



The Costs and Benefits of Community-based Justice in Sierra Leone

Authors

Felix Marco Conteh

Yakama Manty Jones

Sonkita Conteh

Henry Mbawa

Aisha Fofana Ibrahim





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Authors

Felix Marco Conteh
Yakama Manty Jones
Sonkita Conteh
Henry Mbawa
Aisha Fofana Ibrahim

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Acronyms and abbreviations

CAPRI	Centre for Alternative Policy Research and Innovation
FGDs	Focus group discussions
FSU	Family Support Unit
FDG	Focus Group Discussion
IBA	International Bar Association
IDRC	International Development Research Centre of Canada
JSCO	Justice Sector Coordination Office
KII	Key Informant Interviews
LAB	Legal Aid Board
NGO	Non-governmental Organisation
NMJD	Network Movement for Justice and Development
OSF	Open Society Foundation
OSIWA	Open Society Initiative for West Africa
SDGs	Sustainable Development Goals
SLL	Sierra Leone Leone
SLP	Sierra Leone Police
TRC	Truth and Reconciliation Report

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Executive summary

In 2015 world leaders agreed on 17 Sustainable Development Goals (SDGs) – a new framework for pursuing development and addressing global challenges like poverty, hunger and injustice. Among the SDGs, Goal 16.3 aims to “promote the rule of law at the national and international levels and ensure equal access to justice for all”. By adopting a specific goal on universal access to justice, the international community underscored the centrality of justice in daily living and its correlation to the more obvious areas of human aspirations such as reducing poverty, improving access to health care and reducing infant mortality.

This recognition is most relevant for low income, fragile and conflict affected states such as Sierra Leone where access to justice poses a serious challenge for citizens but has not featured in the priority list of successive governments. The focus has been on the more obvious challenges of health, education and livelihoods as the country struggles to rebuild after a decade of conflict. The relative lack of investment in justice now poses a serious challenge for development practitioners and policy makers as they grapple with bringing Goal 16.3 to life. They lack credible and reliable data on which to make decisions and plan for the delivery of justice services.

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To address this gap, a number of country-level legal needs survey have been conducted to assess the extent of legal needs at all levels of the justice service delivery chain. This survey analyses both the demand and supply sides, identifying gaps in justice service delivery. One such study was undertaken in Sierra Leone in 2017. It found that 68% of those surveyed had been faced with one or more legal issues or disputes at some point in the previous 2 years. This study, while instructive in throwing light on people’s experiences, problems at sites of dispute resolution, outcomes and perceptions and attitudes towards the justice system, did not assess the costs to services users and benefits of the different types of justice services available to them- whether formal or informal.

In 2012, Sierra Leone enacted a progressive legal aid law which established a mixed system of criminal and civil legal aid to be provided by a variety of players including paralegals, private and public lawyers, NGOs and law clinics. By that law the government committed to place at least one paralegal in each of the country’s 190 chiefdoms to provide legal advice, assistance, and education to the inhabitants. However, fiscal constraints mean that the government funded Legal Aid Board and NGOs delivering paralegal services cannot operate and deliver their services at scale. Added to this challenge

is the lack of credible evidence indicating the estimated scale up costs and benefits of such services compared to other sectors like primary healthcare or basic education.

The research aims to contribute to the body of knowledge on approaches to expanding access to justice in Sierra Leone and globally in a cost-effective, strategic and sustainable manner.

To address this evidence gap and assess the direct and indirect economic and social costs and benefits of community-based justice services, a cost/benefit study was undertaken to assess and compare the relative direct and indirect outcomes of community-based justice services (paralegal NGOs) in the country and make recommendations on strategies for scaling up access to justice in Sierra Leone. The research aims to contribute to the body of knowledge on approaches to expanding access to justice in Sierra Leone and globally in a cost-effective, strategic and sustainable manner. It focused on two broad themes of civil justice problems: family law, including child and spousal support; and property, land and tenancy issues. These two broad areas were selected because they were identified in the legal needs survey in 2017, as being the two most-reported justice problems in the country. This finding was also confirmed by data generated by community-based justice service providers. The study did not seek to analyse the myriad number of formal and informal community justice mechanisms in the country. Instead, it focused on the state-backed Legal Aid Board and paralegal NGOs backed by philanthropic funding. Apart from being responsible for the administration, coordination and monitoring of legal aid, the LAB is also a direct service provider. Paralegal NGOs on the other hand represent the earliest form of organised community legal aid provision in the country after it emerged from the civil conflict of the 1990s. The NGOs selected are among those supported by development partners, and are thus able to deliver meaningful services to their clients as well as document their operations.

The research employed a mixed method approach in collecting data incorporating strategies that generated both qualitative and quantitative data. Semi-structured key informant interviews, focus group discussions and life stories supplemented quantitative data generated through service user, non-service user and service provider questionnaires. The study sample was drawn from two sample sizes to cover both service users and non-service users. For the former, case data generated by the LAB and paralegal NGOs between 2017 and 2018 were mined. From a docket of about 1500 cases, a total of 260 cases in our focus areas were tracked. For the latter, the research team randomly administered 500 questionnaires to persons who may or may not have had justice problems but have never used the services of paralegals.

The research though had a number of limitations including scope and paucity of data. Other practical challenges included difficulty tracking participants and reliable recall. There were also data collection problems with enumerators recording incorrect information. Finally, the outbreak of the Covid-19 pandemic affected field work. For example, focus group discussions had to be delayed repeatedly.

While the study focused on the costs and benefits of community-based justice mechanisms, it nonetheless sought to explore participants’ understanding of and perspectives on “community justice”.

While the study focused on the costs and benefits of community-based justice mechanisms, it nonetheless sought to explore participants’ understanding of and perspectives on “community justice”. Responses were mixed and nuanced. “Community” was largely understood in an expansive context with none of the limitations of physical proximity. Anyone utilising a particular service (such as a paralegal NGO) was a member of that community of service users irrespective of whether the service is in their community or not. Their understanding of justice was also nuanced with justice being described in terms of both an outcome that preserves social cohesion and cements relationships and a process. This sophisticated understanding of community-based justice thus informed people’s choices of which community justice mechanism to activate for dispute resolution. At the community level, in addition to paralegal organisations, there are other justice mechanisms including local courts, chiefs’ court and the family support unit of the police available to the community.

While the cost-benefit research focuses exclusively on the LAB and paralegal NGOs, the data shows that several factors influence participants’ choice of dispute resolution mechanism. Prohibitive financial costs, flawed procedures and rights violations as well as gender discrimination drive many away from local and chiefs’ courts and the FSU to paralegal organisations to resolve disputes. Another important consideration in the choice of forum is whether the future relationship between the disputing parties is, in the estimation of the complainant, worth saving. The non-paralegal community justice mechanisms like local or chiefs’ court or the FSU are considered by participants as adversarial. As such complaints directed to these entities can lead to irreparable harm to future relationships. Paralegals on the other hand are deemed conciliatory and forum of choice when parties still value their relationship.

On the question of direct costs to service users, 78% of respondents reported incurring economic costs in resolving their problems. These were mainly for transportation, accommodation and phone. Using the Bank of Sierra Leone end-year exchange rate of the local currency, it has been projected that

the estimated financial costs to a user accessing paralegal service ranges from almost US\$ 4 to about US\$19 depending on the service provider used. The study reveals significant benefits for both the state and service users in investing in community-based justice services. Not only does the government stand to save SLL 0.27 per every SLL 1 spent on community-based services, as compared to formal justice services, service users are in fact gaining thousands of dollars on average from the successful resolution of cases, which they would otherwise lose out on and be denied justice in the process. Specifically, on average for every SLL 1 service users spend, they could benefit SLL 1.22 in present value terms and SLL 2.45 in absolute terms. In addition to the financial benefits, users also reported other non-quantifiable benefits including restoration of dignity and relationships, awareness of rights and knowledge of relevant laws.

The social costs of justice problems can be huge and the failure to resolve legal problems can contribute to a “cycle of decline”

On the question of opportunity costs of accessing community-based justice services, the study shows that monies spent by users in pursuing justice would have been used to buy food for the family, invested in petty trading or spent on education or house rent. While the time spent resolving disputes were not as lengthy as in other forums (typically between 2-3 weeks), service users would have spent that time improving their business, doing house work, farming or helping someone else. However, over 65% reported that the time spent resolving their problem was worthwhile. A relatively significant 33% did not consider it worthwhile seeking their services.

The social costs of justice problems can be huge and the failure to resolve legal problems can contribute to a “cycle of decline” where one problem leads to another with escalating individual and social costs. Survey data from the study however showed that 87% of respondents did not have their relationships negatively affected. 12% though reported a deterioration in their relationships. 44% reported emotional stress during the dispute resolution process with a small number (8%) reported facing physical harm.

In addition to the costs and benefits to the service user, the study also analysed the costs and to a very limited extent, discussed the benefits of providing community-based justice services. Basic set-up costs for an average paralegal office range from \$2500- \$3000. The most common costs include registration costs, rent, furniture and staff. Some of the inferred benefits include potential savings to the justice system and in the long term, reduction in the cases of abuse across the case types covered in the study.

Given the importance of paralegal organisations in the country’s legal aid milieu, the study also sought to gauge accessibility and quality issues.

74% of service users reported that there was a justice service provider within a 5-mile radius. Most service users (58%) reported being attended to within 30 minutes of their arrival at the paralegal office. Paralegals were able to resolve 57% of service users' problems within one month. In 7% of cases, resolution took more than six months. The research found a difference in perception between service providers and users on the question of what constitutes a resolved justice problem. Mediation was the most used tool for resolving disputes (73%). This reinforces the method's long-standing reputation as the preferred dispute resolution mechanism at the community level. The majority of respondents found the paralegal process of dispute resolution simple, straight-forward, fair and non-threatening. There were also no significant complaints of gender discrimination in the dispute resolution process. This is important in view of the fact that the majority of service users are women.

A survey was conducted to determine the scale of unmet justice needs. Counterfactuals show that 87% of respondents had legal problems in the two years preceding the survey but chose not to seek help. The reasons for not seeking help include the desire to maintain peace within the family and not wanting to take time off from other activities. These reasons were shared equally among male and female respondents. Of concern though was the finding that most women (76%) feared being reprimanded by relatives for taking private matters to a public sphere. The most significant deterrent for men was trust in the services.

Recommendations

The recommendations of this report are made based on the study's findings, and they are intended to inform planning, programming and decision making in investments in the community-based justice subsector by a range on stakeholders—including the Government of Sierra Leone, paralegal service providers, donors and other person and organisations interested in the promotion of community-based justice.

1 Establish a National Legal Empowerment Fund

The Government of Sierra Leone and donors should explore the establishment of a National Legal Empowerment Fund that will be responsible for the coordination and mobilisation of funding for grant making to service providers, through a mutual accountability framework, with funding directly linked to performance and ability to scale up services that are assessed through a clear and objective set of benchmarks;

2 Recruit and deploy additional paralegals

Given the current high and unsustainable unit costs incurred by community-based service providers relative to their respective caseloads, the government, donors and service providers should consider providing support for the recruitment and deployment of additional paralegals to deal not only with current caseloads, but to also position them to deal with the scale of unmet justice needs in the country;

- 3 Explore, design and implement innovative funding models**

Consideration should be given to the development of innovation and sustainable funding models for community-based justice services, including exploring the possibility of service users having to pay a minimal fee to use the services. This should however be preceded by a national willingness to pay survey, to determine the true scale of willingness to pay among the population;
- 4 Government should meet its legal aid provision commitment**

Given the limited resources available for community-based justice services, the likelihood of achieving the Legal Aid Board Act's goal of having one paralegal per chiefdom in the medium term, is very low. Government should therefore live up to its commitment of providing at least one paralegal per chiefdom. A stepwise approach should be adopted to ensure that by 2026 each chiefdom is provided with at least one salaried paralegal. Consideration should also be given to the possibility of scaling up the use of volunteer community-based paralegals who are "trained in basic law and in skills like mediation, organizing, education, and advocacy", just as the health sector is currently implementing the Community Health Worker scheme, through which some of the most basic health problems within communities are addressed;
- 5 Prioritise gender equity in paralegal staff recruitment**

There is need for community-based justice providers to balance the gender composition of their teams, with the proportion of the gender profile of their client-base. Going forward, this will involve organisations recruiting more women to their teams, in order to inspire confidence in women and other vulnerable service users, with a view to preserving community-based justice forums as safe spaces in which women can continue to access justice without fear;
- 6 Establish a community-based justice working group**

The government should consider the establishment of a working group to investigate the inherent challenges of having a pluralistic community-based justice landscape, in which different providers use considerably different standards and processes to resolve justice problems. This should include exploring the possibility of harmonising the standards of practice and procedures across all provider types, to enhance the most equitable and positive elements of current models, while eliminating unfair and discriminatory elements including the Local Courts and the FSU for civil cases;
- 7 Fund exploratory research**

Donors and government should consider funding exploratory research into the kinds of community-based justice services and approaches that work for all in Sierra Leone, and why. This should include funding longitudinal studies in order to assess the factors that impact and sustain outcomes of dispute resolution processes;

8 Meaningfully integrate community-based justice services in broader justice sector

Community-based justice services should be considered integral part of broader reforms in the justice sector, given that negative perceptions of the justice sector are likely to have negative impacts on the public's perceptions of community-based dispute resolution forums, including paralegal services;

9 Further reduce out-of-pocket costs

Paralegal service providers should also give consideration to a further reduction in the out-of-pocket costs of accessing community such as transportation and communication. This would involve them adopting innovative service delivery models that incorporate in-person attendance, mobile outreach services, as well as the use of basic online technologies where possible to increase access to their services;

10 Build robust and efficient monitoring and evaluation systems

Paralegal-based justice service providers should invest time and resources in building robust, efficient and better information management systems, in order to enhance their capacity to effectively track, assess and document impact.

1.0 Introduction

1.1 Background

In September 2015, world leaders agreed on 17 Sustainable Development Goals (SDGs) as part of a new framework for conceptualizing international development and a basis for measuring the international community's progress towards addressing global challenges including poverty, hunger and injustice. Among the SDGs, Goal 16.3 aims to “promote the rule of law at the national and international levels and ensure equal access to justice for all”, echoing the need for a “people-centred” approach in addressing justice gaps especially in low income countries.¹ In having a separate goal that calls for national and global institutions to take the necessary steps to promote the rule of law and access to justice for all, world leaders recognised and affirmed the persistent and basic correlation between poverty reduction, inclusive growth, peace, social cohesion and access to justice.² This call is most relevant for low income, fragile and conflict affected states such as Sierra Leone, where access to justice continues to pose a challenge for citizens, as they struggle to rebuild basic justice infrastructure, whose dismantling is often part of the fundamental causes of conflict. Among the main challenges development practitioners and policy makers face in such contexts is the absence of credible and reliable data on which to make decisions and plan for the delivery of justice services.³ Unlike other social sectors such as health and education with a relatively strong history of attracting donor funding, access to justice has only recently emerged as a critical sector underpinning people's wellbeing.

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Recently, in a view to enhancing our understanding of the scope of justice needs around the world, a number of country level legal needs surveys have been conducted.⁴ Legal needs survey are in ascendancy and provide a unique methodology to assess the extent of legal needs at all levels of the service delivery chain. It combines demand and supply side analysis and identifies gaps in service provision. One such study was undertaken in Sierra Leone by the Open Society Initiative for West Africa (OSIWA) in 2017. The study revealed that 68% of respondents “reported having faced one or more legal issues or disputes at some point in the previous 2 years”.⁵ While the study shed light on people's experiences, the problems they face at points or sites of dispute resolution, the “outcomes and perceptions, and attitudes

towards justice and the justice system in Sierra Leone”,⁶ it however stopped short of assessing the costs to service users and benefits of the different types of justice services available to them—whether formal or informal.

Added to this challenge, is the lack of credible evidence indicating the estimated scale-up costs and benefits of such services, relative to those in other sectors such as primary healthcare and basic education.

In 2012, Sierra Leone enacted a progressive legal aid law which established a mixed system of criminal and civil legal aid to be provided by a variety of players including paralegals, private and public lawyers, NGOs and university law clinics. By that law the government committed to place at least one paralegal in each of the country’s 190 chiefdoms to provide legal advice, assistance, and education to the inhabitants. However, fiscal constraints mean that the government funded Legal Aid Board (LAB) and NGOs delivering paralegal-based services cannot operate and deliver their services at scale. Added to this challenge, is the lack of credible evidence indicating the estimated scale-up costs and benefits of such services, relative to those in other sectors such as primary healthcare and basic education.⁷ In order to address the evidence gap, and to assess the direct and indirect economic and social costs and benefits of community-based justice services, the International Development Research Centre of Canada (IDRC), OSIWA and the Open Society Foundation (OSF) in 2018 commissioned a local think tank – the Centre for Alternative Policy Research and Innovation (CAPRI), to assess and compare the relative direct and indirect outcomes of community-based justice services in the country. The study also sought to identify, if any, innovations in the provision of services, including technology and innovations for funding services, and to make recommendations on strategies for scaling up access to justice in Sierra Leone.

This report which presents an overview of the methodology used in the study, the main findings, conclusions and recommendations, is the culmination of three years of engagement by a broad spectrum of researchers with key stakeholders in the justice sector of Sierra Leone, including community-based justice providers and service users who experience such services on a daily basis. The report is divided into six main sections. Following the introduction, in section two the report explores the context of community-based justice services in Sierra Leone, with research participants and researchers co-producing a nuanced understanding of community and justice. The section further examines the factors that influence people’s choices of community-based justice services, research participants’ views on forum shopping, unmet justice problems, as well as exploring the factors behind the scale of unmet justice needs, including why people are not reporting justice problems. In the third section, the report analyses the financial and nonfinancial costs

and benefits of accessing community-based justice services, while in the fourth section it analyses the financial and nonfinancial costs and benefits of providing community-based justice services. This is done mainly to highlight the need for stakeholders to critically think around the need for efficiency in the delivery of paralegal services. The fifth section delves into service availability issues including quality of the dispute resolution process, access to services, dispute resolution time and the gender dimensions of access to justice services, while the sixth section concludes and proffer recommendations for various stakeholders.

1.2 Research aim

The overarching aim of the study is to contribute to the body of knowledge in approaches to expanding access to justice services both in Sierra Leone and globally, in a cost-effective, strategic, and sustainable manner that ensures value for money for funders, as well as optimising benefits for service users; and to ensure that gender considerations become important aspects of analysis in the dispensation of, and access to justice for all. In doing so, the study provides evidence and guidance for access to justice policy development in Sierra Leone as well as global efforts to effectively determine the cost of justice delivery.

1.3 Research objectives

Among others, the study's specific objectives include the following:

- Determining and analysing the direct and indirect costs and benefits (social and economic) of community-based justice services in respect to family law, including child and spousal support, and property, land and tenancy issues in target communities and populations;
- Developing contextually appropriate definitions of justice benefits to be measured as well as related terms such as 'scaling up community-based justice services' and 'community-based justice services' in respect to the two thematic areas;
- Establishing and analysing the gendered nature of access to justice and its impacts on costs and benefits;
- Identifying and proffering recommendations and a roadmap for scaling access to justice, with a focus on influencing the Government and development partners' intervention in relation to family law, including child and spousal support, land, and property.

