses the current situation, challenges, and future sustainability.

2. Before the establishment of the publicly funded legal aid organization in Japan

Prior to the establishment of the Japan Legal Support Center (JLSC) in 2006—the public legal aid organization fully funded by the government—civil legal aid was generally provided through membership fees paid by members of bar associations, although a limited amount of government subsidies was also provided.

3. Establishment of the Japan Legal Support Center (JLSC), publicly funded legal aid organization in Japan

The 1990s and 2000s are regarded as the period of the most significant postwar judicial reform in Japan. As part of this reform, steps were taken to modernize the civil legal aid. In 2001, the Council for Judicial System Reform, established under the government, made the following recommendations to the government.

“Compared to Western countries, the scope of cases eligible for civil legal aid and the range of eligible individuals are limited, and the budget is small; from the perspective of substantively guaranteeing the right to a fair trial under Article 32 of the Constitution of Japan, this is considered insufficient.”

“From this perspective, civil legal aid should be further enhanced following a comprehensive and systematic review of matters such as the scope of eligible cases and recipients, the structure of user’s cost, and the organizational framework for its administration.”

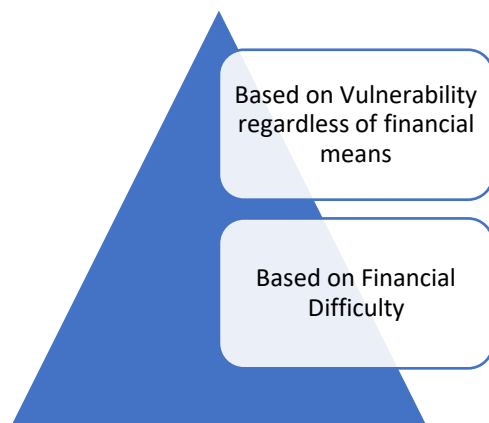
Based on the above recommendations, JLSC was established in 2006; since then, it has provided a significantly improved legal consultation aid and legal representation aid for individuals with limited financial means as services that make up the two pillars of the civil legal aid. In other words, civil legal aid was structured on the concept of “Financial Difficulty”.

4. First major reform since the establishment of the JLSC: Introduction of the concept of vulnerable people

Ten years after the establishment of the JLSC, the Legal Aid Act was revised in 2016. Taking into account Japan’s rapidly changing demographic shifts etc., the 2016 Act explicitly included elderly individuals with impaired cognitive function, people with disabilities, disaster victims, and victims of domestic violence etc. among those eligible for legal aid, making them eligible regardless of their financial circumstances.

In other words, as shown in the simplified model illustration below, the categories of socially “Vulnerable” people—which legal aid in Western countries have identified as priority recipients in recent years—were adopted, and these individuals became eligible for legal aid regardless of their financial means.

Furthermore, in 2024, certain crime victims were added to the definition of “Vulnerable” group.



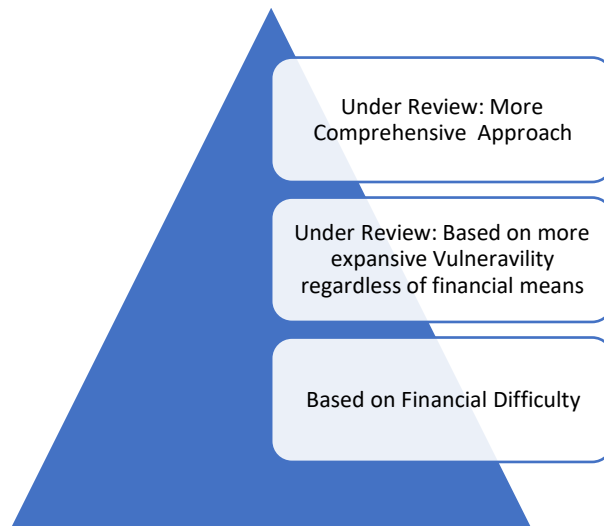
5. Second major reform since the establishment of the JLSC: Currently under review

Twenty years after the establishment of JLSC, Japanese legal aid is undergoing its second phase of reform. In 2026, the government issued the following statement, and an expert panel has been convening since March 2026 to discuss amendments to the legal aid act.

“JLSC will mark the 20th anniversary of its establishment in 2026. However, new social challenges have emerged in tandem with changes in Japanese society—such as the declining birthrate and aging population, as well as regional disparities in population and social welfare service distribution—and the need to enhance access to justice has become even more pressing.

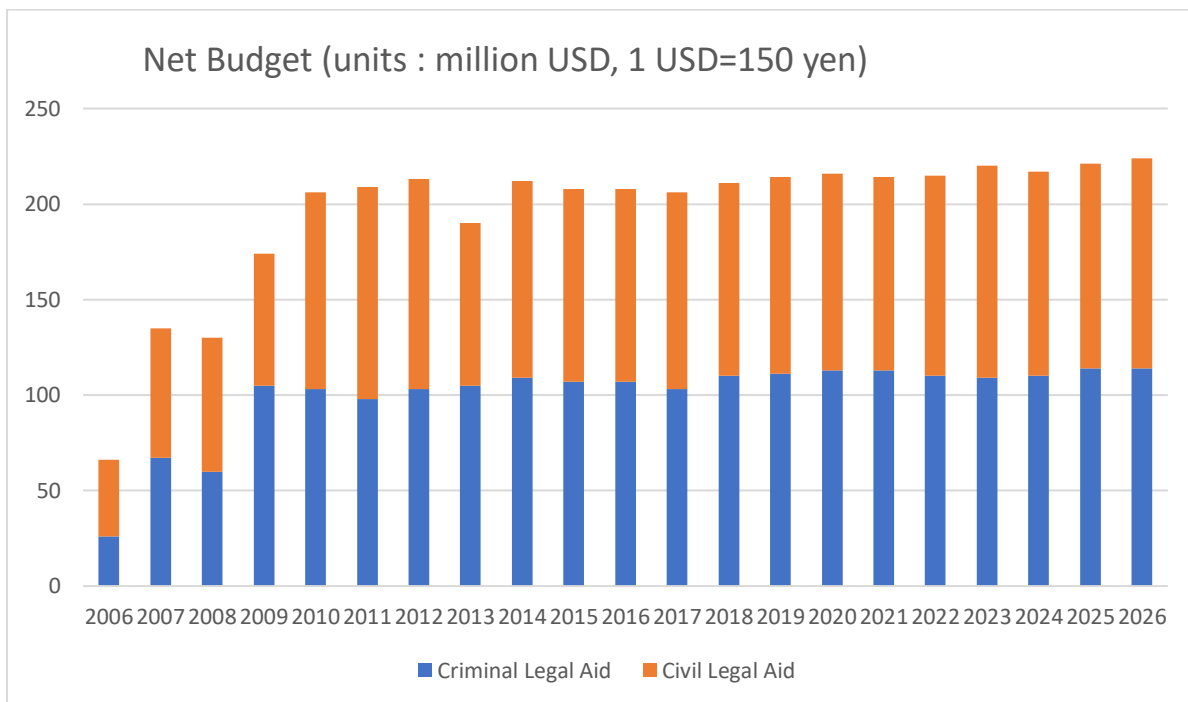
Therefore, we are inviting external experts with diverse perspectives to participate in this forum to broadly examine the various challenges facing JLSC—as revealed by its activities over the past 20 years—and to discuss the future direction of sustainable comprehensive legal support.”

As of the time of writing this article, the direction of the amendments is not yet clear, but it is expected that a more comprehensive approach will be proposed, based on the concepts that have been developed since the establishment of the JLSC. It is also anticipated that the scope of legal aid will be expanded to include more “vulnerable” group. The simplified model illustration is as follows.



6. Concluding remarks: Challenges for Sustainability

As noted above, while reforms to the legal aid have been implemented on a regular basis, there are fundamental issues that cast doubt on the system's sustainability. The bar chart below shows the net legal aid budget from the establishment of JLSC in 2006 through 2026.



As is evident from the bar graph above, the reality is that, despite the expansion of services over the past 20 years, the net budget for legal aid has hardly increased at all since 2010. In other words, while the system has been formally established and the range of services has expanded on a regular basis, substantive improvements have not been made, raising questions about its future sustainability. Despite the expansion of services, the Ministry of Finance is consistently negative toward an increase in the net budget. To put it simply, Japan was unable to establish a modern civil legal aid system during its postwar period of rapid economic growth which enabled net budget increase. Because the system was established at a time when fiscal deficits had

become a persistent and chronic problem, the reality is that there are significant barriers to increasing the budget.

In relation to this, as reported at last year's International Legal Aid Conference in Cologne, the number of prospective contract attorneys—who form the core of service providers—and the staff attorneys who supplement them is gradually declining.

Some of the leading expert panels discussing above current reforms are interested in empirical research on the social and economic benefits of legal aid, with the aim of securing an increase in the net budget. However, this is an area where impact assessments have not been conducted in Japan. From this perspective, it is likely that empirical studies such as the “Health Justice Partnership”, which has been conducted in Western countries, will be monitored with greater interest in Japan as well.

PILOTING INTERDISCIPLINARY LEGAL AID: THE EXPERIENCE OF CASA LEGAL



MANUELLE FETTWEIS
FRONT-LINE LEGAL
ADVISOR, CASA LEGAL



LOTTE BUEKENHOUT
LAWYER,
CASA LEGAL



EUGÉNIE DE NORRE
LAWYER,
CASA LEGAL



**CLÉMENCE SAMAIN
LECAT**
LAWYER, CASA LEGAL

Ms. H., a Georgian mother of four, fled her violent partner, who was also the father of her children. He presented her decision to leave as proof of instability, seeking to challenge her parental capacity before the family court. At the same time, Ms H. needed to secure her residence status and that of her children, still connected on paper to the man she had fled. She also needed legal support throughout the criminal proceedings, both to have the violence she had suffered recognised and to seek compensation. Three legal issues, each affecting the others, emerged at once for someone who had just fled her home with four children.

Handled separately, these questions could easily have worked against Ms H., each one weakening the others. At Casa legal, different lawyers specialised in criminal law, family law and immigration law took on her situation together with a social worker, working as a team in the same office and coordinating both legal and social matters. The family court eventually granted Ms. H. sole parental authority and residence, stressing that her vulnerability resulted from the

violence she had suffered, not from any instability of her own. She and her children obtained refugee status, and her former partner was convicted.

Casa legal was designed to address the complex interplay of these challenges, rather than tackling any individual problem alone.

How Casa legal started

Casa legal was founded in Brussels in 2019 by four lawyers who shared a double observation. First, many people in precarious situations still lack effective access to justice. The obstacle was not the absence of a lawyer, but the accumulation of legal, administrative, social and psychological difficulties. Secondly, the legal profession itself was suffering from isolation and excessive workload, with little space for interdisciplinary work.

The model that grew from this brings together salaried lawyers, social workers, and mediators under one roof, sometimes described as “a legal equivalent of a community health centre”, where people enter through a legal question, but the response is never purely legal. At its core is the Holistic Support Service, providing coordinated legal, social and psychological support for the most complex situations.

Alongside it, a mediation service promotes alternative dispute resolution whenever it serves the person better than litigation, and a first-line support desk offers initial advice and orientation.

The organisation also provides training and knowledge sharing for professionals. Since 2023, this model has been recognised and financed by Belgium's federal justice ministry as a pilot project, a status that later placed it at the centre of a wider debate about how such projects should be funded.

Where the classic system reaches its limits

This is not a claim that free legal aid in Belgium is failing. This system has expanded steadily since 1998, and most practitioners within it are deeply committed. But it was not designed for situations like the one above. Free legal aid remunerates lawyers mainly through a points-based system linked to procedural acts. Many activities crucial in complex situations, such as negotiation, mediation or intensive coordination with public services, are only partially covered or not covered at all. As a result, non-legal needs frequently fall on lawyers themselves or remain unmet for vulnerable clients.

Casa legal was not designed to replace the existing system, but to complement it for those whose needs fit less easily within the logic of the points-based legal aid scheme.