Cost in the context of this study includes the broad range of financial and non-financial costs incurred by users of paralegal-based justice services, including on transportation, communication, and intangible, but nonetheless overwhelmingly impactful costs, such as psychological and emotional difficulties directly resulting from their justice problems. **Table 1** provides an illustration of the costs and benefits analysed.

Table 1
Costs and benefits analysed

	Costs	Benefits⁸
Service user	Transportation Communication Food Accomodation Child care Cover for absence in business/ family Gifts for dispute/resolver paralegals	Financial (including alimony, restitution or compensation) Nonfinancial/social/ intangible (e.g., restoration of relationships, peace) Service availability Process
Service provider	Staff salaries Office rent Office running cost (generator, office equipment and stationery) Servicing and maintenance of vehicles and bikes Case resolution (transportation, communications, and stationery) Outreach activities	

1.4 Focus of research

In assessing the direct and indirect economic and social costs incurred by people when seeking resolution to their justice problems, the study focused on two (2) broad themes of civil justice problems, as follows:

- Family law, including child and spousal support; and
- Property, land and tenancy issues.

A number of factors influenced the research's focus, including the local and global contexts of the problems being studied, which point to the two broad areas as needing attention. In terms of the local context, given that the study was conducted almost simultaneously with the legal needs survey referenced above, the researchers were able to benefit from that survey's preliminary findings which gave early and clear indication of the most prevalent justice problems, which were eventually confirmed in the final report. For instance, family, housing, and land cases were among the four most reported justice problems in the study, with family and housing cases ranking first and second respectively.⁹ Moreover, these preliminary findings were supported by the frequency of such cases on the Justice Sector Coordination Office's (JSCO) repository—the office responsible for the coordination of justice sector

reforms, into which key community-based justice service providers uploaded data between 2017 and 2018.

In addition, while there is a vast array of community-based justice service providers (formal and informal) active in the resolution of justice problems in Sierra Leone, including Local Courts, the focus of this study was on the state-backed LAB and Non-governmental Organisations (NGOs), backed by philanthropic organisations supporting the provision of paralegal services. The LAB which was created by the Legal Aid Board Act of 2012, is responsible for the provision, administration, coordination and monitoring of the provision of legal aid in civil and criminal matters. It is not only a direct service provider of legal aid, but also has authority under the Act to accredit legal aid practitioners, determine the types of persons and cases for which legal aid may be granted and research and publish on legal aid matters generally.

The paralegal NGOs on the other hand, represent the earliest form of organised community legal aid provision in the country, after it emerged from the civil war of the 1990s, with post-war reconstruction and peacebuilding efforts highlighting the limited operational outreach of the police and judiciary. Although there are many paralegal NGOs operating in the country, their resources and reach are limited, with few, mostly supported by OSIWA, able to deliver any meaningful services to their clients. The focus of the study on the NGOs is therefore limited to those supported by OSIWA, given that they were the most likely to be operational – having functional offices, paid staff, a clientele base, as well as any meaningful record of their operations. These factors also explain why the research team did not only exclude other paralegal NGOs in its analysis, but also the Local Courts and the other informal community-based justice service providers mentioned above, given that they lacked some of the most basic records which could have helped the team analyse and track the costs and benefits of their services.

1.5 Research design and methodology

Given that neither quantitative, nor qualitative data alone could shed light on the questions which this study seeks to answer,¹⁰ a mixed method approach was used in data collection, incorporating strategies that generate both qualitative and quantitative data. This approach took advantage of the strengths of the two data sources, while mitigating their individual weaknesses.¹¹ Therefore, in order to generate qualitative data, semi-structured key informant interviews (KII) formed a major part of data collection, as a basis through which knowledge in relation to the socio-economic costs and benefits of community-based justice services were jointly produced by the research team and research participants. Semi-structured interviews were conducted with key informants including staff of paralegal organizations and the LAB, and local court officials. Institutional KIIs were focused on organizations such as the Justice and Peace Commission in Bo; LAB (Bombali, Bo, Kono and Freetown); Lady Ellen Women's Aid Foundation; Centre for Access to Justice and the Network Movement for Justice and Development (all of which funded by OSIWA).

In addition to KIIs, 30 focus group discussions (FGDs) were held with female and male service users of paralegal services across nine (9) of the country's 16 districts in order to qualitatively gauge their perceptions related to the costs and benefits of community-based justice services. In some instances, the FGD were conducted separately for female service users. To supplement FGD data, 20 life stories were collected from service users with a view to co-create knowledge through the stories they narrated "about their lived experiences, and the meanings they give to those experiences over time that might change and develop as their stories unfold".¹² In order to quantitatively measure the costs and benefits of the services, the research team collected and analysed quantitative data through the administration of three sets of questionnaire: **service user, non-service user and service provider**.

In order to estimate the costs and benefits of community-based justice services to service users, we used the reported average monetary cost spent across the different types of expenditure classes for cases related to family law, including child and spousal support, property, land and tenancy issues in 2017 and 2018. Drawing on similar studies,¹³ our framework examines both tangible and intangible costs and benefits to both service users and providers. In terms of financial costs and benefits, from the primary survey data, the estimated average of actual costs and benefits across respondent categories, case types and service providers were calculated. These were then used to estimate the per case cost or benefits and value of "investing" in accessing community-based justice services. This notion of "value" is especially important for estimating both current as well as medium-term monetary value. As with cost-benefit analysis in any sector, the research team has not been able to analyse all the costs and benefits of legal aid largely due to the lack of access to data, and the unquantifiable basis of some costs and benefits. The study has however tried to monetise the costs and benefits as best as possible, and those aspects that cannot be monetised have been highlighted. It is also worth noting that all costs and benefits were converted using United States dollars in real terms at the end, thus reducing the potential error of inflation rate projections that would result from the use of nominal terms.

1.5.1 Study sample

For the service user and non-user (counterfactual) surveys the team determined two different sample sizes. In order to determine the total number of cases dealt with by the LAB and NGOs between 2017 and 2018, the research team mined the data base of the JSCO into which the paralegal organisations uploaded data. At the time the team utilized the database, it had about 1,500 cases. To determine the sample size for the service user survey, we first selected a cluster of cases based on our pre-determined research focus areas: child neglect, spousal neglect, housing and land disputes. From the cluster, we determined the population of cases that fit into the agreed clusters. For 2018, there were 460 cases in our focus areas recorded by the participating service providers, while for 2017 there were 360 cases recorded by service providers.

Based on an 80% confidence level and 5% margin of error, our sample size for 2017 was 113 cases, and 122 cases for 2018, totalling 235 cases. However, a total of 260 cases were subsequently tracked, slightly increasing the sample confidence level, as well as decreasing the margin of error. For the non-service user or counterfactual survey, the research team randomly administered 500 questionnaires, ensuring that every adult female and male in the enumeration areas, had a chance of being selected. The administration of the counterfactual questionnaire was to collect the perceptions of persons who may or may not have had justice problems, but have never used the services of paralegals. In this way, the study was able to estimate the scale of unmet justice needs in the country.

1.5.2 Ethical considerations

In line with the requirements of the Sierra Leone Ethics and Scientific Review Committee, ethical and scientific clearance was sought from the Committee prior to the commencement of the study. Using heads of paralegal organisations, the consent of service users was obtained for the use of their data. Also, interviews with service users were only conducted with their expressed and written consent. The research team did not face any situation where service users had to withdraw consent during interviews.

1.5.3 Case tracking

In the case of the service-user survey, for each purposively selected case, two alternate cases were selected to serve as replacements, in the event the parties involved could not be tracked by enumerators. Armed with addresses, case numbers and background summaries of cases, enumerators then tracked users of paralegal services to have an estimation of the direct and indirect economic and social costs and benefits, incurred and derived during the course of resolving their justice problems. The case tracking methodology proved useful as it helped the research team locate service users through the help of service providers used to resolve their justice problems.

1.5.4 Study limitations

The research had a number of limitations including its scope, in that it was designed to analyse the costs and benefits of community-based justice services, focusing on persons who have utilised the services of paralegal service providers in the resolution of justice problems related to family law and property - including child and spousal support; and land and tenancy disputes. In other words, the study does not cover the entire breadth of cases everyday Sierra Leoneans face. The sample size was however designed to produce a realistic picture of both the financial and non-financial costs of community-based justice services, providing a basis to extrapolate and project the potential costs that service users will incur at scale. Also, in order to estimate the scale of unmet justice needs in the country, the study only utilised survey data randomly collected from 500 respondents in the districts where service user survey data was collected.

Further, at the time of the research, there was limited data on Sierra Leone in relation to the costs and benefits of community-based justice services.

While the research team had placed emphasis on the use of survey questionnaires to collect data on service provider costs, in addition to semi-structured interviews with heads of field paralegal offices—including that of the LAB, that strategy proved limited, given that field offices only received smaller operational budgets with limited flexibility to spend, as all other costs including staff salaries were paid from their headquarters. Thus, as with data challenges associated with the conduct of cost-benefit analysis in relation to community-based justice services elsewhere,¹⁴ the research team has not been able to analyse all the costs and benefits of accessing or providing legal aid largely due to the lack of reliable data, and the unquantifiable basis of some costs and benefits. In particular, the team has not been able to reliably analyse and estimate service provider costs and benefits as a result of the following challenges: first, our analysis focused exclusively on family law, including child and spousal support problems; and property – including land and tenancy problems. Calculating the costs and benefits to service providers for the same categories of cases proved challenging, given that paralegals work on a broad range of cases far beyond the scope of our focus. Doing so would have required the team to estimate the costs and benefits to the organisations for each case, a proposition that proved inexpedient given that some case types normally take more resources and longer periods (e.g., land) to resolve than others. Second, although some costs such as salaries (paid monthly) for paralegal staff were regular and therefore can be easily analysed and estimated, we found that due to resource constraints, paralegals personally incurred costs which were neither covered nor reported by the organisations as part of their expenses. These costs included the use of personal means of transportation – including vehicle/motorbikes and associated costs; the use of personal laptops for work; and payment of transportation and communication for extremely vulnerable service users.

In addition, whereas using paralegal organisations' caseloads would have been a relatively better option of analysing their costs and benefits, that approach alone proved inadequate to generate reliable estimates given that it could not account for the costs of other services provided by the organisations beyond mediation. For instance, in addition to mediation, paralegal offices interact with courts and sometimes provide representation; monitor the proceedings of both the Local and formal courts; provide legal advice; and engage in outreach and legal education programmes through mass media. The latter has the potential of reaching an unquantifiable number of people whose benefits cannot be easily monetised or quantified. Given these challenges and their potential to undermine the validity of the analysis, the costs and benefits analysed in this report are mainly related to those for service users. As a result of the limited data on service providers, our analysis of their costs and benefits in section four has been done only to highlight the need for greater thinking around efficiency gains and more sustainable financing models. In order to avoid the unnecessary distraction a direct comparison of service providers might cause, we have used identifiers for them in tables illustrating the costs and benefits for users and providers (e.g., Service Provider 1). Note that even where service users' costs and benefits have been estimated, we have only quantifiably analysed the

direct costs and benefits. Due in part to the challenges outlined above, the costs and benefits to the wider justice system and the state have not been analysed beyond the aggregation of service user responses relative to family and community level benefits.¹⁵

Further to the limitations of the scope of the study and lack of administrative data, the researchers encountered a number of practical difficulties. For instance, given the time lapse between when respondents had their cases and when the enumerators went to track them, many service users had moved from their previously known addresses, making the case tracking process extremely difficult. This limitation was however mitigated by replacing service users whose whereabouts could not be determined with alternate cases. Also, given that people having justice problems do not normally keep records of their expenditures, and the things on which they expended resources, it was difficult for them to reliably recall what they spent and on what. The estimates might therefore be affected by problems of recall, a problem which the researchers have tried to mitigate by comparing such estimates with those at the time of data collection.

In addition, following preliminary review and analysis of the quantitative data, it became clear that there had been instances in which inaccurate or inconsistent data had been collected by enumerators. Some inaccuracies stemmed from misinterpretations of questions by the enumerators and respondents which ultimately skewed or affected responses. To mitigate the impact of data inaccuracies stemming from the misinterpretation of survey questions, the researchers had to conduct a second round of qualitative data collection to supplement quantitative data. Also, there were a few instances of missing data, but they were not significant enough to affect the validity of the analysis.

Finally, as with many other initiatives or activities undertaken during the period of the research, the COVID-19 pandemic affected the conduct of the research in many ways. First, it delayed the conduct of FGDs which were meant to collect qualitative data to better give context and expression to the survey data. Second, once it became feasible for the research team to deploy FGD facilitators to the field, mitigating the potential risk of the spread of COVID-19 resulted in the team having to make adjustments to the research budget. Third, in-person activities which the research team had planned to use to disseminate preliminary findings and obtain feedback, could not be organised.

2.0

The context of community-based justice

The idea of community-based justice is far less straightforward than usually assumed, and invokes different meanings to different individuals across geographies...

2.1 Introduction

The idea of community-based justice is far less straightforward than usually assumed, and invokes different meanings to different individuals across geographies, given that it is often dependent on people's relationships, the nature of infractions committed within those relationships, and how the relevant cultural norms come to bear on the resolution of disputes among affected parties, group or community.¹⁶ Community-based justice is often distinguished from the more formal organisation of the state's justice delivery infrastructure, in that, it is delivered within communities, through a process that involves their participation and the use of local norms, regardless of the collaboration or cooperation they receive from outsiders. While the formal justice system is grounded in a clear set of rules and procedures, community-based justice is allowed to emerge and evolve indigenously.¹⁷ Thus, as we set out to understand research participants' understanding of the concept of community-based justice, we decoupled the term community from justice, in order to understand what they make of the two concepts separately, as well as collectively. Our aim here is to develop a research-led or contextual definition of the two concepts from the lens of research participants, since any attempt to maintain traditional understandings of such concepts may deny the research the benefit of local understandings.

2.2 What is a community?

When asked about the meaning of community, focus group participants' responses were mixed and nuanced, portraying a deeper sense of their connectedness and interdependence. Participants' definitions of community incorporated a broad array of meanings, ranging from physical proximity, where communities are defined basically from the perspective of territorial and administrative boundaries;¹⁸ to an idea that is shared, as embedded in a common history, tradition, values, language, and belief system,¹⁹ which invariably determine who is included or excluded in the space in which they intensely interact with one another. Significantly,

participant's aggregated understanding of community transcended the very narrow definition based on territorial boundary, seeing the concept as one that is defined by people's mutual dependence and access to paralegal services regardless of where the services are located. As one mother with a young child in Port Loko put it during a focus group discussion:

“A community is a set of people who share a common history and other relationships including common services. So even though we are not staying in the same area, we are part of the same community, for the fact that we are doing things in common and interact, including in the use of the paralegal office. This paralegal office is located in our section, but it is not only for us. It is also for our brothers and sisters across the stream, and we do not make a distinction as to who should use it. We cannot say because this service is located in our section, they cannot come here, because we do not know when we will also need to use services that are located in their section. In fact, if there are any activities going on there, we will go there; and if there is any program or activity going on here, they will also come to us. We are interdependent.”²⁰

The mother's explanation clearly invokes an expansive meaning of community—one that is neither limited to, nor constrained by physical proximity. It was generally shared by participants, and underlines how the location of social services determined by the state and other service providers including NGOs in a resource-poor country, can create a sense of community that is outside their own usual classifications. Given the limited resources available for the provision of services, it is common for several villages, towns, and catchment communities to share a single social service such as a school, health centre, or local court especially where they have a long history of peaceful coexistence. Of course, this is not always the case, particularly where there is a long history of hostility among towns and villages.²¹ Also, where the state has often tried to introduce strict legal definitions of the notion of community that are not grounded in an understanding of the history of cooperation or discord among communities, especially over the sharing of pecuniary resources, as in revenue sharing arrangements in the mining sector or the location of social services, such definitions have tended to produce winners and losers, leading to tensions between those that are excluded and included.²² However, here we are presented with a definition of community that does not produce losers, as it does not exclude anyone, except of course that it leaves open the possibility for people to opt out if they are unhappy with the services provided by a paralegal service in a particular community. As such, the research adopts a definition that regards a community as a group of people with a common history and shared interest in accessing local resources and services.

2.3 What is justice?

In all our engagements with research participants, including during interviews, survey and focus group discussions, service users of paralegal-based services frequently intertwined their narratives related to their cases, with the need to obtain “justice” as the basis for their use of the services. But what do research participants make of the concept of justice? What similarities and differences exist in people’s conception of justice among the country’s ethnic or cultural subgroups? How does their understanding of justice shape their path to obtaining it and the outcome they seek? These are important questions, and providing answers to them through the prism of participants, would help us better understand how to design and structure justice services. Significantly, research participants did not only consider justice as a fair outcome, they had a broader and nuanced understanding of the concept with emphasis placed on all key aspects of the justice delivery value chain, including the quality of the process. For instance, in northern Sierra Leone where the Temne are the majority ethnic group, focus group participants described justice in various ways – including as a “process”—“*ka-gberj-gberj*” and “*tacherj*”, meaning—‘the truth’.²³ Similarly, among the Mende—the largest ethnic group in south-eastern Sierra Leone, justice is referred to as “*tɔnie*” meaning “the truth”;²⁴ and among the Kono in eastern Sierra Leone, it is called “*thiyɛa*”, also meaning “the truth”.²⁵

While participants saw justice as essentially “the truth”, they were not only concerned about the outcome. They equally regarded justice as a process that eventually determines “the truth”, without fear or favour; and across all research locations, participants stressed the value of the process as much as the outcome, in their quest to access justice. Here the process encompasses both the quality and positionality of the agents of the justice delivery system. As one participant noted, “the credibility of witnesses is important because they can lead dispute resolvers in a particular direction”. For female disputants, agency is extremely critical, as male dominated dispute resolution forums have a propensity to be biased in favour of male disputants, thus affecting the outcome of justice and the determination of “the truth”. As we make clear later in this section, for many women focus group participants, the quality of the process employed by the various community-based justice service providers is a key determinant in their choice of which service to use in the resolution of their justice problems.²⁶

Perhaps of all the varying ways justice is described by research participants, the most illuminating is justice as “the truth”. The truth as perceived here, does not necessarily present us with a binary choice of wrong and right, making it somewhat different from how it is interpreted and applied within formal justice processes. It is neither personalised, nor framed within a context of wrong and right, given that it is socially constructed over time through a shared understanding of what is “good” not only for the individual or family, but for the society as a whole.²⁷ In other words, the pursuit of truth (justice) is not just concerned about who is right or wrong, but is meant to serve as a glue that holds families and society together, not pull them apart.

This departure from formal understandings of justice is instructive on two levels. First, it imposes the need on dispute resolvers to recognise the fact that the pursuit of “the truth” is more important than the circumstances of the matter before them. On another level, it exposes the limitations of certain forms of community-based justice services.