What this looks like in practice

In 2025, 1,107 people contacted Casa legal and 246 situations were actively followed by the Holistic Support Service, 56% of them spanning more than one area of law. An independent evaluation conducted with SAW-B¹ found that 85% of Casa legal partner organizations

¹ SAW-B (Solidarité des Alternatives Wallonnes et Bruxelloises) is a Belgian federation of social economy organizations that supports research and evaluation on social innovation and public-interest services.

considered the holistic model to add value compared to existing services, while nearly half reported changes in their own practices. Beneficiaries also reported better understanding of their rights, greater trust in the justice system, and lower stress levels.

Alongside the case of Ms H., the following example also illustrates the added value of Casa legal's coordinated approach in situations that conventional services struggle to address effectively.

Mr T. arrived in Germany as an unaccompanied minor and spent more than ten years there, completing his education, working, building social ties and receiving psychiatric care for severe trauma. During a short visit to Belgium, he experienced a major psychiatric crisis and committed acts that led to psychiatric detention. Because of a shortage of appropriate forensic psychiatric places, he was placed in prison rather than in a therapeutic setting.

His situation soon became a legal dead end. Psychiatric detention prevented him from renewing his German residence permit, while he had no residence status in Belgium. Without valid status in either country, prospects for transfer or reintegration were extremely limited.

As Belgian psychiatric detention measures have no fixed maximum duration, he faced potentially indefinite detention.

Resolving the situation required coordinated action across criminal, migration, social and psychiatric domains. Lawyers specialised in criminal and migration law worked with Casa legal's social worker to document Mr T's ties to Germany and engage with German authorities and care providers. This combined effort led to his transfer from prison to a psychiatric hospital and reopened the possibility of a future return to Germany.

The case illustrates how certain situations cannot be addressed through a single procedure. It also suggests that interdisciplinary interventions may generate not only better social outcomes, but potentially lower public costs by preventing unnecessarily prolonged psychiatric detention.

Not without friction

Two challenges stand out. The first is methodological: demonstrating the added value of an integrated model in ways that are meaningful to public funders is not straightforward. In 2025, Casa legal joined four university research teams (ULB, UCLouvain) within Scala legal, a three-year research programme funded by Innoviris and launched to evaluate the social impact, cost-effectiveness and replicability of interdisciplinary legal aid models.

The second is political and legal. In July 2026, the Belgian Constitutional Court annulled the budgetary provision on which the federal subsidy granted to Casa legal was based, ruling on a challenge brought by the Dutch-speaking bar association. The Court explicitly recognised the legitimacy of the model and did not question its merits. Instead, it found that the funding mechanism lacked a sufficient legal framework, as the legislator had not provided an open procedure through which comparable initiatives could apply for the same support.

What we've learned about piloting

Pilot projects such as Casa legal are designed to test approaches that existing systems do not yet know how to fund or evaluate. What our experience has shown is not only that interdisciplinary

support is possible, but that some forms of legal vulnerability are difficult, if not impossible to address effectively without that kind of support. Additionally, assessing such models requires time, supporting data, and a willingness to challenge assumptions.

The uncertainty following the Constitutional Court's ruling illustrates a broader challenge.

While the judgment did not question the legitimacy of the model, it highlighted the absence of a legal framework allowing interdisciplinary legal aid initiatives to be funded transparently and on a stable basis. As a result, Casa legal has had to suspend new intakes of Holistic Support Services, prepare to close most ongoing cases and place its team under notice of dismissal.

Beyond our own experience, the challenge ahead is to create a framework that allows innovative approaches to access justice to be tested, evaluated and, where successful, sustained. If pilot projects are expected to generate evidence for the future of legal aid, they also require institutional conditions that allow them to survive long enough to do so.

LEGAL AID IN TRANSITION: FROM LEGAL REPRESENTATION TOWARDS ACCESS TO JUSTICE IN JORDAN

NOOR SAMARA²

*PROGRAMME OFFICER, JUSTICE CENTER FOR LEGAL AID (JCLA),
JORDAN*



I. Introduction

“Courts shall be open to all” is a fundamental guarantee, enshrined in Art. 101(1) of the Constitution of the Hashemite Kingdom of Jordan³.

Complimented by the broader guarantee of equality before the law under Art. 6(1)⁴, read together, these provisions establish a constitutional framework within which access to justice is not confined to the formal existence of judicial institutions, but rather the effective ability of individuals to access them equally.

In practice, factors such as the cost and affordability of legal representation, court-related expenses, and an individual’s ability to understand and navigate complex legal procedures may significantly shape the extent to which this constitutional guarantee can be realized. The distinction between formal and effective access to justice is therefore essential to determining whether individuals are, in practice, able to access the justice system.

Against this constitutional background, legal aid forms part of the broader normative and institutional framework of effective access to justice; as its function extends beyond affording legal representation to individuals lacking the financial means to secure it. Rather, legal aid serves to address the various barriers that may impede individuals from engaging meaningfully and effectively with legal processes. Legal aid therefore assumes significance as a mechanism through which the constitutional guarantee can be translated into a practical entitlement, rather than remaining confined to a theoretical guarantee.

Legal aid in Jordan has not emerged from a single comprehensive statutory entitlement, but rather successive legislative and policy measures. Its development has consequently been gradual and sector-specific, with different instruments establishing distinct forms of legal aid for particular target groups and categories of proceedings. Recent developments nevertheless indicate a gradual expansion of both the categories of beneficiaries and the functions served by legal aid, extending beyond traditional criminal defense to areas including juvenile justice, protection cases, and assistance to victims.

² Noor Samara is a Programme Officer at the Justice Center for Legal Aid (JCLA), where she works primarily on programme and proposal development, alongside legal and policy research. She holds a Bachelor’s degree in Global Governance, with a major in Political Science, Law and History, from the University of Rome II - Tor Vergata.

³ Art. 101(1) of the Constitution of the Hashemite Kingdom of Jordan provides that, courts shall be open to all and protected from interference in their affairs.

⁴ Art. 6(1) of the Constitution of the Hashemite Kingdom of Jordan provides that, Jordanians shall be equal before the law with no discrimination between them in rights and duties even if they differ in race, language, or religion.

This paper examines recent developments in Jordan's legal aid framework, with particular attention to the legislative and policy measures through which legal aid has been expanded and institutionalized. The paper takes into consideration the extent to which these developments have moved legal aid beyond its traditional criminal justice focus, and towards a broader conception of effective access to justice. This paper is not exhaustive and does not comprehensively address legal aid within the *Shari'a* justice system.

II. The Existing Legal Aid Framework

a. Legal Aid in Criminal Justice

Equality before the law under Art. 6 of the Constitution extends to encompass access to justice; therefore, entailing a positive obligation on the State to ensure that individuals are able to effectively exercise and protect their rights before courts; thereby giving practical effect to the constitutional guarantee that courts are open to all under Art. 101(1).

The 2017 amendments to the Code of Criminal Procedure can be understood within this broader framework, as they marked significant steps towards translating access to justice into concrete procedural safeguards through legal representation. However, limitations persist as the prescribed legal aid remains restricted to defendants in criminal proceedings.

At the pre-trial stage, Art. 63(1)⁵ requires the public prosecutor to inform the accused of their right to legal aid and their right not to respond to allegations in the absence of a lawyer. Art. 63 *bis* (2)⁶, further strengthens this safeguard by requiring legal representation through pre-trial investigation stages in felonies carrying a potential minimum sentence of ten years. Where the accused is unable to appoint counsel, the responsibility automatically shifts to the public prosecutor to take the necessary measures to secure legal representation. These provisions are of particular importance not only because they recognize the right to legal representation, but also because they place an obligation on the State to protect one's right to defense.

The same approach is reflected at the trial stage, as Art. 208(1) of the Code of Criminal Procedure mandates legal representation in cases carrying the death penalty, life imprisonment, temporary or hard labor, or imprisonment exceeding 10 years, and further imposes a mandatory duty upon the court to appoint counsel for an unrepresented defendant.

Yet, the effectiveness of this guarantee can be potentially weakened by Art. 208(2) which permits the court to appoint a lawyer solely for an individual hearing where the defendant's counsel is absent⁷. Although intended to preserve procedural continuity, it raises a broader

⁵ Art. 63 of the Jordanian Code of Criminal Procedure provides that, when the accused appears before the Public Prosecutor, the latter shall verify his identity, read the charge against him, and inform him of his right not to respond except in the presence of a lawyer. In urgent cases where there is a risk of loss of evidence, the accused may be questioned before his lawyer is summoned, pursuant to a reasoned decision, provided that the lawyer is subsequently permitted to review the accused's statement. Failure to comply with these requirements renders the statement given by the accused null and void.

⁶ Art. 63 *bis* (2) of the Jordanian Code of Criminal Procedure stipulates that, in felonies punishable by a minimum sentence of ten years or more, the presence of a lawyer with the accused shall be mandatory at every interrogation session. If the accused is unable to appoint a lawyer, the Public Prosecutor shall take the necessary measures to appoint one in accordance with the applicable legislation.

⁷ Art. 208(2) of the Jordanian Code of Criminal Procedure provides that, where the lawyer chosen by the accused, or appointed by the Public Prosecutor or the Presiding Judge, fails to attend a trial session without an excuse accepted by the court, the court shall appoint another lawyer to represent the

question as to whether the presence of counsel, in itself, is sufficient to secure effective exercise of the right to defense. This is particularly relevant where a substitute lawyer appointed for a single hearing may have limited knowledge of the case or the defense strategy; which is especially crucial where the hearing involves substantive procedural steps such as the examination of witnesses or consideration of expert advice.

The criminal legal aid framework also extends, on discretionary basis, beyond the threshold of representation; as art. 208(3) permits the public prosecutor or the court to refer cases to the Minister of Justice, in coordination with the Bar Association, for the provision of legal aid for felonies carrying a potential sentence of less than 10 years of imprisonment with labor⁸. While this creates a mechanism for extending legal aid to cases falling outside the mandatory threshold, its discretionary character means that access to legal aid, and therefore access to justice, remains dependent on institutional referral rather than constituting an automatic entitlement of a right.

At the policy level, the Justice Sector Strategy 2022-2026 identifies access to justice as a dedicated priority, and calls upon strengthening the efficiency and effectiveness of legal aid through legislative amendments, the activation of mandatory and discretionary legal aid before the courts, the improvement of delivery mechanisms, and capacity strengthening of justice actors. Nevertheless, the Strategy remains predominantly criminal justice-focused and does not conceptualize a vulnerability-based legal aid framework for civil, family, labor, and administrative matters.

b. Legal Aid in Juvenile Justice

Legal aid for children in conflict with the law is primarily governed by the Juveniles Law No. 32 of 2014, together with Child Rights Law No. 17 of 2022. As *lex specialis*, the Juveniles Law introduces a broader legal aid framework with Art. 21 requiring legal aid as a safeguard in all felony cases and extends it to all stages of investigation and trial⁹. Where a juvenile cannot appoint legal counsel, legal representation is therefore not discretionary, but forms part of the procedural safeguards applicable to the child.

The Child Rights Law reinforces this protection by recognizing the child's right to legal aid under Art. 24, while making its exercise subject to applicable legislation. The Child Rights Law adopts a broader conception of legal aid; encompassing both legal consultation and representation, and extends it to police stations, the public prosecutor, courts, and sentence enforcement proceedings¹⁰.

accused and conduct the proceedings scheduled for that session. The fees of the appointed lawyer shall be determined in accordance with the procedure set out in the preceding paragraph.

⁸ Art. 208(3) of the Jordanian Code of Criminal Procedure provides that, in felony cases punishable by temporary labor for a period of less than ten years, the Public Prosecutor or the competent court may, at any stage of the criminal proceedings, refer the accused's request to the Minister of Justice, in coordination with the Bar Association, for the provision of legal aid before the court, where justified.

⁹ Art. 21 of the Jordanian Juvenile Law No. 32 of 2014 provides that the court shall appoint a lawyer for a juvenile in criminal cases where the juvenile has no lawyer or is unable to appoint one, with the lawyer's fees paid from the State Treasury in accordance with the Code of Criminal Procedure. The lawyer representing the juvenile shall attend all stages of the investigation and trial.