Taken together, justice in the perceptions of research participants, is far less straightforward, as it is a product of many calculations and interests—including that of the individual, family, and community.²⁸ One real-life example provided by a female focus group participant sheds light on the complexity of community-based justice, and how the need to seek the interests of all parties, helps shape outcomes. She noted that a husband who had been married to his wife of over 10 years, suspected that the paternity of their only son, aged 15, was questionable, after another man who had left the town for over seven (7) years suddenly materialised to claim the child. The husband was not only stunned by the claim of the other man, he was also stigmatised by his peers who thought he was unable to father a child. When the issue was brought before the elders (the in-laws of the couple), they took into account the need to preserve the marriage, the prestige of the husband and the interest of the child, in deciding that the other man’s claim was invalid, in that “a married woman could not give birth to a bastard”.²⁹

Although the dispute in question was not mediated by paralegals, it nonetheless illustrates the non-linear basis of community-based justice. With less interest in who was the rightful father of the child, thanks to the absence of, and perhaps their non-dependence on modern or scientific ways of deciding the child’s paternity, the elders were more interested in preserving the peace and cohesion of both the family and community, with the man who had claimed the child, warned never to repeat such a claim, or face fines enforceable by byelaws.³⁰ A formal court may have relied on a paternity test to establish a completely minimalist notion of “the truth” — i.e., determining the biological father of the child. However, that could have led to the separation of the couple, leaving the child socially and psychologically challenged, in the event the other man’s claim was validated. While we may be tempted to assume that by not digging further into the true biological father of the child, the “truth” is never known, that will only hold if we question the relative basis of the truth and justice among a people, whose sense and construction of justice has evolved over generations, and has worked to cement relationships. Such decisions do not only explain the limitations of the traditional justice system in their lack of use of technology, but also their inability to scrutinize long held local precedents. Sometimes the pursuit of the truth is understood as the preservation of the customs, social cohesion, and community standards, which have come under scrutiny for upholding certain questionable and resilient norms around gender roles and relations, as well as raising questions of “whose cohesion” and “by whom”. This is because it is only those who benefit from upholding the status quo that are satisfied with such outcomes. In many instances, dissatisfied parties with agency would therefore seek fairer forums for the resolution of cases as we illustrate in the next section.

2.4 Understanding people's choices of community-based justice services

The above case raises important questions about the factors that shape service users' choices more generally, including when they opt out of the family forum. Thus, in this section, the report discusses the various factors service users consider when deciding which community-based justice service to use in a given situation—forum shopping. Although it is generally assumed that community-based justice services focus on preserving relationships, building peace and cohesion within families and among communities, it is worth noting that the broad range of community-based justice services existing in our research locations have significant differences. A number of factors account for such differences, including their histories, legal and regulatory framework, the processes they employ in arriving at “the truth” – justice, and their sources and levels of resources. We found that users' choices of community-based justice services are rational. The users carefully analyse and map out the path of justice they intend to pursue, both in terms of the processes to which they would like to subject themselves, and the outcomes they seek.³¹ Thus, we discovered that while other community-based justice services are losing users, paralegal organisations are gaining them; and in the following sections we discuss the factors that push users away from certain forms of community-based justice services, as well as those that pull them to their services, and why.

2.4.1 Prohibitive financial costs

When focus group participants were asked about the factors that determine their choice of community-based justice services, they cited financial cost as a major determinant. The Local Courts and courts of subchiefs for instance, were particularly singled out and frequently cited as spaces for “extortion”, as their financial requirements (mostly illegal) significantly increase the cost of justice for both the plaintiff and defendant in cases brought before such courts. As one female focus group participant in Kono noted:

“When you have a case and you decide to go to the chiefs or Local Court, you have to be sure that you have money, because they will ask you to pay unstipulated and undefined fees ranging from SLL 200,000 to SLL 700,000, or more.³² If you have a case, and the other party thinks they are financially stronger than you, they may throw challenge by placing a bet, to prove who is right. First it will start with SLL 100,000, then you move to SLL 500,000, up to SLL 700,000. If you do not have enough money to respond to the challenge and the bet, the person who placed the bet, will be declared the winner of the case and you will be declared wrong. That is what causes us to go to other places in search of justice, especially the paralegals.”³³

This negative portrayal of the workings of Local Courts and those of subchiefs, is akin to a “monetization of justice” which should be contextualised. Although the local courts were brought under the control of the Judiciary in 2011, they remain under-resourced, and their staff including the Chairmen and Clerks can go for months without salaries.³⁴ In fact, one study has noted that the reform process which placed the Local Courts under the jurisdiction of the Chief Justice, “increased the administrative burden upon the Judiciary in terms of recruitment and mentoring of the Local Court Chairpersons and oversight of their work”, and “hardly any extra funding was transferred to the Judiciary to manage the local courts”.³⁵ The Local Courts’ imposition of fines far in excess of what they are allowed by law, is partly due to the lack of clarity among service users in relation to the maximum amount of fines the courts can impose on them. The 2011 Local Court Act for instance notes that for fines “exceeding twenty-five thousand Leones”, a defendant can be imprisoned for six months which is the highest custodial sentence the court can impose. However, several informants noted that local courts impose fines sometimes 20 or more times higher than that which is allowed in law.³⁶ Although the Judiciary’s guidelines prohibit Local Courts from imposing fines of more than SLL 500,000, one paralegal in Port Loko noted that “there have been instances where they have fined people as high as SLL 2.5 million”.³⁷ In addition to fines, service users are asked to pay for a number of other expenses such as transportation for the courts’ police to serve court summons or warrants and paper to record cases.³⁸

Within the context of limited resources to fund the operations of the Local Courts and the lack of clarity in their operational procedures, a number of extra-judicial practices within the courts have emerged and flourished. One such practice is betting on cases, which the female service user described above. In order to maximise their financial gain from cases, Local Court officials have encouraged and presided over the practice of plaintiffs and defendants betting on the outcome of cases, with court officials eventually receiving and retaining as high as 50 percent of the amounts, regardless of the outcome.³⁹ The idea is that disputing parties are encouraged by court officials to place bets on who would win and lose in a case. The declared “winner” would then be given a share of the bet, with some of it retained by court officials, while the loser walks away with nothing, in a process that is neither free nor fair.⁴⁰ In one case, paralegals noted that in Waterloo, a town on the outskirts of Freetown, both the Plaintiff and defendant were made to place a bet totaling SLL 6 million, with the court officials retaining SLL 3 million after deciding on the case.⁴¹

The implications of the monetisation of Local Court processes are many, including the possibility that the dispensation of “justice” is frequently influenced by court officials’ rationalisation of what they will personally benefit out of the justice problems of service users. Given this monetisation of the local courts, even persons who bear no connection to a case, can become joinders either as plaintiffs or defendants, bringing their financial strength to bear on a case with the hope to double their investments should the outcome favour the party they support.⁴² Thus, the increasing monetisation

of the courts has forced the poor and vulnerable to exit them in favour of the paralegal organisations, many of which are supported by donors and philanthropic organizations, and therefore largely deliver their services free of costs. Government and donor's responses to the challenges faced by the Local Courts since the 2011 reforms, have either been slow, unclear, or inadequate.⁴³ In early 2020, the government announced its intention to reverse the changes introduced in 2011 and restore the Ministry of Local Government's control over the courts, without clear rationale or justification. While the proposed change is yet to be effected, it is unlikely that the processes and outcomes in the courts will improve, if the history of their previous control under the Ministry of Local Government is to serve as a benchmark.

However, the Local Courts are not the only community-based justice service provider whose services have proved financially prohibitive, forcing communities to turn to paralegal organisations for justice. Of particular relevance for this study is the Family Support Unit (FSU) of the Sierra Leone Police (SLP), which was established in 2001 to deal with family law cases, part of the main focus of this study. The FSU as it is popularly called, was established as a specialised unit within the SLP to provide a response to the outbreak of violence against women and children during and after the civil war.⁴⁴ While it has always been part of the SLP, in many ways "the intention was to make it accessible, friendly and closer to communities; and it did receive significant funding at the time, especially from donors".⁴⁵ Nevertheless, as with the general SLP, the unit has seen a significant relapse and deterioration both in its funding and operational procedures, since 2001. From Port Loko in the north, to Kono in the east of the country, focus group participants recounted challenges faced in accessing the services of the FSU, including paying for services that are supposed to be free. One participant in Kono recounted her experience dealing with the FSU as follows:

"I had a domestic violence case with my husband and I reported him to the FSU. They kept asking me for money for transportation to invite my husband each time we were meant to meet at the station. Also, they asked me to pay for a medical report, which was about SLL 50,000, and because I did not have money, I had to drop the case, even though my husband continued to abuse me. When I learned about NMJD, I reported my case to them, and the paralegal that was in charge of my case never asked me for money, unlike the FSU, where they even asked me for top-up and other things. The paralegal was even giving me money for transportation, and used his own phone to call my husband, until the case was resolved and my husband stopped abusing me."⁴⁶

Although the account of the female user of FSU services above does not contain any indication directly suggesting FSU officials are personally benefiting from financial demands made on her and other service users for the resolution of their problems, it nonetheless leaves open the possibility of that happening, especially with users who may be able to comply with such demands amidst lack of clarity on the unit's operations. In fact, in the

absence of a better understanding, some focus group participants attributed the inability of the FSU officials to invite their husbands and resolve their problems to them having accepted bribes from their husbands.⁴⁷ While we found no clear evidence of FSU officials demanding and accepting bribes, we however found significant challenges affecting the operations of the unit, which explain why women in particular, have abandoned them for paralegal services. One study undertaken by a Freetown-based rights NGO – Centre for Accountability and Rule of Law, has identified significant gaps in the funding needs of the FSU, shedding light on some of the reasons why those it is meant to serve are abandoning the unit in favour of paralegal services. The report noted that:

“The FSU receives its funding through the SLP, which disburses an operational support of one million Leones...per quarter for the whole FSU. The FSU is expected to use this amount to cover operational costs such as communication and stationery...The budget is almost exclusively spent on calling cards which are distributed amongst the various FSU stations. However, even if the entire operational budget would be spent only on calling cards, with 62 FSU stations nationwide, it would still leave each station with only a little over 5,000 Leones calling credit per month which is far from what is needed. The FSU therefore lacks essential funding.”⁴⁸

Thus, as in the case of the Local Courts, the lack of funding to run their operations, has forced FSU officials to resort to asking service users to fund their operations, amidst limited government subvention, in the process undermining the unit’s credibility.

2.4.2 Flawed judicial procedures and right violations

In addition to the funding challenges of some of the previously established and popular community-based justice services—the Local Courts and FSU, the processes they employ in dealing with users’ justice problems have also been resented, causing communities to move further away from them. For example, persistent rights violation “related to security of the person and due process – continues to characterize the operations of Local Courts”.⁴⁹ Women participants in focus group across the country recounted their experiences of harassment as a key reason for them abandoning the courts, in favour of paralegals.⁵⁰ In Port Loko and Kambia, they reported enduring verbal abuses from court officials, leaving them feeling “humiliated”.⁵¹ Cultural and traditional norms requiring young people to respect elders have also negatively affected people’s access to justice within Local Courts. Given that many of the Local Court Chairpersons are older than the plaintiffs and defendants, in some instances, not even the basic training they have received has positively influenced the way they treat those who access their courts. Some women noted that Court Chairmen regard them as their children, a status that distorts power relations, tilting them in favour of court officials, while limiting the rights of users.⁵² This is very much analogous to the findings of a recent study on the state of young people in Africa, as they struggle to

participate in a range of spaces—including those in which they access justice, due to harmful cultural and traditional practices.⁵³ Although FSU officials are better educated and trained than those of the Local Courts, service users have also reported problems with their procedures, including victim blaming and shaming.⁵⁴ Officials of the FSU have reportedly been making judgmental comments and statements, and infringing on the privacy of users who are victims of domestic or sexual abuse.⁵⁵

2.4.3 Gender discrimination within community-based justice services

In addition to flawed judicial processes and financially prohibitive costs users face when accessing community-based justice services other than those delivered by paralegals, women in particular face discriminatory practices especially within Local Courts, a reality that compromises “the principle of equality before the law”.⁵⁶ The country’s legacy of patriarchal governance in which women have been generally underrepresented in institutions means that Local Courts predominantly consist of men. Therefore, “male hegemony and solidarity, reinforced by tradition, tend to influence judicial processes and outcomes against women”.⁵⁷ In this way, the manner in which women access justice is constrained by sexist codes imposed by predominantly male courts, which sometimes place “unreasonable” restrictions “on women’s mode of dress, forcing them to cover their heads during court sessions—a sexist practice prohibited by the Judiciary”.⁵⁸ We have already alluded to the challenge some women face in relation to their privacy when using the FSU, a situation that is even worse in the Local Courts. Women who had used Local Courts, but had to switch to paralegal services, recounted the difficulties they face when “narrating personal issues pertaining to their sexuality in front of male dominated courts that lack professional skills to deal with such sensitive social issues, as well as their trauma”.⁵⁹ Thus, the absence of the basic principle of equality before the law within such courts—to which everyone aspires, regardless of their level of education and social status, “in addition to court officials’ lack of training on how to deal with gender sensitive issues, continue to push women away from the courts”.⁶⁰ The obvious alternative to which those service users disenchanted with such services turn are paralegal organisations, which “have since become credible alternatives because of their free services, respect for rights, and prioritisation of the preservation of relationships”.⁶¹ Nonetheless, paralegals are not without weaknesses, including the lack of enforcement powers. Focus group data revealed that the success rate of the dispute resolution capacity of paralegals largely depends on the nature of cases, and the extent of the associated financial, emotional and psychology costs and benefits involved.⁶² It is for this reason that some people prefer alternative institutions that have the authority and power to enforce agreements reached during mediation or resolution.

We are thus presented here with part of the reasons why paralegals have had a higher success rate resolving family law cases, but less so in cases involving land/property. Family law cases tend to force disputing parties to compromise, given that they would like to restore strained relationships and heal; while land or property related cases are mostly between parties without family ties which make it difficult for them to compromise. In addition,

land cases are considered “existential” threats, as parties see their lives inextricably linked to the ownership or otherwise of land. This limits paralegals’ ability to resolve such cases, which frequently find their way to the magistrate courts, police and local courts given their powers to enforce decisions, once a dispute is considered resolved. In fact, while 93 percent of service users reported positive experiences resolving justice problems with paralegal assistance, ranging from peace and social cohesion and cost-effectiveness to unthreatening ways of resolving disputes, seven (7) percent still felt paralegals are weak because they do not have the power of the courts.

It is perhaps useful at this point to raise the question as to what constitutes a resolved justice problem. This is important in that there appears to be differences in perceptions between users and providers, in relation to what constitutes a resolved justice problem. Focus group and interview data revealed that while many of the cases tracked were reported to have been resolved by the paralegal organisations, in some instances the justice problems persisted long after they had been “resolved”.⁶³ This points to the subjective manner in which different actors including service users and providers define a “resolved” justice problem. For instance, while in the conception of service providers a family law case involving child maintenance is “resolved” when the father makes an undertaking to start paying child maintenance, a service user would not consider the same case resolved, if the husband reneges on his commitment. This illustrates the “temporality” of resolution, and of the time dependent basis of “resolved cases”. Paralegals noted that they consider a justice problem resolved, if the parties do not return with the same complaint within three months of the process, thus excluding the possibility of the causes of the complaint recurring outside the 3-month timeline.⁶⁴ It is important that this issue is critically looked into as it has the potential to undermine service user confidence in paralegal services.

2.4.4 Anticipated outcome and the estimated value of relationships

Finally, when people are faced with justice problems, they are not only interested in resolution, they would also imagine the basis of their future relationships with disputing parties, beyond the immediate resolution of their problems. In other words, in addition to prohibitive financial costs, flawed judicial procedures, and gender discrimination, we also found that people’s anticipated or expected outcome of a case, influenced their choices of the community-based justice provider they would use to resolve a given case. As with the relative basis of truth discussed earlier, people are not only concerned with being declared right or wrong. Here, we observe plaintiffs clearly and practically making rational choices, and while not in an economic sense,⁶⁵ the utility value they attach to the outcome of their cases and the relationships involved, is proportionate to the type of community-based justice service provider they would engage in the resolution of their justice problems. People segment or categorise community-based justice services into those that are (1) “adversarial”, and (2) “conciliatory”;⁶⁶ and would use them in instrumental ways depending on the opposing party, and the outcome they seek. Thus, if a woman is keen to restore and

preserve her marriage after a dispute with her husband, she would make use of paralegals to resolve her justice problem given that they “prioritise processes of mediation and the need to restore or solidify relationships, over determining who is right or wrong”.⁶⁷ On the other hand, if the woman is keen to end the marriage, she would choose to either use the FSU or Local Courts, since their processes are adversarial and concerned with “who is right and wrong”.⁶⁸ As one female service user pointed out, “I don’t want my husband to be detained, so I’ll never take him to the local court, or the police. The human rights people [paralegals] are friendly and they try settling cases amicably”.⁶⁹ The presence of different types of services with varying levels of professionalism and respect for human rights, thus makes community-based justice appear almost like a double-edged sword. On one side, it is intended to heal, restore and preserve relations. On the other it hand, it is “weaponised”, especially in the termination of relationships.