¹⁰ ¹ Art. 24 of the Jordanian Child Rights Law No. 17 of 2022 provides that the child has the right to legal aid in accordance with the applicable legislation. Legal aid includes legal consultation and legal representation before security centers, Public Prosecution offices, and courts, including the sentence enforcement judge.

c. Legal Aid Beyond Criminal Justice

1. Civil Courts

The civil framework, unlike the criminal justice framework, does not provide a corresponding legal aid mechanism. This gap is further compounded by the requirement of legal representation in civil cases which value is assessed for the purposes of court fees, or civil claims which value is, or exceeding 1,000 Jordanian Dinars¹¹. For litigants with limited financial means, this may effectively impede their ability to effectively defend themselves in proceedings brought against them; as they are required to bear the cost of legal representation as a prerequisite before appearing before the court.

2. Administrative Courts

The Administrative Judiciary Law contains no provisions regulating legal aid and requires litigants before the administrative courts to be represented by a legal counsel with at least five years of legal practice¹². Accordingly, access to administrative justice requires both legal representation and the ability to bear the high associated costs, which may therefore affect the ability of individuals, and deter some, from pursuing such proceedings due to their high costs.

3. Protection from Domestic Violence

Taking into account the complexity of protection cases, legal aid is of particular significance as victims may require legal representation across multiple jurisdictions, including criminal, civil, and *Shari'a* courts, while also requiring legal consultation services to understand their rights, and available legal remedies and options; therefore enabling them to make informed decisions regarding measures they may pursue. While the National Framework for Family Protection recognizes legal aid as an integral component of protection and response services, the Protection Against Domestic Violence Law does not establish a corresponding legal entitlement to legal aid for victims of violence.

Within the national protection system, the Ministry of Social Development plays a central role in responding to protection cases, including domestic violence, through case management, risk assessment, social follow-up, the provision of protection services, and referrals to specialized service providers. Accordingly, access to legal aid, including legal consultation and representation, remains largely contingent upon inter-agency referrals and the availability of specialized service providers, rather than constituting a recognized entitlement for victims of violence.

¹¹ Art. 7(b) of the Jordanian Magistrates Courts Law provides that, litigants who are not lawyers may not appear before the Magistrates Court in civil cases except through lawyers representing them pursuant to a power of attorney, where the value of the claim is JOD 1,000 or more, as well as in claims whose value is assessed for the purposes of court fees.

¹² Art. 9(a) of the Jordanian Administrative Courts Law provides that the statement of claim must be signed by a lawyer who has practiced law in that capacity for at least five years, or who has held judicial office for an equivalent period prior to practicing law. It further provides that parties may be represented before the Administrative Court only by lawyers meeting these requirements.

4. Protection of Victims of Human Trafficking

The Anti-Human Trafficking Law expressly recognizes the right of victims of trafficking to legal aid under Art. 12(b), which includes legal aid among other procedural rights afforded to victims, alongside interpretation services, and assistance in pursuing compensation for material and moral damage¹³s. The provision, however, qualifies this right by the phrase “where possible”, therefore making its provision contingent upon practical availability. The Fund for Assisting Victims of Trafficking Bylaw of 2023, provide for the funding of legal aid; however, they primarily contemplate legal consultation services without expressly extending the scope of assistance to legal representation.

5. Jordan Bar Association (JBA) Legal Aid Framework

The 2024 Legal Aid Bylaw of the Jordan Bar Association further develops the institutional framework for legal aid administered by the Bar Association. Rather than limiting legal aid to criminal defense, the Bylaw encompasses both legal consultation and representation before regular and administrative courts, the Public Prosecution, specialized courts, and enforcement departments.

The scope of beneficiaries is likewise expanded to include complainants, plaintiffs, defendants, victims, and witnesses, subject to the applicable eligibility criteria. The Bylaw thus reflects a broader conception of legal aid beyond criminal justice, and extends its application across different types and stages of judicial proceedings.

III. Expansion of Legal Aid Beyond the Traditional Criminal Model

Recent developments in 2026 indicate a continued institutionalization of legal aid and its scope and beneficiary categories. The National Multisectoral Action Plan for the Prevention of Gender-Based Violence and Domestic violence and the Protection of Children (2026 – 2030) incorporates legal aid for survivors of violence, while strengthening the linkages between legal, social, and psychosocial response services. This reflects a shift towards viewing legal aid as part of an integrated protection response rather than as a service confined to criminal defense.

Similar developments are reflected in the Legal Aid Regulations in Criminal Cases, issued in April 2026 pursuant to the Bar Association’s Legal Aid Bylaw of 2024. The Regulations extend the eligibility for legal aid to misdemeanors as well as felonies, subject to the JBA’s eligibility criteria. However, the Regulations continue to place the severity of the possible penalty at the center of its prioritization criteria, while legal aid remains confined to criminal proceedings and does not extend to victims.

The Regulations further introduce a points-based incentive scheme for lawyers providing legal aid. While this may encourage greater participation in legal aid provision, linking incentives to a final and conclusive judicial decision places a greater emphasis on court representation than on other legal aid services such as legal consultations. This is particularly relevant, given that the

¹³ Art. 12(b) of the Jordanian Anti-Human Trafficking Law No. 9 of 2009 provides that, *where possible*, the competent authorities shall ensure that victims are afforded a range of rights, including the right to obtain the necessary legal aid, appropriate interpretation, lawful means of obtaining fair compensation for material and moral harm, confidentiality of information relating to the trafficking offence, suitable accommodation, necessary security protection, and communication with their relatives or the embassy of the State of which they are nationals.

2024 Legal Aid Bylaw defines legal aid to include both legal consultation and representation services. The 2026 Regulations therefore represent progress in institutionalizing legal aid, while also highlighting the continuing need for a broader framework that supports alternative justice mechanisms such as mediation and settlement.

IV. Conclusion

Recent national strategies, legislative development, and policies indicate a growing recognition of legal aid as a central component to effective access to justice. Its development, however, remains uneven across sectors, with the most established safeguards continuing to operate within the criminal justice framework. However, the expansion of legal aid to juveniles, victims of human trafficking, and other categories of beneficiaries reflects a gradual shift beyond the traditional criminal defense-focus.

The developments examined in this paper indicate that legal aid in Jordan remains regulated through a range of sector-specific legislative and institutional frameworks, rather than through a unified legal entitlement across areas of law. A more comprehensive approach would therefore require legal aid to be considered in light of individuals' broader needs, encompassing the right to information whether through legal awareness or legal consultation services, legal representation, and alternative justice dispute resolution mechanisms. Such an approach would help move legal aid from a fragmented set of safeguards towards a more coherent framework for ensuring effective and equitable access to justice across different areas of law through a legal aid law. The establishment of such a framework through a comprehensive legal aid law would provide a more coherent means of translating these constitutional guarantees into effective and equitable access to justice across different areas of law.

FROM LEGAL AID TO LEGAL EMPOWERMENT: RETHINKING PEOPLE-CENTRED JUSTICE IN AFRICA – LESSONS FROM RWANDA



ANDREWS KANANGA
*SENIOR COUNSEL &
EXECUTIVE DIRECTOR,
LAF*



ANGEL GAKUMBA
*RESEARCH ASSISTANT,
LAF*



Justice within reach: Legal empowerment begins by bringing knowledge, support and pathways to justice closer to the communities where everyday legal problems arise.

For many Rwandans, the greatest barrier to justice has not been the absence of laws, but the difficulty of turning those laws into meaningful protections in everyday life. For a widow at risk of losing her land, a mother seeking custody of her children, a person with a disability facing injustice, or a family caught in a dispute, the critical question is not simply whether rights exist in law, but whether people can understand, claim and exercise them.

Distance, cost, limited legal knowledge and other barriers have historically placed justice beyond the reach of many, particularly the most vulnerable. Rwanda's experience over the past two decades suggests that closing this gap requires more than providing a lawyer when a case reaches court. It requires a broader system of legal empowerment: one that helps people understand and exercise their rights, prevents and resolves problems before they escalate,

brings legal assistance closer to communities, provides representation when it is needed, and uses evidence from people's experiences to strengthen laws, policies and justice institutions.

The Legal Aid Forum (LAF) has been part of this journey since its establishment in 2006. As a network of 38 civil society organisations bringing together legal aid service providers, LAF's work has evolved from bringing legal information and assistance closer to communities to strengthening legal aid delivery, supporting dispute resolution, generating evidence for reform and contributing to wider justice and human rights processes.

Over the years, this work has developed through several complementary approaches, each responding to a different barrier people face in accessing justice. Together, they provide practical lessons on what it takes to move from conventional legal aid towards a broader and more integrated system of legal empowerment.

Preventing Legal Problems Before They Escalate

People should not have to wait until a dispute reaches a courtroom before they can access justice. One of the most important dimensions of legal empowerment is therefore prevention: enabling people to understand their rights, recognise legal problems early and know where to seek assistance.

LAF and its partners continuously invest in legal awareness and education through radio and television programmes, community meetings, posters, social media, Twitter Spaces and mobile legal aid activities. Community-based paralegals also conduct sessions in villages and participate in local assemblies, explaining rights relating to land, family matters, gender-based violence, succession and other issues affecting people in their everyday lives.

Citizens who understand their rights are less vulnerable to exploitation and better equipped to address legal problems before they escalate. This is particularly important for people unfamiliar with Rwanda's legal and regulatory framework, including foreign residents.

Through accessible and free legal advice services, LAF assists people to understand their rights and obligations, navigate legal processes and make informed decisions.

In Practice: When Early Legal Guidance Prevents Litigation

The experience of a Cameroonian national residing in Rwanda illustrates how timely legal guidance can prevent a relatively straightforward problem from developing into prolonged litigation.

After entering into a short-term rental agreement, the tenant paid a refundable caution fee of RWF 200,000. Although he fulfilled his obligations and left the property in good condition, the landlord declined to refund the money. Unfamiliar with Rwanda's legal and dispute-resolution mechanisms, the tenant sought assistance from LAF.

LAF advised him on the appropriate steps for seeking redress. Following the intervention and engagement with the relevant authorities, the landlord ultimately agreed to fulfil his outstanding obligation and the dispute was resolved.

The significance of the case goes beyond the amount involved. It illustrates a central principle of legal empowerment: timely access to understandable legal information can enable people to act for themselves and prevent manageable problems from becoming costly and protracted disputes.

Bringing Justice Closer to Communities

Legal awareness alone is not enough. When a problem arises, people need an accessible place to turn for help. A justice system is ultimately measured not only by the quality of its laws and institutions, but also by whether people can understand those laws, access the institutions created to serve them and obtain meaningful solutions when their rights are threatened.

For many people, a legal problem does not begin in court. It may start with a disagreement over land, an inheritance dispute, family conflict, loss of employment, gender-based violence, difficulty obtaining legal documentation or simply uncertainty about where to seek help.

For someone without legal knowledge or the resources to hire a lawyer, even identifying the first step can be difficult. LAF has therefore spent much of its 20 years developing multiple pathways through which people can obtain legal information, advice and assistance before a problem becomes insurmountable.

Paralegals as First-Line Justice Providers

One of the key approaches has been the development and support of community- and prison-based paralegals.

Trained paralegals serve as a first point of legal assistance. They help people understand their rights, navigate procedures, prepare complaints and documents, resolve appropriate disputes and access referrals and formal legal services when necessary.

LAF strengthens their capacity through continuous training, practical manuals and service standards, digital reporting tools, mobility support and refresher training. Over the past five years, LAF-supported paralegals have directly assisted approximately 27,000 people with legal problems and reached approximately 238,000 people through legal awareness activities.

Together, community and prison-based paralegals provide an important bridge between individuals, communities, correctional facilities and the formal justice system.

Taking Legal Services to Communities

Another important part of bringing justice closer to people has been the use of Mobile Legal Aid Clinics (MLACs).

Rather than requiring people to find and travel to legal services, mobile clinics bring lawyers and other legal aid providers directly to communities, particularly to people facing geographical, financial or other barriers. They provide free legal advice and assistance, explain available options and identify cases requiring further support or representation.

LAF has used this approach since 2009. One of the early initiatives through which it was applied was Legal Aid Week, organised in partnership with the Ministry of Justice and initially focused on providing legal representation to detained minors who had not appeared before the courts. The approach subsequently expanded to underserved communities across Rwanda, combining legal services with legal awareness.

Mobile legal aid also serves another important purpose: it helps identify recurring legal problems within communities. The information generated through direct engagement can therefore inform not only individual assistance but broader advocacy and justice-sector reform.