2.5 The two faces of forum shopping

Forum shopping, the act of plaintiffs or disputants having to make a calculated choice between different justice or dispute resolution forums in expectation of a favourable outcome, has been well theorised in the literature.⁷⁰ As we have seen from the preceding sections, the factors influencing plaintiff or disputants’ choices of what forum to use in the resolution of a particular case, are many. However, what do research participants make of the fact that they have to choose from a range of justice resolution forums, instead of having one? Would they be satisfied with having one recognised forum to which they would take their cases? These are questions we put to research participants, for which they provided nuanced and insightful responses that shed light on how they regard the country’s community-based justice delivery system, and how its pitfalls could be remedied. During focus group discussions, two opposing views emerged on the usefulness or other aspects of forum shopping—one view regards the phenomenon as “bad”, and the other as being “good”,⁷¹ a finding that complements those of other studies that investigated the phenomenon.⁷² We further identified two patterns or trends in forum shopping—(1) a stepwise trend in which plaintiffs and disputants sequentially use one forum after another in their search of a favourable outcome; and (2) a lateral trend in which forums are simultaneously employed by plaintiffs as a basis of “maximising” their chances of a favourable outcome, within a reasonable timeframe—a process one male focus group participant in Makeni described as “casino justice”.⁷³

The focus group participants who regarded forum shopping as bad cited the fact that it is “time and resource consuming”, given that plaintiffs and disputants would have to spend a lot of time and resources going through different forums in search of justice. Participants employed analogies from areas as diverse as the physical sciences, medicine and the betting industry, to make sense of forum shopping. Female participants in Port Loko and Makeni noted that the phenomenon is akin to an “experimentation of justice” institutions;⁷⁴ as a “dose of medicine”—in that the “higher the dose, the higher the probability of one getting well”;⁷⁵ and as “casino justice”, given that they

saw their pursuit of justice in terms of seeking fortune or luck.⁷⁶ One female participant's experience with community-based justice forums is worth examining here, as it is one of many illustrating the challenges plaintiffs and disputants face in a plurality of justice forums. She noted that:

“When I had a case with my husband, I first reported it to the chiefs, the Local Court and then the FSU. They did not treat the case seriously because I did not have money. However, immediately I went to the NMJD to report my case, they treated it with all seriousness. They did not ask me for any money. My case was resolved and I was able to make peace with my husband. So, because of that, I prefer going to them to report my justice problems than going to the chiefs, police, or local court.”⁷⁷

Community-based justice service users' utilisation of somewhat far-fetched analogies such as “scientific experiments” and “luck” to describe their pursuit of justice, amplifies the lack of trust and uncertainty inherent in many of the justice services, regardless of the validity of one's claim to being “right”. This is consistent with the findings of other studies which have identified the limitations of forum shopping—including the fact that it fosters doubts regarding the fairness of the justice process if opportunism, rather than the actual pursuit of justice is behind a particular legal action.⁷⁸ It is for these reasons that those who held the view that forum shopping is bad, called for the reform of community-based justice services, in order “to reduce time and cost to access justice” and “build trust and certainty”, in the delivery of justice.⁷⁹ One male focus group participant went as far as calling for a “one-stop-shop” for community-based justice, noting that “we need one place we can go whenever we have a case, knowing that the process and outcome will be fair, whether I am right or wrong”.⁸⁰ A similar conclusion was reached by a study that investigated forum shopping in the resolution of land disputes in Uganda, with the report noting that, the existence of parallel resolution forums “greatly hinders justice”, as well as caused “confusion and may also result to inter-institutional conflict between the state and cultural systems”.⁸¹

On the other hand, those who regarded forum shopping as a good practice cited elite capture and corruption prevalent in certain types of community-based justice services such as the Local Courts and FSU, as a basis of the need for “alternatives”.⁸² As one female focus group participant in Port Loko noted, “having multiple dispute resolution forums is not a bad thing. If I do not get justice in one, say the FSU, I can go to the Legal Aid Board, where I know my rights can be upheld”.⁸³ Another participant noted that forum shopping is good:

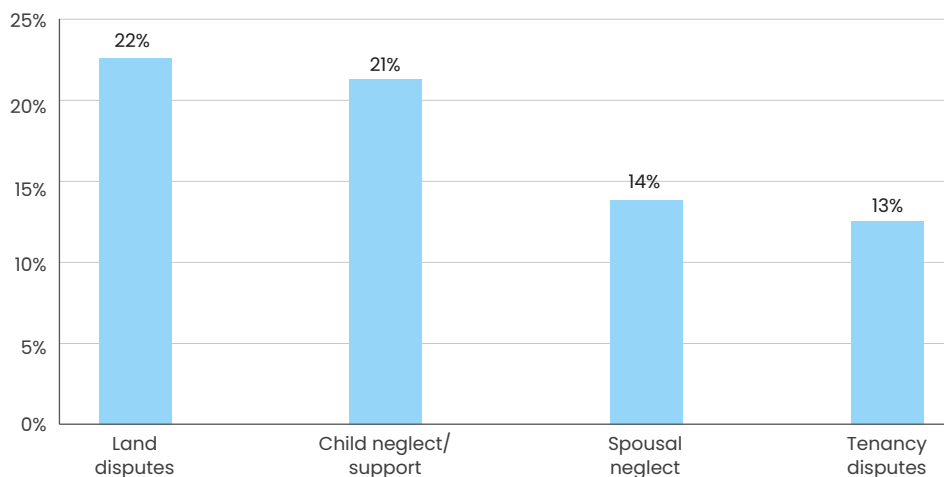
“because if I report my case to one place and I am not given justice, I will go to another place where I will be able to have justice. Also, some people will not accept the outcome of the case in one place, some have influence in a particular place to undermine justice, so you have to go somewhere else to seek for justice.”⁸⁴

While this argument sounds counterintuitive in that by using different forums either sequentially or laterally, the costs of justice—in terms of financial resources, emotional stress and time are increased, we observe that forum shopping is comparable to escaping elite capture, corruption, and the potential abuse of power on the part of Local Court officials or FSU. In a context where both the colonial and post-colonial states have often either turned a blind-eye to the excesses of state-backed local justice structures,⁸⁵ or have been extremely slow in reforming them, it is perhaps unsurprising that plaintiffs or disputants would prefer having alternative structures that can serve as bulwarks to local level oppression. Studies elsewhere have also shed light on the usefulness of forum shopping.⁸⁶ Despite forum shopping’s pitfalls, it “can also create an opportunity for forum selection that could enhance efficiency, or advance the rights of vulnerable or marginalized groups or individuals in indigenous communities”,⁸⁷ as well as offer vulnerable persons, especially women, “an opportunity to select the institution that is more likely to facilitate access to justice”⁸⁸

2.6 Unmet justice problems

Given the numerous challenges inherent in seeking justice in some of the community-based justice services outlined above, it is perhaps unsurprising that our counterfactual survey revealed a high level of respondents who reported having had legal problems, but chose not to seek legal aid. Significantly, 87 percent of the respondents reported having had a justice problem in the two years preceding the study. Among the type of legal problems respondents reported were land disputes—the most common justice problem reported by 22 percent of respondents, followed closely by child neglect/support reported by 21 percent of respondents. Spousal neglect and tenancy (forceful evictions) were reported by 14 and 13 percent of respondents respectively.

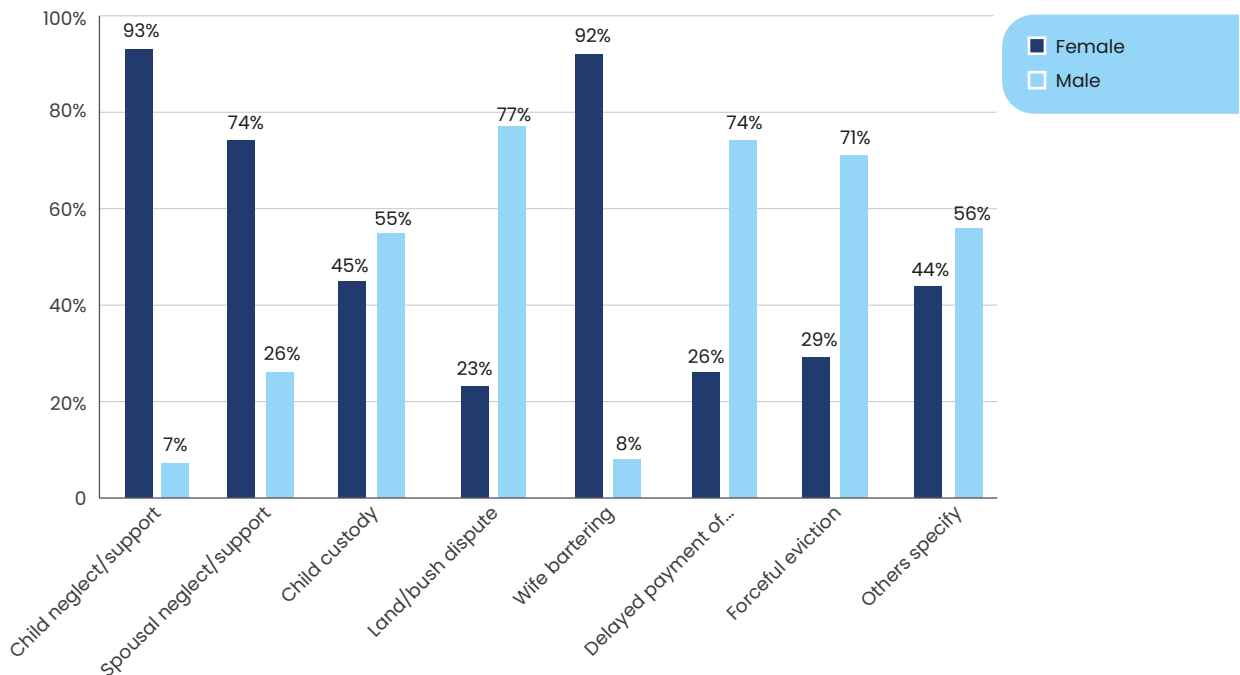
Figure 1
Most common unmet justice needs



Source: Authors' analysis

A gender disaggregation of the case types in **Figure 2** revealed that more women than men faced child and spousal neglect problems. On the other hand, more men had land and property disputes including forceful evictions and rent payments. In many ways, the trend or type of justice problems that remain unmet and unreported mirror those for which service users seek justice as we will see in section three; and the gender disaggregation mirrors a similar trend. Strikingly, more men (55 percent) compared to women (45 percent), reported having child custody problems. This is the result of more women preventing men from accessing their children after a dispute, often a temporal or permanent strategy designed to either punish men for bad behaviour, or forcing them to seek an amicable resolution to their disputes.⁸⁹

Figure 2
Type of justice problem by gender



Source: Authors' analysis

Additional insight into the nature of justice cases is revealed by marital status, with the survey results indicating that problems of spouse battering (65 percent), child neglect (37 percent), spousal support (43 percent), and child custody (31 percent) are more prevalent among married respondents. These results point to serious challenges in marriages, despite societal expectations that the institution of marriage should be one of happiness, love, bliss and stability. The reasons for the prevalence of family law problems may not be unconnected with the rapid social changes taking place in society, including increasing levels of poverty,⁹⁰ the inability of husbands to provide for their families due to public and private sector redundancies, and men's lack of knowledge of the law.⁹¹

Further, among the 87 percent of respondents who reported having a justice problem, but chose not to use the services of paralegals, 46 percent did not try to resolve their problems by any other means. For those that did try to resolve their justice problems—54 percent, the family and local leaders were the leading forums for resolution. This reinforces the findings of the recent legal needs survey that revealed the family to be the most common source of help for justice problems.⁹²

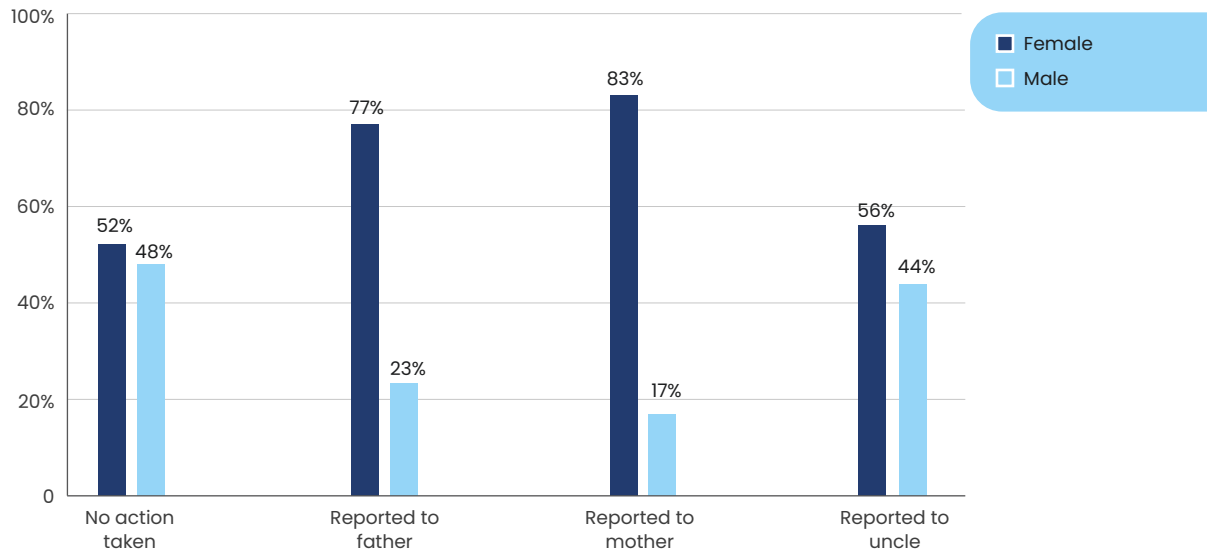
Table 2
Action taken to resolve justice problem

Action	Percent
No action taken	46%
Reported to my father	14%
Reported to my mother	5%
Reported to the town chief or village head	11%
Reported to my husband	1%
Reported to my uncle	6%
Reported to my pastor	4%
Reported to my imam	3%
Others	9%

Source: Authors' analysis

The following gender differences are also worth noting in terms of action taken to resolve justice or legal problems: 52 percent of women compared to 48 percent of men, reported “doing nothing”. Also, 77 percent of female respondents indicated that they reported their justice problems to their fathers, compared to 23 percent of men; 83 percent of women reported to their mothers compared to 17 percent men; and 56 percent of women reported to their uncles, compared to 44 percent of men. This higher proportion of women seeking justice within family circles makes an interesting comparison with men who seem to seek justice frequently from community leaders or local power structures. A significant 79 percent of men reported to the village chief, compared to 21 percent of women; and 67 percent of men reported to the imam, compared to 33 percent of women. This is consistent with our findings on the factors that influence women’s choices of forums for dispute resolution, as they move away from structures considered unjust, unfair and discriminatory.

Figure 3
Action taken by gender



Source: Authors' analysis

2.6.1 Why are people not seeking help?

With the relatively significant levels of respondents reporting not taking action to resolve their justice problems, it is important to explore what factors underlie their unwillingness to do so. As illustrated in **Figures 1 and 2**, as well as **Tables 1 and 2**—a significant number of non-service users are not seeking help for their justice problems. The main reasons for not taking action to seek help are set out in **Table 3** and they range from a desire to maintain peace within the family to not wanting to take time off from other activities, most likely family care, livelihood or income-generating activities. Taken together, these findings suggest significant levels of mistrust in the justice delivery system, and reinforce those of a 2017 Afrobarometer study which found that “only one-third (32%) of Sierra Leoneans say they trust their courts ‘somewhat’ or ‘a lot’—one of the lowest proportions among 36 surveyed countries and well below the West Africa average of 48%”.⁹³

Table 3
Why are people not taking action to resolve justice problems

Action	Percent
Need to maintain peace in the family	24%
Process is time consuming	19%
Not bothered	17%
It is not worth the time spent	13%
Need to maintain peace in the community	7%
Lack of finance to pursue justice	6%
Lack of knowledge on the availability of justice institutions	6%
Respondent did not know they should seek help	3%

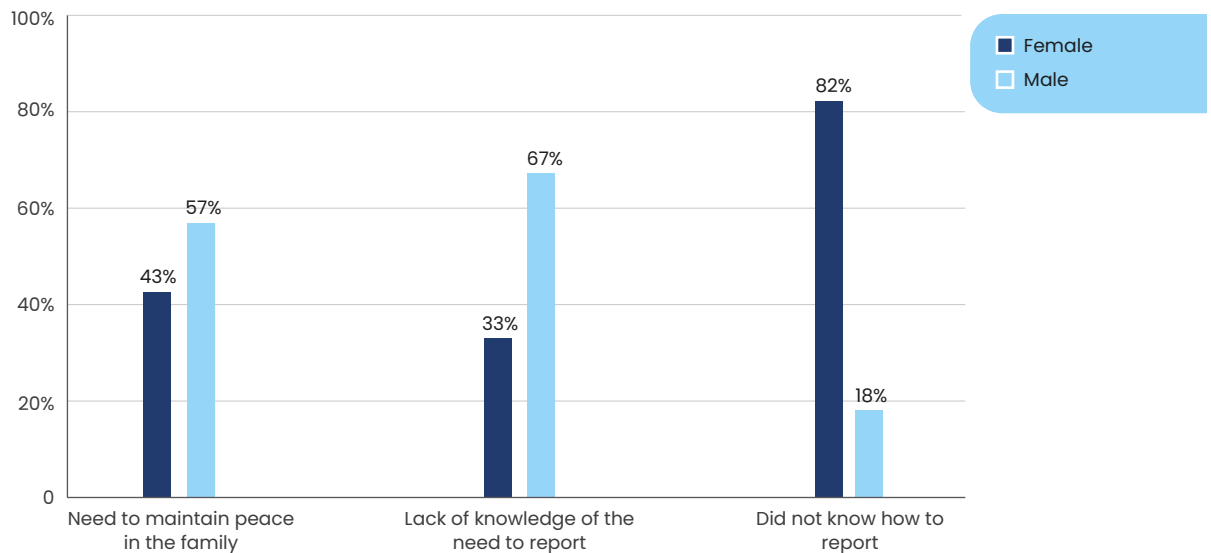
Source: Authors' analysis

2.6.2 Gender and the lack of action

When we explored “gendered” responses in relation to lack of action, equal proportions of men (50 percent) and women (50 percent) either wanted to maintain peace within the family, did not want to lose time that could be spent on other productive activities, or did not have money to report their case. However, 57 percent of men did not report their case because they wanted to maintain peace with the community, compared to 43 percent of women. Interestingly, 67 percent of men reported not knowing they should report their justice or legal problems, compared to 33 percent of women. Nevertheless, even with more women knowing that they should report, 82 percent of them compared to 18 percent of men, did not know how, or where to report their justice problems.

Further, in what is a concerning finding, survey data revealed that most women (76 percent) did not report their cases because they feared being reprimanded by relatives for taking private matters to a public sphere. In addition, 68 percent of women failed to report because they did not want outsiders to hear about their issues. Sixty (60) percent did not report because they did not have any money, and for 56 percent, the distance was the main deterrent. On the other hand, the most significant deterrent for men was trust in the service providers' competence to resolve their problems satisfactorily; and 51 percent of men were resigned to fate. An equal proportion of both genders did not know about the existence of the paralegal offices, resulting in them not seeking help for their justice problems.

Figure 4
Why are people not taking action to resolve justice problems by gender



Source: Authors' analysis

2.7 Key Takeaways

The notion of community-based justice as explored from the prism of service users is not a straightforward concept, even with its modern-day configurations as embedded in the work of the LAB and that of the paralegal NGOs. On the one hand, it is considered a public good and therefore non-exclusionary—given that both service providers and users do not seek to exclude anyone desirous of the services on territorial or administrative grounds. On the other hand, it is also grounded in processes and outcomes that seek to establish a shared non-binary sense of justice—otherwise generally regarded as the “truth” among the country’s diverse ethnic groups. There are a number of implications here for access to justice. First, people’s understanding of community-based justice is not “pigeonholed” in the state’s policy and legal aspirations of providing at least one paralegal for every one of the country’s 190 chiefdoms as provided for in the Legal Aid Board Act, no matter how desirable that aspiration is. While users of the services wait for that aspiration to be realised, they have no problem sharing the services with others even if they come from distant places. Second, the general view among research participants that justice is “truth”, conforms to pragmatic theories of truth,⁹⁴ and as Misak put it, “...truth is what works, and what works can be what works in making my or your life better”.⁹⁵ This is important because community-based justice does not necessarily seek to establish “right and wrong” as is typical in common law practice, but to hold families and communities together. The implication is that reform of community-based justice services should not seek to overturn their philosophical and epistemological foundations. Rather, reform should seek to make processes better for those accessing such forums, ensuring that they are satisfied with

the processes as well as the outcomes, knowing that such outcomes might not always go in their personal favour.