Resolving Disputes Beyond the Courtroom

Legal empowerment also means ensuring that people have access to the most appropriate pathway to justice, rather than assuming that every dispute must end in litigation.

Rwanda's growing use of Alternative Dispute Resolution (ADR), particularly mediation, reflects a wider shift towards faster, more affordable and consensual mechanisms for resolving appropriate disputes. At the national level, this broader justice ecosystem includes approximately 17,927 Abunzi committees providing community-level mediation. Other reported results include commercial disputes worth RWF 3 billion settled within three weeks and more than 1,800 criminal matters resolved through Victim-Offender Mediation within ten months.

Within this wider shift, LAF has increasingly integrated mediation into its legal assistance model, recognising that meaningful access to justice is not measured simply by the number of cases that reach court, but by whether people can obtain fair, timely and sustainable solutions.

In Practice: From Family Conflict to Resolution Through Mediation

A mother of two minor children who had been married since 2008 approached LAF following prolonged marital difficulties involving parental responsibilities and economic and emotional violence. The conflict eventually escalated into divorce proceedings. Her husband was financially stable and represented by an advocate, while she had no legal representation and limited knowledge of her rights and available remedies.

After receiving legal counselling from LAF, her case was assessed by a LAF Legal Officer who is also an accredited mediator. Mediation was proposed and voluntarily accepted by both parties.

Through joint sessions and private caucuses conducted at LAF's ADR Centre, the parties were able to discuss their concerns and interests in a structured and confidential environment. The process ultimately resulted in an amicable agreement covering dissolution of the marriage, equitable sharing of assets and custody of their children.

The case demonstrates how legal assistance and mediation can work together to provide an accessible and less adversarial pathway to justice—avoiding potentially lengthy litigation while safeguarding the interests and wellbeing of the children.

Ensuring Representation When It Matters Most

Legal empowerment does not eliminate the need for lawyers or courts. Some disputes cannot be prevented or resolved locally, and some rights can only be effectively protected through formal legal proceedings.

For this reason, free legal advice and representation remain an essential part of the integrated model.

LAF provides legal advice in person and through its 1022 toll-free call centre, enabling people to obtain assistance without requiring internet access or travelling to a legal aid office. It also provides representation for children, persons with disabilities, women, the elderly, survivors of gender-based violence and trafficking, human rights defenders, refugees and others who cannot afford a lawyer.

Over the past five years, LAF provided legal representation in 3,025 cases, involving 1,836 men and 1,189 women, before courts and other administrative institutions. During the same period, approximately 187,013 people benefited from LAF's free legal advice services, with women accounting for 61%.

In Practice: Restoring the Right to Be Heard

One case demonstrates particularly powerfully why access to legal representation must also mean access to justice that accommodates individual needs.

Felicien, a young man with hearing and speech impairments, was arrested and convicted of child defilement without being able to understand the charges against him or communicate effectively in his defence. Without legal representation or sign-language interpretation, he was sentenced to 25 years' imprisonment.

While in prison, he sought to appeal. The appellate court recognised concerns regarding his ability to participate effectively in the earlier proceedings and referred his case to LAF for legal assistance.

LAF assigned him a lawyer and arranged sign-language interpretation. For the first time, he was able to communicate effectively and participate meaningfully in his appeal. The court ultimately acquitted him and ordered his immediate release.

The case illustrates a fundamental dimension of people-centred justice: access to a courtroom is not in itself access to justice. People must also be able to understand proceedings, communicate their case and participate effectively in decisions that profoundly affect their lives.

From Individual Cases to Systemic Reform

Legal empowerment should not end when an individual case is resolved. Individual experiences can reveal recurring barriers within the justice system and provide evidence for broader reform.

LAF therefore draws on experience, research and data generated through its legal aid work to identify recurring challenges and advocate for laws, policies and practices that respond to people's actual justice needs.

Over the past five years, LAF has provided training and technical support to 1,810 justice actors and contributed to discussions and reform processes concerning at least 12 legal and policy instruments.

This work is grounded in collaboration. LAF works with government and justice-sector institutions, including the Ministry of Justice, the Judiciary and the Rwanda Bar Association, as well as civil society organisations, universities, development partners and community structures. As a network of 38 civil society organisations, LAF also provides a platform for coordination, knowledge sharing and collective engagement on access to justice.

The experience is increasingly connected to regional learning. As a founding member of the African Centre of Excellence for Access to Justice (ACE-AJ), LAF supports the exchange of access to justice experiences and approaches across Africa and hosts the Centre's Secretariat since 2025, bringing together 19 organisations from 15 African countries.

This connection between individual experience and institutional reform is critical. The legal problems people encounter in their daily lives are not simply isolated cases; taken together, they can reveal where laws, policies and justice institutions are working—and where change is required.

The Power of an Integrated Legal Empowerment Approach

The significance of this model lies not in any single intervention, but in how the different approaches connect across a person's justice journey.

Legal education enables people to understand their rights and can prevent problems from escalating. Community and prison-based paralegals provide an accessible first point of assistance. Mobile Legal Aid Clinics take services closer to people who might otherwise be excluded. Mediation provides an accessible pathway for resolving appropriate disputes. Legal advice and representation remain available when formal intervention is required. And evidence generated through all these services feeds into research, advocacy and legal reform.

The result is an approach that:

- moves from reactive legal aid, focused primarily on responding after legal problems arise, towards preventive legal empowerment;
- connects day-to-day legal services with research, evidence generation and policy reform;
- places people and communities, not only institutions, at the centre of justice delivery;
- uses individual cases and community experiences as evidence for systemic improvement; and
- relies on collaboration among justice actors rather than institutions and organisations working in isolation.

The shift, therefore, is not from legal aid *away* from lawyers, courts or representation. It is from understanding legal aid as a single service to seeing it as part of a wider continuum through

which people are equipped to understand rights, address problems, access appropriate remedies and contribute, through their experiences, to improving the justice system itself.

What Rwanda's Experience Offers Africa

Rwanda has made significant progress from fragmented legal aid efforts towards a more structured and coordinated approach to access to justice, with large numbers of people benefiting from legal advice, mediation, representation and legal education.

Yet important gaps remain. Demand for legal services continues to exceed available resources, particularly in rural areas; Rwanda still lacks a dedicated Legal Aid Law and Fund; and prison overcrowding continues to place pressure on the justice system.

As LAF marks two decades of work, Rwanda's experience offers lessons that can resonate beyond its borders. Institutions, laws and justice systems differ across African countries, and no single model can simply be transplanted from one context to another. But the underlying principle is widely relevant: people should not be treated merely as recipients of legal services, but as actors capable of understanding their rights, addressing legal problems, participating in solutions and informing wider reform.

Legal empowerment therefore goes beyond providing a single legal service. It requires connected approaches that prevent legal problems, bring support closer to people, provide appropriate pathways for resolving disputes and use evidence from people's experiences to strengthen laws, policies and institutions.

For Africa's access-to-justice community, this means thinking beyond the question of how many lawyers or legal aid services are available. It requires asking whether justice systems reach people early enough, whether people understand and can use them, whether different pathways to justice are connected, and whether the experiences of communities ultimately influence the institutions designed to serve them.

The journey is far from complete, but the direction is clear: a people-centred justice system is one that does not simply wait for people to find justice, but continuously works to bring justice within their reach.

About the Legal Aid Forum

LAF is a network of 38 civil society organisations working to advance access to justice and legal empowerment in Rwanda. For legal assistance, call the toll-free helpline **1022**, email info@legalaidrwanda.org, or visit the LAF website, www.legalaidrwanda.org for more information.

LEGAL AID NEWS FROM AROUND THE WORLD

PAUL FERRIE

*ONLINE ADMINISTRATOR, ILAG AND LEGAL DIRECTOR, FULTON'S,
SOLICITORS, SCOTLAND*



Australia

[Bringing justice closer to home for Aboriginal communities](#) – Legal Aid NSW

[Families missing out as Legal Aid Services end](#) – National Legal Aid
[Joint communique following the Roundtable on the NDIS Amendment Bill 2026](#) – National Legal Aid

[Legal Aid NSW launches regional justice internship program](#) – Legal Aid NSW

[National coercive control training now free to all Australian lawyers](#) – National Legal Aid

Canada

[CCLA launches Charter challenge to underfunding of criminal legal aid in Manitoba](#) – Canadian Civil Liberties Association

[Org sues Manitoba and Canada over 'extreme underfunding' of criminal legal aid](#) – Canadian Lawyer

[Rights group sues Canada and Manitoba for 'extremely underfunded' criminal legal aid](#) – JURIST

England and Wales

[3.5 million people live in areas with no active provider of civil legal aid](#) – Institute for Fiscal Studies

[Access to Justice: Legal Aid – Justice Committee report \(HC 541\)](#) – UK Parliament

[Criminal legal aid: proposals for Advocates' Graduated Fee Scheme reform](#) – Ministry of Justice

[LAPG announces winners of the 2026 Legal Aid Lawyer of the Year awards](#) – Legal Aid Practitioners Group

[LAPG welcomes Justice Committee report into legal aid](#) – Legal Aid Practitioners Group

European Union

[2026 Rule of Law Report](#) – European Commission

[Rule of law report strengthens EU democracy and fundamental rights](#) – European Commission

India

[Legal Aid Defence Counsel move Supreme Court against NALSA decision not to renew their contracts](#) – LiveLaw

[Supreme Court flags off 26 mobile eSewa vans to take eCourts services and legal aid to citizens](#) – LiveLaw

Ireland

[Courts at a 'standstill' amid criminal legal aid dispute](#) – RTÉ

[Justice Committee calls for urgent reform and resourcing of civil legal aid](#) – Houses of the Oireachtas

[Legal aid reform dispute 'at standstill', says Law Society](#) – RTÉ

[Over 100 criminal solicitors walk out over aid dispute](#) – RTÉ

[Pressure mounts on O'Callaghan as solicitors dig in over legal aid fees](#) – The Irish Times

Jamaica

[Over 900 attorneys involved in Jamaica's Legal Aid Programme, says PIOJ](#) – Jamaica Observer

New Zealand

[Accessible and Affordable Justice programme launched after legal aid scheme review](#) – Ministry of Justice

[What's New for lawyers providing Legal Aid – rolling updates to September 2026](#) – Ministry of Justice

Nigeria

[AGF charges Legal Aid Council to expand free legal services](#) – TheNigeriaLawyer

[Fagbemi to Legal Aid Council: poverty shouldn't be a barrier to justice](#) – ThisDay

[NBA and UNICEF launch pro bono partnership for vulnerable children](#) – TheNigeriaLawyer

Northern Ireland

[Uplift in criminal legal aid fees in Northern Ireland](#) – Irish Legal News

Scotland

[Fee increases come into force on 1 September 2026](#) – Scottish Legal Aid Board

[Legal Aid Bill consultation an important step in addressing access to justice crisis](#) – Scottish Legal News

[Summary Criminal Legal Assistance: new single system from 14 December 2026](#) – Scottish Legal Aid Board

[Views sought on reform of legal aid in Scotland](#) – Scottish Legal News

South Africa

[Address by Deputy Minister Nel at the closing of Access to Justice Week 2026](#) – Department of Justice and Constitutional Development

[How the government's R30k Small Claims Court limit will improve access to justice](#) – IOL

[Justice Department to launch the Access to Justice Week campaign in Kimberley](#) – Department of Justice and Constitutional Development

[Small Claims Court jurisdiction raised to R30,000](#) – Department of Justice and Constitutional Development

United States

[Consumer legal cases are increasing, nonprofit law firms are working to keep up](#) – Legal Services Corporation

[New LSC report shows rise in domestic violence cases and consumer demand](#) – Legal Services Corporation

[New LSC toolkit aims to increase veterans' access to civil legal services](#) – Legal Services Corporation

Zambia

[Government increases legal aid funding from K19m to K101m](#) – News Diggers!

[Legal aid funding increases as government expands access to justice](#) – Open Zambia

The news items shown below are largely compiled from online articles, found based on a simple search for terms such as 'legal aid', 'access to justice' and 'pro bono'. Therefore, readers must, just as buyers, beware of authenticity. The links worked at the time of writing, but some will obviously fail after a period.

For more information about the work of the *International Legal Aid Group*, please visit our website which can be found at <http://www.internationallegalaidgroup.org>.