As we saw with the push and pull factors influencing plaintiff and disputant's choices of community-based justice forums when faced with justice problems, the plurality of services forces them to make rational choices in determining where to take their cases. Clearly, because paralegal services (whether those delivered by the LAB or NGOs) are largely free of cost, and their procedures uphold the rights of disputants, they have tended to attract more cases than most of the non-family community-based dispute resolution forums. This could mean that even for those who argued that forum shopping is good, would not necessarily continue to hold on to that view if they have clear, recognisable, and judicially fair and just forum(s) to which they always take their cases. This is not by any means a call for the abolition of community-based justice forums viewed to be extortionist and excessive (e.g., Local Courts); rather it is a call for a deepening of reforms started in the immediate post-war years with a view to making them work for all. As Dia has argued:

“...indigenous institutions anchored in local culture and values can count on the sound pillars of legitimacy, accountability, and self-enforcement. They have a strong hold on people's commitment, dedication, and sense of identity. But despite these clear advantages, informal institutions also have drawbacks... And if they do not renovate by shedding dysfunctional traditional practices and hearkening to new challenges and changes in the global environment, they will cease to be viable and dynamic. Without internally initiated renovation, informal institutions will find their possibilities of growth frustrated and their capacity to deal with increasingly complex and competitive choices stunted.”⁹⁶

The “renovation” of dysfunctional community-based justice forums is already happening although in a limited and less organised way. Already, in some areas of the country paralegals are working with chiefs and Local Courts, helping them comply with the provisions of the Local Court Act, even if progress is slow and uneven. Recently drafted customary land rights legislation and policy make provisions for the involvement of paralegals in the mediation of land deals and disputes. This process of “institutional reconciliation”⁹⁷ is likely to limit chiefs' discretion and enhance the rights of communities in land-based disputes. Further, Local Courts officials are themselves taking action to regain the trust of communities by adopting “a number of strategies...including reductions in court fines and monthly rotational meetings, intended to serve as forums for peer learning and advice”.⁹⁸ All of these initiatives and reforms should be supported and scaled up, in order to meet not only the justice needs of persons currently using community-based justice services, but to also address the scale of unmet justice needs in the country. As the data on unmet justice needs revealed, for many people when faced with justice problems, the pursuit of justice is

an unattractive proposition given the range of hurdles in their way. They will need to raise funds, forego much needed earnings and other benefits; as well as navigate forums whose processes are neither transparent nor fair. Thus, if Sierra Leone is to achieve justice for all of its citizens and by extension contribute to the global goal of ensuring justice for all, stakeholders will need to systematically identify and assess the causes and impacts of justice delivery challenges and design a comprehensive and well-funded approach to addressing them.

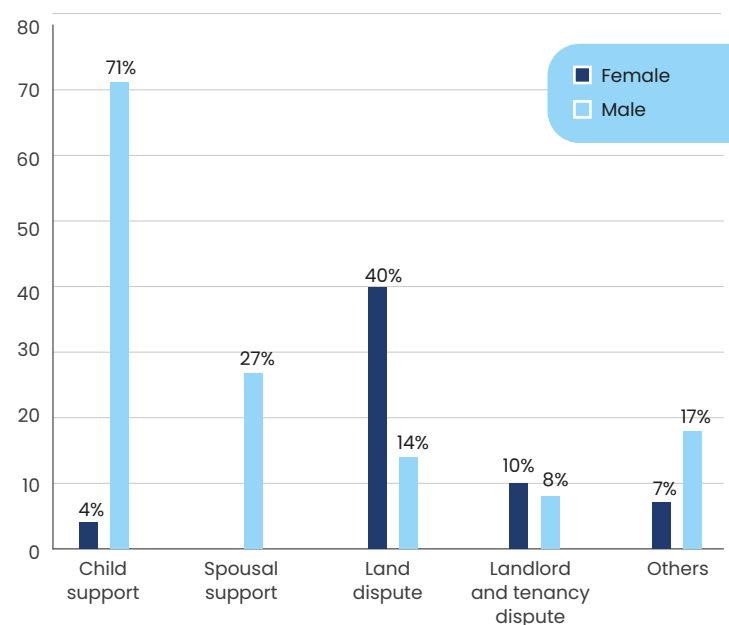
3.0

Financial and nonfinancial costs and benefits of accessing community-based justice

3.1 Introduction

In this section, the report analyses the different types of out-of-pocket, as well as nonfinancial costs of having justice problems. The aim is to provide realistic estimates of what the average service user is likely to spend when accessing community-based justice services. Service users incur financial and non-financial costs that limit their ability to resolve justice problems, and by extension the larger goal of access to justice for all. For reasons already established, including the paucity of data prevalent in other community-based justice services such as the Local Courts, the study has limited its analysis to the interactions between service users and paralegal-based service providers, i.e., the state backed LAB and donor funded NGOs. While the study's focus is on two broad themes: (i) family law, including child and spousal support, and (ii) property, land and tenancy issues, we however believe this does not restrict the extent to which the study's findings can be extrapolated to understand the likely costs and benefits of other civil law cases. An analysis of our sample revealed that 35 percent of respondents had child support problems; 17 percent spousal support problems; 26 percent land disputes; 11 percent landlord and tenant disputes, and 10 percent reported other legal problems, respectively. The gender disaggregation revealed that most women were faced with child support and spousal support justice problems; while men, on the other hand, were mostly faced with land disputes and disputes between property owners and tenants.

Figure 5
Service user costs by gender and case type



Source: Authors' analysis

3.2 Direct financial costs and benefits of accessing community-based justice services

Regardless of the gender of service users, a cumulative 78 percent of respondents reported incurring financial costs in resolving their legal problems. The most recurring costs in various combinations were accommodation, transportation, phone expenses, food and gifts for dispute resolvers. As **Table 4** shows, most respondents spent resources on transportation and communication (phone calls).

Table 4
Recurring costs for service users

Type of cost	Percent
Communications	76%
Accommodation	2%
Gifts for the Dispute Resolver	3%
Transportation for self and witness	95%
Food	6%

Source: Authors' analysis

The implication is that with the limited reach of paralegal services, people have to travel beyond their immediate communities to access them. While the goal of the LAB is to have at least one paralegal in every one of the country's 190 chiefdoms,⁹⁹ it is unlikely the attainment of that goal alone would drastically reduce the distance service users have to travel, and by implication reduce transportation and communication costs. Despite the commendable work of paralegal-based NGOs, their presence is thin, compared to the LAB. Even when the capacities of the two sets of service providers are combined, the sheer demand for justice services as we have illustrated, will continue to outpace the collective and existing capacity. In relation to the source of funding for the resolution of justice problems and as shown in **Figure 6**, the majority of service users (91 percent), had to rely on themselves to meet the cost of accessing paralegal services.

Figure 6
General source of funding



Source: Authors' analysis

Notably, of those who self-funded the resolution of their justice problems, 81 percent were women. This is illustrative of the huge financial burden women face in dealing with justice problems, in many instances compounding existing challenges, including having to take care of children after they are abandoned by their husbands or partners.

Figure 7
Self-funding by gender



Source: Authors' analysis

In order to estimate the costs and benefits of community-based justice services to service users, we used the reported average monetary cost spent across the different types of expenditure classes for cases related to family law, including child and spousal support, property, land and tenancy issues in 2017 and 2018. In particular, we used primary data for estimating the direct financial benefits to service users, derived from the reported monetary income accrued to the users of paralegal services, which is either secured or obtained due to the legal assistance provided. In total, 93 percent of respondents reported a monetary value for the benefit derived from the justice process. In terms of cost savings for service users, they typically included those related to various fees of lawyers and associated providers. We have not been able to definitively estimate savings from lawyers' fees, given that in Sierra Leone, lawyers' fees vary considerably, and consultation fees (monies clients pay just to see a lawyer) alone can range from the equivalent of US\$ 25 to US\$ 50, a cost far in excess of what users of paralegal services would incur to resolve a justice problem. Hence, this study estimated cost savings using the costs reported by the service users' "willingness to pay", which is also informed by their capacity to pay for legal services.

For the purposes of determining the cost-benefit ratio for service users, our estimation/analysis used a three-year period –2017–2019 to include the year in which the service user survey was conducted. Given that the opportunity cost of capital used to finance the provision of justice service is usually used as the discount rate, this study has used the Bank of Sierra Leone 1- year Treasury Bill rate for the years under review.¹⁰⁰ In addition, the official Bank of Sierra Leone end-year exchange rate of the local currency – i.e., Sierra Leone Leone (SLL) to the US dollar, was used for conversion.¹⁰¹

As shown in **Table 5** – Cost-benefit Ratios¹⁰² for service users, we found that the net present value¹⁰³ of benefits of accessing justice from the different service providers is positive, ranging from US \$ 1,808 to US \$ 9,155 per year depending on service provider used. The average benefits in absolute terms range from US\$3377 to US \$ 8443 per year exceeding average costs of between US\$2334 and US\$5549. This indicates that accessing community-based legal services makes financial sense for beneficiaries. Although legal aid is generally regarded as cost-effective, there are noticeable variations in the extent of the cost-benefit ratio. For instance, while the differences in service user benefits among certain service providers are relatively insignificant, we observed that the difference between them and others is significant. It is important to tease out the reasons for the differences because of the general implications for funding legal aid in contexts of multiple service providers from the public and private sectors. Interviews and focus group data revealed that some providers are better resourced than others, relative to their respective caseloads, and therefore unlikely to shift part of their operational costs to service users. On the other hand, some are reported to be under-resourced, with staff struggling to provide even the most basic of financial support to service users when they need it. As illustrated in the second section, some paralegal organisations do assist extremely vulnerable service users with transportation and communication costs, given the financial support provided by their funders.

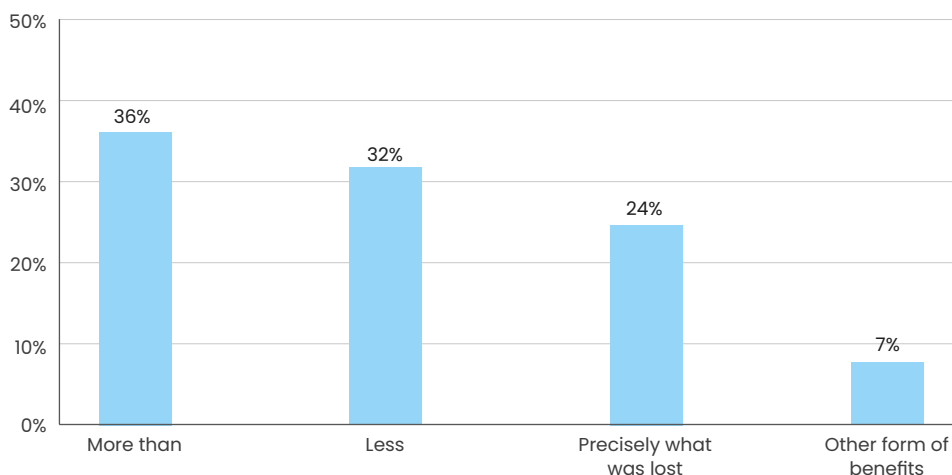
Table 5
Cost-benefit ratios for service users accessing paralegal services

	Service Provider 1	Service Provider 2	Service Provider 3	Service Provider 4	Service Provider 5	System Average
Financial Net Present Value (SLL) Financial	30,967,185	15,483,592	24,773,748.07	24,773,748	78,371,283	34,873,911.21
Rate of Return	15.14%	15.14%	15.14%	15.14%	15.39%	12.16%
Financial PV Cost-Benefit Ratio ¹⁰⁴	1.527	1.527	1.527	1.527	1.537	1.2236
Mean Benefits	32,789,675	16,394,837	26,231,740	26,231,740	81,974,188	36,724,436
Mean Costs	21,696,839	10,848,419	17,357,471	17,357,471	53,874,234	9,980,546
Financial Absolute Cost-Benefit Ratio (Benefit/cost)	2.06	2.06	2.06	2.06	6.19	2.474
Cost per case (SLL)	73,104	36,552	58,483	58,483	182,761	81,876.60
Cost per case (US\$)	7.53	3.76	6.02	6.02	18.82	8.43

Source: Authors' analysis

Thus, using reported costs as a proxy for “investment”, we found that the financial rate of return was also higher than the discount rate. This reinforces the notion that accessing justice through paralegal-based services is a financially viable decision,¹⁰⁵ especially when the financial Cost-Benefit ratio both in present value and absolute terms is also greater than 1, regardless of the service provider used in the resolution of a case, as illustrated in **Table 5**. This shows that on average every SLL 1 spent, the service users benefits SLL 1.22 in present value terms and SLL 2.45 in absolute terms. Our analysis also shows that the estimated financial cost one Sierra Leonean will incur when accessing paralegal services, ranges from US\$3.76 to \$18.82, depending on the service provider used. This means that, on average it will cost a service user an estimated US\$8.436 to access community-based justice services per case. The benefit derived from the use of the services of paralegals, is not only limited to the likely savings to be made, but survey data also revealed that there are other financial benefits to be derived from the justice process. **Figure 8** for example shows that a cumulative 60 percent of respondents recovered more than or exactly what they lost after accessing paralegal services.

Figure 8
Financial benefits to service users



Source: Authors' analysis

In addition to the financial benefits derived from the resolution of justice problems, service users reported other non-quantifiable benefits. While we have not been able to confidently ascertain their monetary value, they nonetheless illustrate the wide-ranging social benefits inherent in the use of paralegal-based services. These benefits, shown in **Table 6**, include awareness of rights and knowledge of the law, as well as restoration of dignity and relationships.

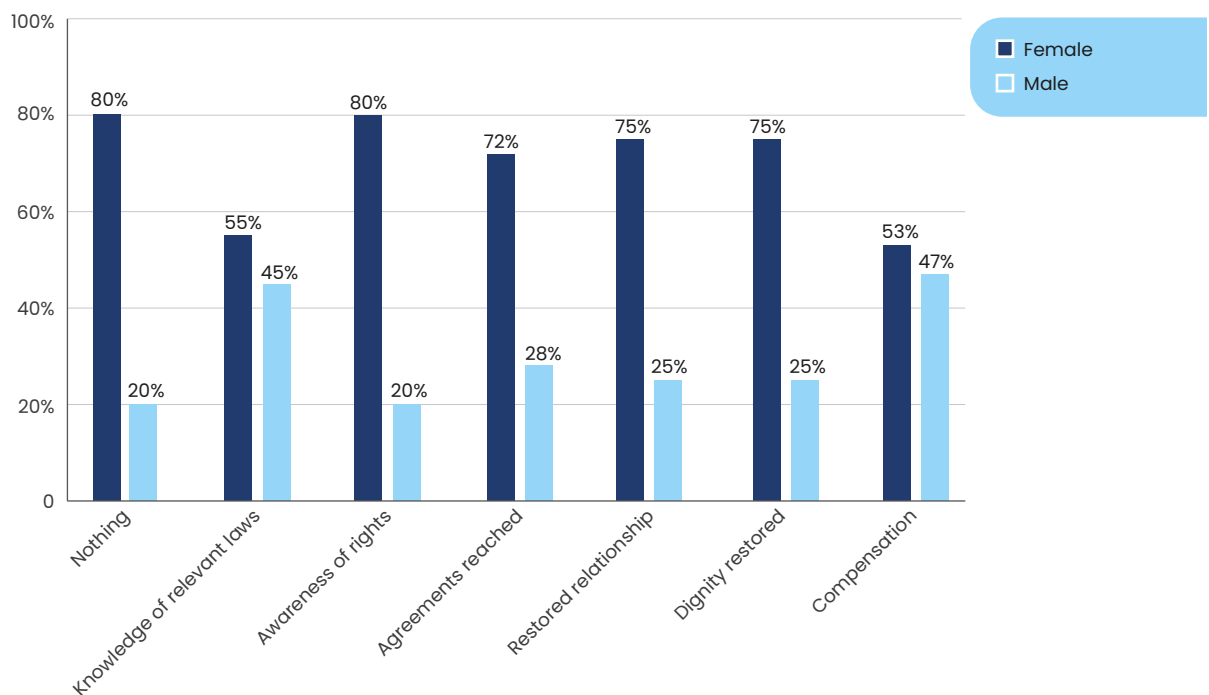
Table 6
Non-financial benefits of use of Paralegal Services

Type	Percent
Dignity restored	15%
Relationship Restored	7%
Awareness of Rights	23%
Knowledgable of the law	18%

Source: Authors' analysis

Nonetheless, we observed that women, more than men, were disproportionately represented amongst those who reported gaining “nothing” from the process beyond financial compensation. This may however be a reflection of their relatively large representation in the study’s sample, as well as the fact that many of the female respondents were often less educated or exposed than men, and therefore less likely to appreciate benefits related to awareness of rights and knowledge of relevant laws.

Figure 9
Nonfinancial benefits by gender



Source: Authors' analysis

3.3 Opportunity costs of accessing community-based justice services

In order to establish the indirect financial or opportunity costs incurred by service users as a result of their justice problems, we asked them to indicate the areas on which they would have spent the money had it not been for the resolution of their justice problems. The responses indicate the pressure placed on ordinary people by sometimes recurring justice problems, forcing them to divert resources from productive uses, including education and healthcare. While we have not been able to estimate the average opportunity cost likely to be incurred by service users, we found, as set out in **Table 7** that 93% of them could have spent the money on essentials including food for the family, education for children and rent or investment in small businesses.

Table 7
Areas users would have spent money without justice problems

Type	Percent
Medical	5%
Food for family	35%
Invested in petty trading	17%
Education of children	20%
Housing/rent payments	9%
Agriculture	7%

Source: Authors' analysis

Further, the study investigated the amount of time spent resolving service users' justice problems, as well as what they would have spent that time on, if they did not have their cases. As set out in **Table 8** time spent resolving cases spanned from less than a week to more than three months.

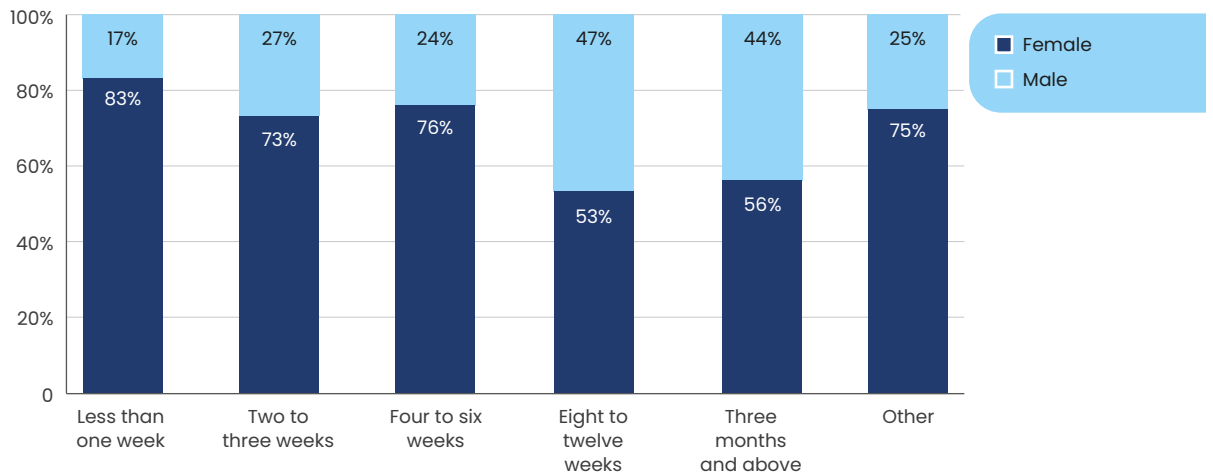
Table 8
Time Spent on seeking justice

Type	Percent
Less than a week	18%
Two to three weeks	40%
Four to six weeks	19%
Three months and more	15%

Source: Authors' analysis

Generally, women spend more time in resolving their problems than men. However, there was a significantly high level of satisfaction in relation to whether it was worthwhile to spend the time on the resolution of their problems, with 65 percent reporting that it was worthwhile spending the time. On the other hand, 33 percent did not consider it worthwhile, and mainly included two categories of persons – those whose immediate outcomes of cases were unsatisfactory and those whose cases recurred within a short period of the resolution process. With such high satisfaction levels, the willingness on the part of users to continue to engage the services of paralegals is high. Despite this, service providers should invest time in understanding why a relatively significant 33 percent did not consider it worthwhile seeking their services, and how to make their experience better.

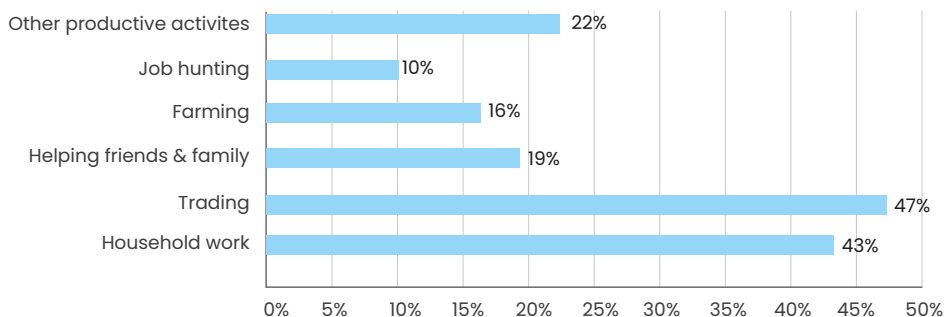
Figure 10
Time spent on resolving justice problems by gender



Source: Authors' analysis

Specifically, when asked what they would have done with the time spent resolving their justice problems, as shown in **Figure 11**, respondents reported that they would have been engaged in a variety of productive activities including trading, doing household chores and farming.

Figure 11
Opportunity cost of seeking Justice

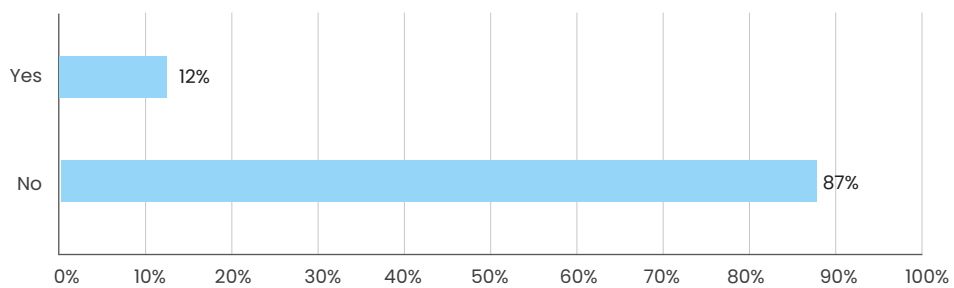


Source: Authors' analysis

3.4 Social costs of justice problems

The social costs of justice problems can be immense and often the failure to resolve legal problems can contribute to what has been described as “a ‘cycle of decline’”, in that “...one problem leads to another with escalating individual and social costs”.¹⁰⁶ Therefore, in estimating the social costs incurred by respondents, the study investigated whether or not the problem had affected their relations with disputing parties and the wider community. In relation to their relationships with their wider communities, survey data indicated that 87 percent of respondents said their relationship was not negatively affected, while 12 percent reported that they observed a deterioration in the relationship with other members of the community. The very high percentage of respondents reporting that their relationships with the wider community were not negatively affected by the case, is a reflection of the forum (paralegals) they used to resolve their justice problems.

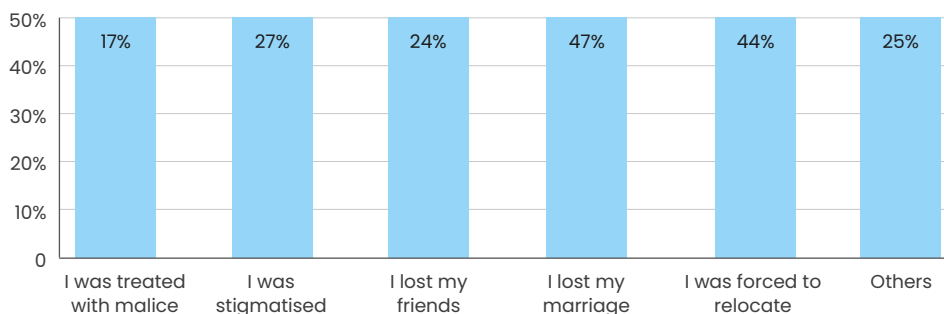
Figure 12
Negative Impact of justice problem on relationships



Source: Authors’ analysis

Among those reporting negative impacts of their justice problems as shown in **Figure 13**, the majority were women, with 41 percent reporting being treated with malice; 27 percent stigmatised; 14 percent losing friends; 7 percent losing their marriages; and 10 percent being forced to relocate from their communities of ordinary residence. When asked to assess their relationships with disputing parties “before” and “after” the case, there was a general worsening in relationships.

Figure 13
Social cost of justice problems



Source: Authors’ analysis

The study also revealed other indirect social costs of justice problems, for which emotional stress was the most prominent with 44 percent. Twenty-nine (29) percent reported suffering from anxiety; 17 percent reported psychological problems; and 8 percent reported facing physical harm as a result of the justice problems.

Table 9
Indirect social costs of justice problems

Indirect social cost	Percent
Emotional stress	44%
Anxiety	29%
Psychological problems	17%
Physical harm	8%

Source: Authors' analysis

4.0

Financial and nonfinancial costs and benefits of providing community-based justice services

4.1 Introduction

In the previous section, the report analysed the average out-of-pocket costs that service users are likely to incur, as well as the benefits to be derived when accessing community-based justice services. In this section, the report attempts to analyse service provider costs and benefits, utilising data collected from the eight (8) LAB district offices, and four paralegal NGOs. As indicated in section one (under limitations), the limited data available for the analysis of the costs and benefits of service providers means that this section is only intended to highlight the need for greater thinking around efficiency gains and more sustainable financing models, and not necessarily an indication of the actual costs and benefits of their services. As with our analysis of service user costs and benefits, we have used identifiers for service providers, in order to avoid the unnecessary distraction a direct comparison of the different service providers might cause.

The average number of staff per office ranged from eleven to twenty-five; and while all the offices employed both female and male staff, men were in the majority. The mix of staff included lawyers—particularly for the LAB offices, auxiliary or support staff, and paralegals who were in the majority in each office. Apart from the LAB which was established as a result of its 2012 Act, based on the recommendations of the Truth and Reconciliation Report (TRC) aimed at dealing with legacies of injustice, the NGOs have been the result of individual or community initiatives aimed at addressing the justice needs or gaps in their respective communities. Our estimates suggest that establishment or set up costs for an average paralegal office range from SLL 25 million to SLL 30 million (approximately US\$ 2500 – 3000). The most common costs as shown in the breakdown in **Table 10** include registration with local councils, payment of rent, furniture and staff costs.

Table 10
Establishment cost of Service Providers

Type	Percent
Rent, furniture and staffing	19%
Registration with national authority	19%
Registrations with chieftdom authority	10%
Registration with local councils	24%

Source: Authors' analysis

In addition, all service providers reported multiple sources of funding, including development aid, private and family donations, community donations, government (LAB), personal funds, philanthropic organisations. However, the share of each source to the total funding envelop available was outside the scope of this study, and has therefore not been captured and analysed.

4.2 Direct financial costs and benefits of providing community-based justice services

As in estimating the cost of accessing justice, the estimation for providing justice services used the same three years, 2017-2019, discount rate and exchange rate. Similarly, only financial costs on the part of Service providers were used in estimating the costs and benefits of providing community justice services. Other economic costs and benefits to which this research cannot accurately ascribe monetary value, have been excluded. The cost to organisations for providing justice services was estimated using average costs reported by the respondents across the expenditure categories in **Table 11**.

Table 11
Categories of service provider costs

Salaries
Rent
Office running cost (generator, office equipment and stationery)
Servicing and maintenance of vehicles and bikes
Cost of case resolution (transportation, communications and stationery)
Outreach activities

Our analyses and estimates are largely based on the following assumptions:

- 1 All providers are renting buildings. Rent is paid annually and held constant for three years;
- 2 Gross salaries¹⁰⁷ for lawyers, paralegals and support/ancillary staff were held constant for three years;
- 3 Operational and maintenance costs were the average spent annually on electricity, generator, vehicles, motor bikes. This research assumed annual increases based on the prevailing end-year inflation rate. In addition, the survey sourced responses for costs on transportation, communication and stationery spent on each case. This was then multiplied by the average monthly cases handled by staff;
- 4 Outreach costs were estimated using the annual average spent on outreach and visitation; and

- 5 Data on operational efficiency was also used to estimate the ‘per case’ cost: average, new cases handled per day; average, new cases handled per month; and average time spent on resolving a case.

As illustrated in **Table 12—Cost-Benefit Ratio for Service Providers**, our analysis revealed that paralegal offices are currently spending more than optimally required in resolving one case, relative to their respective caseloads. This is however unsurprising given that the organisations are all non-for-profit and public service providers and therefore unexpected to generate profit. Also, this analysis should be read and interpreted with caution, as it is not by any means intended to suggest that the services are unsustainable. As noted in section one (under limitations), we have not taken into account other factors and variables whose omission in the analysis affects the extent to which one can interpret the result and rely on its validity. For instance, paralegal offices provide many other services beyond mediation—including interaction with courts and sometimes representation through their lawyers; monitoring of proceedings in both the Local and formal courts; provision of legal advice; and outreach and legal education services through direct community engagement and the mass media. Paralegals’ increasing use of the latter (i.e., direct community engagement and the use of mass media for legal education) in particular, render any exclusive reliance on caseload as a measure for analysis, extremely tenuous. This is because while the cost of organizing weekly legal education radio programmes may be low, the benefits of such programmes could be significantly higher, even if they are difficult to quantify. Thus, while we have not analysed the potential direct financial benefits of paralegal services to the state and wider justice system, it is reasonable to infer that service users opting to use paralegal services, instead of the formal courts, contribute to a reduction in the work and caseload load of the formal justice system. By extension, the existence of paralegal services contributes to a reduction of government’s funding to the justice sector, even if current public spending in the sector is still far below optimal levels.

Further, it is important to note that all of the organisations whose data we analysed as part of this study, are only dealing with a fraction of their potential caseloads.¹⁰⁸ One study has estimated that in 2013, NGO service providers in the country were only covering “3% of estimated demand”¹⁰⁹; and as we illustrated in section two, our counterfactual survey data revealed that 87% of the respondents reported having had a justice problem in the two years preceding the study, but chose not to seek legal aid. Thus, we anticipate that if paralegal organisations are able to improve on their skills and become more efficient, including using basic technology to deal with cases, improve on their record and monitoring systems to effectively assess and document impact, as well as increase their staff numbers, we could see a significant improvement in their efficiency levels in dealing with cases.

On the measure of caseloads and expenditure trends, we estimate that the financial cost it will take to provide community-based justice services per case, ranges from US\$130 to US\$374, depending on the service provider. This implies that, on average, it costs US\$240.6 to provide community-based justice services per case. As already pointed out, these figures are generated with caveats, given that paralegal organisations do more than just resolve individual cases. A significant amount of time and resources are devoted to community legal empowerment and outreach, court monitoring and community organizing. This means that there is great potential for the average cost at which the organisations are currently providing their services to be drastically reduced, if all the factors we have not factored in our analysis are included. In fact, it has been suggested that the LAB has “... been consistently handling 60,000 cases over the last few years with average unit costs of US\$22 per client”, with a “possible reason for this low-cost model” being the Board’s current focus on just child maintenance cases.¹¹⁰

Table 12
Cost-benefit ratio for service providers

	Service Provider 1	Service Provider 2	Service Provider 3	Service Provider 4	Service Provider 5
Financial Net Present Value (SLL)	-326,298,181	-740,144,298	-1,444,144,051	-5,599,020,079	-3,111,040,936
Financial Rate of Return	15.14%	15.14%	15.14%	15.14%	15.39%
Financial Cost-Benefit Ratio	1.527	1.527	1.527	1.527	1.537
Cost per case (SLL)	32,789,675	16,394,837	26,231,740	26,231,740	81,974,188
Cost per case (US\$)	21,696,839	10,848,419	17,357,471	17,357,471	53,874,234

Source: Authors’ analysis

Thus, the data point to the need for the organisations to potentially invest in activities that would increase efficiency, including increasing staff numbers to deal with caseloads. They should also invest time and resources in building better information management systems, as well as the capacity to track, assess and document impact. Despite the significant benefits service users can derive from utilising the services of paralegal organisations, the study revealed significant information challenges inhibiting both supply and demand of legal aid services. These challenges include for instance how respondents learn about the existence of paralegal services. As shown in **Table 13** the majority learn about the availability of these services informally. This means that the organisations are relying more on their successes which they hope would convince other people to use their services, and less on ways that will directly target first-time users in a cost-effective way.

Cumulatively, referrals remain the most prominent method of attracting cases, implying that other pathways must be explored, especially the use of the media and other local structures.

Table 13
Source of respondents' knowledge of paralegal Services

Type	Percent
Friends	31%
Outreach activities	17%
Service Users	17%
Family members	22%
Media	12%
Others	2%

Source: Authors' analysis

4.3 Indirect benefits of providing community-based justice services

One of the indirect benefits of providing community-based justice services is the state of legal empowerment and awareness that service users acquire during their search for justice. This potentially could increase uptake of justice services and the long-term reduction in cases of abuse, especially across the case types covered in this study. The data revealed that 83 percent of service users reported favourable outcomes with positive implications for paralegal services. As shown in **Table 14**, having gone through the resolution process, these respondents felt more knowledgeable about the law and empowered to report other cases or to assist others in identifying their legal problems and seeking resolution.

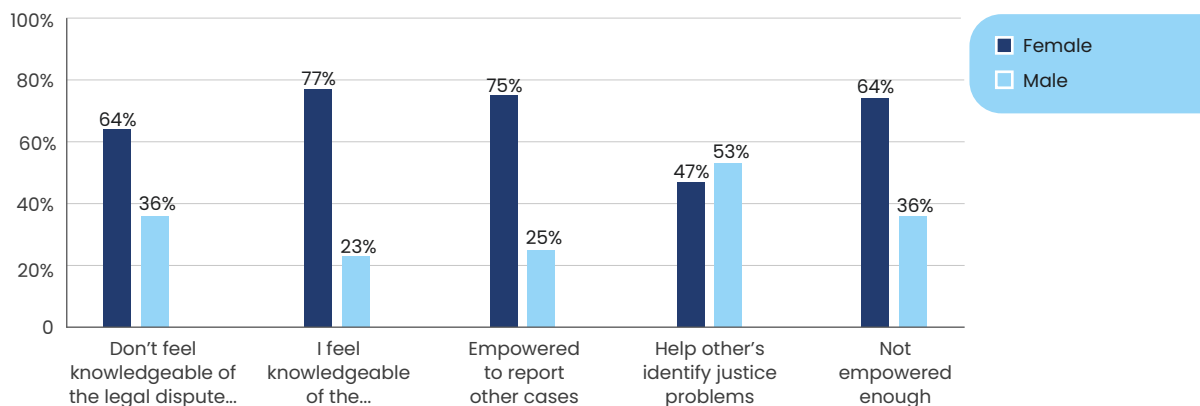
Table 14
Empowerment after seeking justice

Type	Percent
Able to help others identify legal problems	24%
Empowered to report other cases	30%
Knowledgeable of the laws around my problems	29%

Source: Authors' analysis

Significantly, more men felt they could help others identify their justice problems and assist them in accessing justice. This information could be useful in understanding the gender dynamics in access to community-based justice and should be leveraged in the design of outreach programmes.

Figure 14
Legal Empowerment and Awareness



Source: Authors' analysis

4.4 Direct financial costs and benefits to the State of providing paralegal-based justice services

So far, the report has separately analysed and discussed the costs and benefits of accessing and providing community-based justice services. While such an approach has the advantage of assessing the out-of-pocket costs and benefits from those of service providers, it is however less comprehensive given that it does not give us a holistic picture of the true potential estimates of the costs and benefits of community-based justice services, useful information needed by the government and development partners supporting justice services. This subsection therefore pulls together both service user costs-benefits and those of service providers to arrive at combined or total average costs and benefits of paralegal-based justice services. While the estimates are based on limited data especially for service provider costs and benefits, they nonetheless provide fairly reliable approximations of the average costs and benefits to the state in investing services of paralegals.

The core assumption underlying our analysis here is that without access to community-based justice services, many more service users will likely engage the formal justice system. In doing so, we also make reasonable assumptions that in the provision of formal justice services, the state incurs wide ranging costs including the payment of the salaries of judges, magistrates, police, court clerks, state counsels, and other judiciary operational related costs. In addition, the state pays for ancillary services which people accessing formal justice services would utilise on their way to resolving their justice problems – including social, psychosocial and health related services. Therefore, in arriving at the costs and the benefits to the state in providing paralegal-based services, this study estimated the costs to the state using actual expenditures from central government budget for related expenditure including justice services, health and social welfare

for the years under review. Further, while at the time of data collection the population of Sierra Leone was estimated at 7.488 million, with 41 percent being children, the study only considered the adult population in estimating costs incurred directly by the justice system, including the judiciary and the Office of the Attorney General and Ministry of Justice. However, for the other sectors the entire (proportionate) population was considered because in most family law cases, children would need social, psychological and health care support. From our counterfactual survey, we estimate that about 43.5 percent of adult Sierra Leoneans would be in need of justice services annually whether or not they end up using the services.

Thus, our analysis estimates that in the absence of access to community-based paralegal services, it would cost the state approximately SLL 200,184,914,596 (US\$ 23,386,088.15) per year to support legal problem resolution through the formal justice system. By comparison, community-based paralegal services cost the state approximately SLL 157,350,056,872.32 (US\$18,382,015.98975701) per annum. This means that for every SLL 1.00 invested in paralegal services, the government potentially saves SLL 0.27, implying that the state could have room to spend or reinvest SLL 42,834,857,724.01 (US\$ 5,004,072.16) annually in other public services in an ever-constrained fiscal space.

Table 15
Costs and benefits of community-justice services to the state

Mean cost and savings	Cost (SLL)	Cost (US\$)
Mean annual cost of providing community justice services per annum (SLL 81,876.60 per case) ¹¹¹	157,350,056,872	18,382,015.98975701
Mean annual cost to public (justice, health and social welfare) system ¹¹²	200,184,914,596	23,386,088.15
Savings to the system per annum ¹¹³	42,834,857,724.01	5,004,072.16
System per annum-Cost – Benefit ratio (Benefit/Cost)	0.27	

Source: Authors' calculations

5.0

Access, process and quality of community-based justice services

5.1 Introduction

The report has so far attempted to analyse the idea of community-based justice in Sierra Leone, as understood by service users and research participants, the costs and benefits incurred by, and accruable to users and to some extent the costs and benefits of paralegal organisations providing the services. In this section, the report examines access to community-based justice services, as well as process and quality considerations given that they are as important as the outcomes service users seek for their justice problems.¹¹⁴ Understanding how people access justice is important because it does not only allow us to obtain a clear view of how they pursue the resolution of legal problems, but whether in fact they do so in ways that are consistent with expected processes and standards that lead to fair outcomes.¹¹⁵ Therefore, in our attempt to understand access and quality issues in relation to community-based justice services, this research sought information from service users across critical areas including the availability of services in the community, experience at the paralegal office, dispute resolution time, and ease of navigating the resolution process or pathway.

5.2 Availability and access to services

In analysing the availability of community-based justice services, we used physical distance to reach paralegal offices as a proxy, in determining the potential impacts on costs and uptake of justice services. Our analysis revealed that 74 percent of service users reported that there was a justice service provider in their community, defined to be within a 5-mile radius for the purpose of analysis. As shown in table 16, the vast majority had to travel about two miles to reach a paralegal office.

Table 17
Distance to paralegal office

Type	Percent
More than a mile	67%
Up to two miles	28%
Four miles	4%

Source: Authors' analysis

Linked to the issue of distance in accessing community-based justice services is the time taken for one's case to be documented and resolved, given its implications for users' satisfaction with the justice problems resolution

process. In fact, for some users, the first experience is a determination of whether or not they will continue with the process. We found that for 96 percent of respondents, the paralegal offices were opened during their first visit. However, respondents experienced varying response times as shown in **Table 17**. The quickest service users were responded to was less than one minute after showing up and the slowest was about 2 hours. While the fact that a cumulative 65 percent of respondents reported being able to talk to a staff of the office within 30 minutes of their first visit is commendable, a challenge remains to ensure that waiting times for the first contact or engagement is drastically reduced. This will include addressing the myriad of reasons causing long wait times including limited staff numbers, lateness and other distractions such as engagement in social media platforms during work hours.

Table 18
Time Taken to be seen at paralegal office

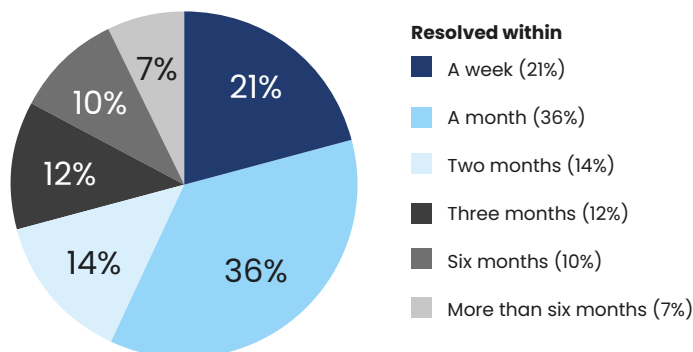
Type	Percent
Less than one minute	8%
Five to ten minutes	29%
15-30 minutes	28%
30 minutes to 1 hour	27%
Two hours	8%

Source: Authors' analysis

5.3 Dispute resolution time

In terms of the length of time taken to resolve service users' cases, and as shown in **Figure 15**, more than half of respondents reported that their problems were resolved within a month of registering them with the service providers. For a small number though, it took more than six months.

Figure 15
Dispute resolution time



Source: Authors' analysis

Generally, regardless of the length of time taken to resolve a justice problem within community-based justice services, resolution times are far shorter than in the formal justice system, where cases can be prolonged endless for years.¹¹⁶ Despite this, it is important to note that the nature of some cases, rather than factors related to the skills and capacity of service providers, can sometimes affect the pace at which disputes are resolved. In fact, paralegals generally lack the power or ability to enforce compliance with terms of agreements reached between disputing parties. This as we noted in section two, is part of the factors driving forum shopping. Returning to the resolution process, particularly the methods used by paralegals in resolving justice problems, we found as shown in **Table 18** that the majority of legal problems were resolved through mediation. The rest were dealt with by the provision of legal advice, through counselling and through community education and collective action. The high percentage of respondents who reported resolving their problems through mediation reinforces the methods' longstanding acceptance and use as the preferred dispute resolution mechanism not just by paralegals, but by users themselves because it is more reflective and reassuring. A reflective piece by a former Lead Paralegal illustrates that paralegals cannot just mediate the restoration of troubled relations, but can also contribute to significant restitutions, as in one case where a woman was able to receive the equivalent of US\$ 5,280 from a man with whom she had a dispute over property.¹¹⁷

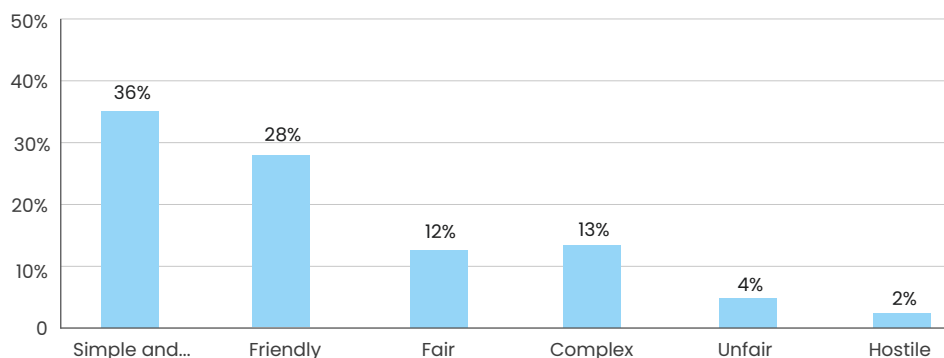
Table 19
Methods of dispute resolution

Method	Percent
Mediation	73%
Legal advice	18%
Counselling	7%
Community education and collective action	2%

Source: Authors' analysis

In terms of the simplicity or otherwise of the justice-seeking process, an overwhelming majority of users, as shown in **Figure 16** found the process simple, straightforward and friendly. A significant minority however found the process complex, unfair or unfriendly. These results indicate that people's perception of the simplicity of the processes employed by paralegals is favourable, although service providers should still work to improve the perception of the cumulative 19 percent who regarded the process as either complex, unfair or hostile. This would imply building the skills of paralegals to effectively create a friendly and trustworthy environment, particularly them being able to effectively manage disputants with hostile and bullying tendencies, to ensure "...the simplification of procedures, and the provision of appropriate, timely and tailored legal and justice services, including legal empowerment".¹¹⁸

Figure 16
Simplicity and complexity of the justice process



Source: Authors' analysis

5.2 Gender and access to justice

As the report has demonstrated in the second section, community-based service provision is underpinned by gender dynamics which in different circumstances can have impacts on how women and men experience the justice process. However, no discrimination against women was detected in paralegal service provision, a finding that stands in contrast to the findings about community-based forums such as the Local Courts in Section two—which were found to be underpinned by gender dynamics that had negative impacts on how women experience the justice process in some circumstances. In fact, while the majority of paralegals that served the respondents were male, 75 percent of female respondents reported that the paralegals treated them with respect and empathy, and 83 percent of male respondents reported the same. In addition, we found that paralegals integrated their work with sensitivity to the emotional wellbeing of users, with eight (8) percent of men reporting that the paralegals were sensitive to their emotions, while 16 percent of women reported the same. Further, six (6) percent of men reported that the paralegals protected them from being bullied by the female disputants or the “other party”; four (4) percent of the female respondents reported the same. None of the male respondents reported being spoken to harshly, but 1 percent of the female respondents reported being spoken to harshly by the paralegals. Finally, 3 percent of both sexes reported that they didn’t feel their gender affected the paralegals’ service delivery. The findings are largely consistent with established perceptions of the work of paralegals, in that most of their clients or service users are not only very poor people, but the majority of them are women.

In terms of the most significant barriers to women’s access to community-based justice services, 100 percent of service providers reported finance as the most significant challenge women face when accessing community-based justice services. In addition, when service providers were asked to select multiple answers/options in relation of the other barriers to women’s access to justice, a clear majority as shown in table 19 cited among others

cultural beliefs and expectations, lack of knowledge concerning rights, security/protection concerns and distance to paralegal offices as the biggest barriers for women.¹¹⁹

Table 20
Barriers to Women’s Access to Justice

Method	Percent
Cultural beliefs and expectations	60%
Lack of knowledge of rights	60%
Distance to paralegal office	27%
Lack of access to phones to communicate	7%

Source: Authors’ analysis

Despite this, service providers revealed that women are more cooperative in resolving disputes than men; while men were more likely to renege on commitments made in resolving cases, than women.¹²⁰ The fact that women are more likely to cooperate in the resolution of disputes is indicative of their immense incentives in resolving disputes, given that they are often disproportionately affected by justice problems. For instance, when husbands leave home because of disputes, women are left to take care of the children often without support. It also demonstrates women’s agency within the community-based justice system, which they have firmly occupied and embraced as a preferred justice resolution forum, given its friendly environment.

The fact that dispute resolution by paralegals is inclusive, non-exclusionary, conciliatory, responsive and has immense financial and nonfinancial benefits was collaborated by service providers. However, they also reported that the uptake of their services, especially by women, is driven by cost, accessibility, convenience, and trust considerations. In fact, 100 percent of the service users reported that they use community justice services because they are free and easily accessible in the community. In addition, 87 percent of service users reported that they felt more comfortable with their cases being handled by justice service providers; while 80 percent reported that the community justice service providers provide equal opportunities for parties to be heard. The same proportion (80 percent) believed other community-based justice services are relatively less affordable, and 67 percent feared that other justice forums discriminate based on gender.

6.0 Conclusion and Recommendations

Community-based justice services outside family and religious circles have a long history in Sierra Leone, and have gone through several changes. The paralegal organisations—both the LAB and NGOs are part of community-based justice’s latest configurations. The emergence of paralegals, as we have seen, is the result of civil society’s attempt to fill the gap in justice service provision especially in rural areas, which became apparent immediately after the country’s civil war in 2002. Today, the LAB and paralegal based NGOs provide justice services for tens of thousands of people every year. Service users of paralegal services value them because they are accessible, free, fair, friendly and prioritise the restoration and solidification of relationships. However, our research has demonstrated that while there is immense need for such services, the existence of other community-based justice services such as the Local Courts and FSU, whose standards and processes are questionable, makes service user’s path to accessing paralegal services convoluted.

In sum, justice for all implies putting people at the centre of the planning, design and delivery of justice services.

For many service users, paralegals are not the “first port of call” given the plurality of community-based justice services. Often, by the time service users get to paralegal offices, the costs of their justice problems go far beyond finance given that they do not only experience extortion along the justice pathway, they also incur emotional and psychology costs. Justice should not be considered a commodity provided within a context of a free market economy, in which providers offer services at different costs and standards. To be clear, we do not advocate in any way for the abandonment of Local Courts or FSU, as that is unreasonable and beyond our scope. Rather, we make a case for the evolution of a context in which community-based justice services can be provided within a set of agreed standards and processes that promote certainty and fairness of procedures that result in just outcomes, regardless of who provides the service. In sum, justice for all implies putting people at the centre of the planning, design and delivery of justice services. This would require synergy among key justice sector actors, including the Judiciary, LAB, the SLP, NGOs, donors and the Ministry of Justice in agreeing a framework for the harmonisation and standardisation of procedures employed in community justice forums.

As the report has illustrated, the case for community-based justice services through paralegal models is extremely strong, in that, both the financial and nonfinancial benefits are immense. Not only does the government stand to save an estimated SLL 0.27 per every SLL 1 spent on community-based services, as compared to formal justice services, service users are in fact gaining thousands of dollars on average from the successful resolution of cases, which they would otherwise lose out on and be denied justice in the process. In other words, on average for every SLL 1 service users spend on accessing paralegal services, they could benefit SLL 1.22 in present value terms and SLL 2.45 in absolute terms. Also, the scale of unmet justice needs as we have shown, reinforces the case for supporting paralegal-based services.

However, as we have equally demonstrated, at present, service providers' unit costs of delivering community-based justice services based on caseload analysis, are relatively beyond reasonable and sustainable limits. As Manuel and Manuel have suggested, the high unit costs of paralegal organisations may be a reflection of funding and design challenges, as "organisations providing justice advice and assistance have never had enough funding to operate at national scale and so have not been designed to reach large numbers at a low cost".¹²¹

We share the view that for the LAB and NGOs to scale up their services, funding models would have to be altered or adjusted. This would involve considering innovative funding and sustainable models, including priority sector funding as currently done for education; use of payment by results (PRB) schemes through which government pays service providers on the accomplishment of certain pre-agreed results or targets; user funding and cooperatives linking groups of service users in order to reduce user-fees.¹²² It will also include service providers exploring and deploying cost-saving technologies, including those that have been experimented elsewhere,¹²³ while taking into account the context in relation to technological infrastructure and penetration.¹²⁴ Finally, stakeholders should work diligently to (re)build trust in the justice system broadly, as people seldom make a distinction between community-based justice forums and the general justice delivery system.

Recommendations

The recommendations of this report are made based on the study's findings, and they are intended to inform planning, programming and decision making in investments in the community-based justice subsector by a range of stakeholders—including the Government of Sierra Leone, paralegal service providers, donors and other persons and organisations interested in the promotion of community-based justice.

1 **Establish a National Legal Empowerment Fund**

The Government of Sierra Leone and donors should explore the establishment of a National Legal Empowerment Fund that will be responsible for the coordination and mobilisation of funding for grant making to service providers, through a mutual accountability framework, with funding directly linked to performance and ability to scale up services that are assessed through a clear and objective set of benchmarks;

2 **Recruit and deploy additional paralegals**

Given the current high and unsustainable unit costs incurred by community-based service providers relative to their respective caseloads, the government, donors and service providers should consider providing support for the recruitment and deployment of additional paralegals to deal not only with current caseloads, but to also position them to deal with the scale of unmet justice needs in the country;

3 **Explore, design and implement innovative funding models**

Consideration should be given to the development of innovation and sustainable funding models for community-based justice services, including exploring the possibility of service users having to pay a minimal fee to use the services. This should however be preceded by a national willingness to pay survey, to determine the true scale of willingness to pay among the population;

4 **Government should meet its legal aid provision commitment**

Given the limited resources available for community-based justice services, the likelihood of achieving the Legal Aid Board Act's goal of having one paralegal per chiefdom in the medium term, is very low. Government should therefore live up to its commitment of providing at least one paralegal per chiefdom. A stepwise approach should be adopted to ensure that by 2026 each chiefdom is provided with at least one salaried paralegal. Consideration should also be given to the possibility of scaling up the use of volunteer community-based paralegals who are "trained in basic law and in skills like mediation, organizing, education, and advocacy",¹²⁵ just as the health sector is currently implementing the Community Health Worker scheme, through which some of the most basic health problems within communities are addressed;

5 Prioritise gender equity in paralegal staff recruitment

There is need for community-based justice providers to balance the gender composition of their teams, with the proportion of the gender profile of their client-base. Going forward, this will involve organisations recruiting more women to their teams, in order to inspire confidence in women and other vulnerable service users, with a view to preserving community-based justice forums as safe spaces in which women can continue to access justice without fear;

6 Establish a community-based justice working group

The government should consider the establishment of a working group to investigate the inherent challenges of having a pluralistic community-based justice landscape, in which different providers use considerably different standards and processes to resolve justice problems. This should include exploring the possibility of harmonising the standards of practice and procedures across all provider types, to enhance the most equitable and positive elements of current models, while eliminating unfair and discriminatory elements including the Local Courts and the FSU for civil cases;

7 Fund exploratory research

Donors and government should consider funding exploratory research into the kinds of community-based justice services and approaches that work for all in Sierra Leone, and why. This should include funding longitudinal studies in order to assess the factors that impact and sustain outcomes of dispute resolution processes;

8 Meaningfully integrate community-based justice services in broader justice sector

Community-based justice services should be considered integral part of broader reforms in the justice sector, given that negative perceptions of the justice sector are likely to have negative impacts on the public's perceptions of community-based dispute resolution forums, including paralegal services;

9 Further reduce out-of-pocket costs

Paralegal service providers should also give consideration to a further reduction in the out-of-pocket costs of accessing community such as transportation and communication. This would involve them adopting innovative service delivery models that incorporate in-person attendance, mobile outreach services, as well as the use of basic online technologies where possible to increase access to their services;

10 Build robust and efficient monitoring and evaluation systems

Paralegal-based justice service providers should invest time and resources in building robust, efficient and better information management systems, in order to enhance their capacity to effectively track, assess and document impact.

Annex 1: Service user questionnaire

Introductions:

INSTRUCTIONS FOR RESEARCHER:

Introduce yourself to the respondent and explain the purpose of the research. Assure the respondent that the information he/she is about to provide will remain confidential, and that his/her identity will also remain anonymous throughout, and the data/information will be used only for the purpose of the research, and to improve community justice services for people like him/her. Pause and allow respondent to introduce him/herself (you may ask him/her to add few interesting things that he/she likes before moving to the interview proper).

THEMATIC AREAS:

- Family Law – spousal and child support
- Property Rights – land and tenancy issues

SECTION A: BASIC DEMOGRAPHIC INFORMATION				
A1	Name	_____		
A2	Occupation	01 = Farming 02 = Fishing 03 = Mining / quarrying 04 = Driving 05 = Trade and artisan work 06 = Petty trading 07 = NGO worker	08 = Civil servant 09 = Teacher 10 = Health care worker 11 = Security/watchman 12 = Housewife 99=Other, specify_____	[][]
A3	Age	01= 18 to 25 years old 02= 26-35 years old 03=36-50 years old	04=46-50 years old 05=51-65 years old 06 =65 and above	[][]
A4	Sex	1. Male 2. Female 3. Other (please specify _____)		[] [] []
A5	Education	1. No Formal Schooling 2. Primary School 3. Junior Secondary School	4. Senior Secondary School 5. Technical/ Vocational Education 6. University Education	[]
A6	Marital status	1.Single 2.Married 3. Divorced	4. Widower 5. Widow 5. Separated 6. Living together	[]
A7	Religion	1. Christianity 2. Islam 3. Other_____		[]
A8	Ethnicity	01 = Krio	09 = Kono	

		02 = Mende 03 = Temne 04 = Mandingo 05 = Loko 06 = Sherbro 07 = Limba 08 = Kissi	10 = Susu 11 = Fullah 13 = Koranko 14 Yalunka 66 = other 00 = none	[][]
A9	District of residence	01 = Western Area Urban 02 = Western Area Rural 03 = Port Loko 04 = Kambia 05 = Koinadugu 06 = Bombali 07 = Tonkolili 08 = Kono	09 = Kenema 10 = Kailahun 11 = Bo 12 = Bonthe 13 = Moyamba 14 = Pujehun 15 = Karena 16 = Falaba	[][]
A10	Town/village	_____		

SECTION B: Direct and Indirect (Social and Economic) Costs and Benefits to Users

Financial/economic costs

B1	What was the type of your legal/justice problem?	1. Child support/neglect	[]
		2. Spousal support/neglect	[]
		3. Land dispute	[]
		4. Landlord and tenant dispute/housing	[]
		5. pregnancy neglect	[]
		6. wife neglect	[]
		7. Marital dispute	[]
		8. Love relationship dispute	[]

			<input type="checkbox"/>
			<input type="checkbox"/>
B2	As far as you can recall, did you spend any money in resolving your case?	Yes No	<input type="checkbox"/> <input type="checkbox"/>
B3	If yes, how did you pay to resolve you legal problem?	1. Self 2. Spouse 3. Family contribution 4. Friends 5. Others (including...)	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B4	How much did you spend on telephone/airtime as a result of your legal/justice problem?	1. No cost 2. 5,000 – 10,000 3. 11,000-15,000 4. 16,000-20,000 5. 21,000-25,000 6. 26,000-30,000 7. 30,000>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B5	How much did you spend on the internet as a result of your legal/justice problem?	1. No cost 2. 5,000 – 10,000 3. 11,000-15,000 4. 16,000-20,000 5. 21,000-25,000 6. 26,000-30,000 7. 30,000>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B6	How much did you spend on transportation as a result of your legal/justice problem?	1. No cost 2. 5,000 – 10,000 3. 11,000-15,000 4. 16,000-20,000	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

	<i>(Note: if respondents walked, or gave something in-kind instead of paying for transportation, please get them to estimate the cost they would have incurred if they had paid for it)</i>	5. 21,000-25,000 6. 26,000-30,000 7. 30,000>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B7	How much did you spend on child care as a result of your legal/justice problem?	1. No cost 2. 5,000 – 10,000 3. 11,000-15,000 4. 16,000-20,000 5. 21,000-25,000 6. 26,000-30,000 7. 30,000>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B8	How much did you spend on providing cover for your business/home as a result of your legal/justice problem?	1. No cost 2. 5,000 – 10,000 3. 11,000-15,000 4. 16,000-20,000 5. 21,000-25,000 6. 26,000-30,000 7. 30,000>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B9	How much did you lose from rent as a result of your legal problem?	1. Nothing lost 2. 50,000 – 100,000 3. 101,000 – 150,000 4. 151,000 – 200,000 5. 201,000 – 250,000 6. 251,000 – 300,000 7. 301,000 – 350,000 8. 351,000 – 400,000 9. 401,000 – 450,000 10. 451,000>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B10	How much did you lose from spousal support as a result of your justice/legal problem?	1. Nothing lost 2. 50,000 – 100,000 3. 101,000 – 150,000 4. 151,000 – 200,000 5. 201,000 – 250,000 6. 251,000 – 300,000 7. 301,000 – 350,000 8. 351,000 – 400,000 9. 401,000 – 450,000 10. 451,000>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B11	How much did you lose from child support as a result of your justice/legal problem?	1. Nothing lost 2. 50,000 – 100,000 3. 101,000 – 150,000 4. 151,000 – 200,000 5. 201,000 – 250,000 6. 251,000 – 300,000 7. 301,000 – 350,000 8. 351,000 – 400,000 9. 401,000 – 450,000 10. 451,000>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B12	How much did you lose from your land as a result of your justice/legal problem?	1. Nothing lost 2. 50,000 – 100,000 3. 101,000 – 150,000 4. 151,000 – 200,000 5. 201,000 – 250,000	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

		6. 251,000 – 300,000 7. 301,000 – 350,000 8. 351,000 – 400,000 9. 401,000 – 450,000 10. 451,000>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B13	Throughout the process of trying to resolve your legal problem, were you asked to pay for any services?	1. Yes 2. No	<input type="checkbox"/> <input type="checkbox"/>
B14	What were you asked to pay for? <i>(Select all that apply)</i>	1. Transportation for the paralegal officer 2. Air time for paralegal officer 3. Case form 4. A pen 5. Other (specify _____)	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B15	If yes, how much did you pay?	1. No cost 2. 5,000 – 10,000 3. 11,000-15,000 4. 16,000-20,000 5. 21,000-25,000 6. 26,000-30,000 7. 30,000>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B16	How would you have spent that time if you were not engaged in resolving this case? <i>(Select all that apply)</i>	1 = Working on my farm 2 = Doing petty trade 3 = Looking for job 4 = Helping family/friends 5 = Repairing my house	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

		6 = Doing household chores 7 = Others (_____)	<input type="checkbox"/> <input type="checkbox"/>
Forum shopping			
B17	In trying to resolve your legal problem, did you use any of the following justice service providers other than the one through which your legal problem was resolved? <i>(Select all that apply)</i>	1. No 2. Local court 3. Family Support Unit 4. Other Paralegal NGO or organization 5. Family 6. Secret society 7. Religious leaders 8. Others <i>(please specify)</i> _____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B18	If yes, was it the first and only other service provider you used in trying to resolve your case?	1. Yes 2. No, it was my second service provider 3. No, it was my third service provider 4. No, it was my fourth service provider 5. I used all of them	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B19	What influenced your choice(s) of service provider?	1. Proximity to my locality 2. Referral by other service provider 3. Reputation of helping people resolve their cases 4. Overall cost of resolving cases 5. Attitude of paralegals 6. Type of resolution methods and punishment	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B20	As far as you can remember, how much did you spend using the other justice-based services?	1. No cost 2. 5,000 – 10,000 3. 11,000-15,000 4. 16,000-20,000 5. 21,000-25,000 6. 26,000-30,000 7. 30,000>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Intangible/non-monetary cost			
B21	<p>Did you suffer any of the following as a result of your legal problem?</p> <p><i>(Select all that apply)</i></p>	<ol style="list-style-type: none"> 1. Psychological problems 2. Emotional stress 3. Health problems 4. Physical harm 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B22	<p>Did your relationship with the following suffer a breakdown or damage as a result of your legal problem?</p> <p><i>(Select all that apply)</i></p>	<ol style="list-style-type: none"> 1. Family 2. Spouse(s) 3. Friends 4. Neighbours 5. Children/child 6. In-laws 	<ol style="list-style-type: none"> 7. Wider community members 8. Tenants 9. Landlord 10. Others specify _____ <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B23	<p>If yes, in what ways did your relationship breakdown?</p> <p><i>(Select all that apply)</i></p>	<ol style="list-style-type: none"> 1. Isolation 2. Stigmatization 3. Not on speaking terms 4. Mutual distrust 5. Desertion 6. Kicked out of premises/dwelling place 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

Opportunity costs			
B24	<p>Did you miss any of the following as a result of your legal problem?</p> <p><i>(Select all that apply)</i></p>	<ol style="list-style-type: none"> 1. Sending child/children to school 2. Accompanying child/family member to the hospital 3. Attending child/children school meeting 4. Attending child/children sports meeting 5. A job opportunity 6. Attending the wedding or funeral of a relative 7. Others (please specify)_____ 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Availability of service benefit			
B25	<p>Was there any paralegal based service provider in your community when you had your legal problem?</p>	<ol style="list-style-type: none"> 1. Yes 2. No 	<input type="checkbox"/> <input type="checkbox"/>
B26	<p>If yes, how far did you have to travel to the nearest community-based justice service provider you used to address your legal problem?</p>	<ol style="list-style-type: none"> 1. 0 – 1 mile 2. 1 – 5 miles 3. 6 – 10 miles 4. 11 – 15 miles 5. 16 – 20 miles 6. 21 and above miles 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B27	<p>Was the office opened at the time of your first visit?</p>	<ol style="list-style-type: none"> 1. Yes 2. No 	<input type="checkbox"/> <input type="checkbox"/>
B28	<p>If yes, how long did it take for the paralegal(s) to attend to you?</p>	<ol style="list-style-type: none"> 1. 0 – 1 Min 2. 1 – 5 mins 3. 5 - 10 mins 4. 11 – 15 mins 5. 16 – 20 mins 6. 21 – 25 mins 7. 26 – 30 mins 8. 30 and above mins 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
B29	How did you become aware that you had a legal problem for which you needed resolution?	<ol style="list-style-type: none"> 1. From family member 2. Friend (s) 3. Outreach services of paralegals 4. Community-based justice service users 5. Media programme 6. Others (Please specify) _____ 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B30	How did you hear about the paralegal office you visited?	<ol style="list-style-type: none"> 1. From family member 2. Friend (s) 3. Outreach services of paralegals 4. Community-based justice service users 5. Media 6. Others (please specify) _____ 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B31	Was your legal/justice problem resolved?	<ol style="list-style-type: none"> 1. Yes 2. No 	<input type="checkbox"/> <input type="checkbox"/>
B32	If yes, how was it resolved?	<ol style="list-style-type: none"> 1. Compensation (e.g. for lost earnings including rent, land, plantations etc) 2. Restoration of what was lost (including house, land, plantation) 3. Payment of child support 4. Payment of spousal support 5. Commitment obtained from spouse to pay child support 6. Commitment obtained from spouse to pay spousal allowance 7. Landlord returning rent 8. Tenant paying rent owed 9. Other (please specify) 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

			<input type="checkbox"/>
B33	Did you contribute to resolving your legal problem?	1. Yes 2. No	<input type="checkbox"/> <input type="checkbox"/>
B34	If yes, how did you contribute to resolving your legal problem?	1. Agreed to compensate the other party (e.g. for lost earnings including rent etc) 2. Restored what the other party lost (including house, land, plantation) 3. Paid child support 4. Committed to paying child support 5. Committed to paying spousal support 6. Attended ADR sessions 7. Respected the other party 8. Showed remorse and asked for forgiveness 9. Compromised 10. Accepted the apology of the other party 11. Brought witnesses to hearings 12. Agreed to the settlement of the case 13. Other (please specify) _____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B35	How would you describe your state of legal empowerment and awareness after going through your case? (Select all that apply)	1. I am now empowered to report other cases 2. I now feel more knowledgeable of the process of resolving my legal/justice problems 3. I am now able to help others identify their legal/justice problems and assist them seek resolution 4. I am not empowered enough to report cases in the future 5. I don't feel knowledgeable of the process of resolving legal/justice problems	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Process benefits			

<p>B36</p>	<p>Which of the following processes was used to resolve your legal problem?</p>	<ol style="list-style-type: none"> 1. Counselling 2. Mediation 3. Legal education/advice 4. Information services 5. Community outreach/education 6. Collective action 	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>
<p>B37</p>	<p>In your opinion, what did you gain from participating in the resolution of this case?</p> <p><i>(Select all the apply)</i></p>	<ol style="list-style-type: none"> 1 = Nothing 2 Compensation from other party 3 = Dignity restored 4 = Relationship restored 5 = Agreement reached 6 = Awareness about rights 7 = Feel empowered 8 = Others (_____) 	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>
<p>B38</p>	<p>How would you describe the process you went through to resolve your legal problem?</p> <p><i>(Indicate all that is applicable)</i></p>	<ol style="list-style-type: none"> 1. Simple and straightforward 2. Complex 3. Friendly 4. Hostile 5. Fair 6. Unfair 7. Respectful 8. Timely 	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>
<p>B39</p>	<p>How would you describe your satisfaction with the outcome of the process?</p>	<ol style="list-style-type: none"> 1. Extremely satisfied 2. Very satisfied 3. Moderately satisfied 4. Satisfied 5. Extremely unsatisfied 6. Very unsatisfied 7. Moderately unsatisfied 	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>

		8. Unsatisfied	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B40	As far as you can recall, how much time did you spend trying to resolve this case?	1 = Less than one week 2 = Less than one month 3 = Less than two months 4 = Less than three months 5 = Less than six months 6 = Six months and more	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Substantive benefits for victims and offenders			
B41	How would you describe the financial or monetary value of what you were compensated for your loss?	1. More than what I lost 2. Same as what I lost 3. Less than what I lost 4. Others (specify _____)	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B42	Assuming you were to put a money value on what you gained from the resolution of your justice problem, what would that be?	1 = Less than Le. 50,000 2 = Le. 50,000 – Le. 100,000 3 = Le. 150,000 – Le. 250,000 4 = Le. 300,000 – Le. 500,000 5 = Le. 550,000 and More 6 = Cannot be quantified	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B43	Were your damaged relationships restored?	1. Yes 2. No	<input type="checkbox"/> <input type="checkbox"/>
B44	How would you describe your relationship with the following: 1. Family	1. Cordial 2. Respectful 3. Helpful	<input type="checkbox"/> <input type="checkbox"/>

	2. Spouse	4. Disrespectful	<input type="checkbox"/>
	3. Friends	5. Unhelpful	<input type="checkbox"/>
	4. Community	6. Adversarial	<input type="checkbox"/>
	5. Landlord		<input type="checkbox"/>
	6. Tenants		<input type="checkbox"/>
	7. Others		<input type="checkbox"/>

SECTION C – GENDER DIMENSION ACCESS TO JUSTICE

C1	What was the gender of the paralegal officer(s) that handled your legal problem?	1. One female 2. One male 3. One female and one male 4. A mixture of more than one female and one male 5. Others (specify _____)	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
C2	Which of the following describe how you were treated because of your gender? <i>(Select all that apply)</i>	1. The paralegals treated me with respect and empathy 2. The paralegals were sensitive to my emotions 3. The paralegals protected me from being bullied by the other party 4. The paralegals spoke to me harshly 5. The paralegals treated me indifferently	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
C3	How would you describe your spouse's attitude/behaviour towards you during the resolution of your legal problem? <i>(Select all the apply)</i>	1. Cooperative 2. Remorseful 3. Compromising 4. Bullish 5. Adversarial 6. Uncooperative 7. Intimidating	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
C4	Did you feel your spouse had more power/influence/say than you in the resolution of your legal problem?	1. Yes 2. No	<input type="checkbox"/>

			<input type="checkbox"/>
C5	<p>If yes, why did you feel powerless?</p> <p><i>(Select all that apply)</i></p>	<ol style="list-style-type: none"> 1. My spouse earned more than me financially 2. Culturally women are expected to be subservient to their husbands 3. I did not receive the support of family, friends and community 4. I did not know where to go to resolve my justice problem 5. Community based justice services are dominated by men 6. Other (Please specify) _____ 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
C6	<p>In what way did the paralegals try to maintain a balance of power between you and your spouse?</p> <p><i>(Select all the apply)</i></p>	<ol style="list-style-type: none"> 1. Providing a disproportionately higher opportunity for my case to be heard 2. Preventing spouse from bullying me 3. Maintaining impartiality in the mediation process 4. Helping me cover some of my costs 5. Providing me with a safe house 6. Others (please specify) _____ 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
C7	<p>What was the biggest challenge/barrier you faced when accessing or seeking justice?</p>	<ol style="list-style-type: none"> 1. Finance 2. Lack of knowledge in relation to rights 3. Culture 4. Security/protection 5. Distance to paralegal office Others (Please specific) _____ 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

Annex 2: Service provider questionnaire

Introductions:

INSTRUCTIONS FOR RESEARCHER:

Introduce yourself to the respondent and explain the purpose of the research. Assure the respondent that the information he/she is about to provide will remain confidential, and that his/her identity will also remain anonymous throughout, and the data/information will be used only for the purpose of the research, and to improve community justice services for people like him/her. Pause and allow respondent to introduce him/herself (you may ask him/her to add few interesting things that he/she likes before moving to the interview proper).

THEMATIC AREAS:

- Family Law – spousal and child support
- Property Rights – land and tenancy issues

SECTION A: BASIC DEMOGRAPHIC INFORMATION					
A1	Name of Organization	<hr/> <hr/> <hr/>			
A2	Position/designation	01 = Head/Programme Manager 02 = Field Office Manager 03 = Lawyer/Legal Officer 03 = Lead Paralegal 04 = Paralegal 05 = Other (Please specify _____)		[] []	
A3	Age	01= 18 to 25 years old 02= 26-35 years old 03=36-50 years old	04=51-65 years old 05=46-50 years old 06 =65 and above	[] []	
A4	Sex	4. Male 5. Female 6. Others(please specify _____)		[]	
A5	Education	7. No Formal Schooling 8. Primary School 9. Junior Secondary School	10. Senior Secondary School 11. Technical/Vocational Education 12. University Education	[]	
A9	District of residence	01 = Western Area Urban 02 = Western Area Rural 03 = Port Loko 04 = Kambia 05 = Koinadugu	06 = Bombali 07 = Tonkolili 08 = Kono 09 = Kenema 10 = Kailahun	11 = Bo 12 = Bonthe 13 = Moyamba 14 = Pujehun	[] []
A11	Town/village	<hr/>			

SECTION B: Direct and Indirect Input Costs and Benefits to Community Justice Service Providers			
Establishment of community-based justice service			
B1	Which of the following best describes how your organization was formed?	1. The Community came together to set up this organization. 2. I and a few friends saw the need to help our community. 3. We were encouraged by some organization to set up a community organization 4. It is a branch of an international organization	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B2	Did you incur any cost in setting up your organization?	1. Yes 2. No	<input type="checkbox"/> <input type="checkbox"/>
B3	If yes, which of the following costs were incurred? <i>(Select all that apply)</i>	1. Payment for the drafting of documentation. 2. Registration with the national authority 3. Registration with the Local Council 4. Registration with the chiefdom authority 5. Payment for Renting of Apartment, furniture and staffing costs 6. Office equipment 7. Account opening 8. Internet 9. Website	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B4	Which of the following figures represent the cost incurred in total?	1. Le. 500,000 - 1m 2. Le. 1,500,000 – 5m 3. Le 6m – 15m 4. Le 16m – 25m 5. Other (please specify) _____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B5	What is your organization’s total staff strength?	1. Less than five 2. Six to ten 3. Eleven to Fifteen 4. Sixteen to twenty	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

		<ul style="list-style-type: none"> 5. Twenty-one to twenty-five 6. Twenty-six and above 	[]
B6	What is the average level of education of your staff?	<ul style="list-style-type: none"> 1. Primary education 2. Junior secondary education 3. College/university 4. Others specify (_____) 	[]
B7	What is the lowest level of education among your staff?	<ul style="list-style-type: none"> 1. Class 1 to 6 2. Form 1 to JSS 3 3. Form 4 to SSS 3 4. Under graduate degree 5. Graduate degree 6. Post graduate/doctoral degree 	[]
B8	What is the highest level of education among your staff?	<ul style="list-style-type: none"> 1. Class 1 to 6 2. Form 1 to JSS 3 3. Form 4 to SSS 3 4. Under graduate degree 5. Graduate degree 6. Post graduate/doctoral degree 	[]
B9	Among your staff, how many are lawyers?	<ul style="list-style-type: none"> 1. None 2. One 3. Two 4. Three 5. Four 6. Five 7. Six and above 8. Others specify (_____) 	[]
B10	Among your staff, how many are paralegals?	<ul style="list-style-type: none"> 1. One 2. Two 3. Three 4. Four 5. Five 6. Six and above 	

		7. Others specify (_____)	<input type="checkbox"/>
B11	Among your staff, how many are neither lawyers nor paralegals?	1. One 2. Two 3. Three 4. Four 5. Five 6. Six and above 7. Others specify (_____)	<input type="checkbox"/>
B12	Among your staff, how many are women?	1. None 2. One 3. Two 4. Three 5. Four 6. Five 7. Six and above 8. Others specify (_____)	
Case load			
B13	On average, how many new cases do you handle per day?	1 = One case only 2 = Two cases 3 = Three cases 4 = More than Three cases 5 = None	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B14	Among those new cases that you handle how many do you resolve the same day?	1 = None 2 = One 3 = Two 4 = Three 5 = Four	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B15	On average how many family law and property cases do you handle per month	1 = None 2 = One - Five 3 = Six - Ten	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

		<p>4 = Eleven – Fifteen</p> <p>5 = Sixteen – Twenty</p> <p>6 = Twenty-one and Above</p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>
B16	On average, how much time do you spend resolving one case?	<p>1 = Thirty minutes to one hour</p> <p>2 = One to two hours</p> <p>3 = Three to Six hours</p> <p>4 = Seven to nine hours</p> <p>5 = Twelve hours and above</p> <p>6 = One to Five days</p> <p>7 = One to two weeks</p> <p>8 = Two weeks></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>
B17	Among the cases that you don't resolve the same day, how long does it take to resolve one	<p>1 = Less than one week</p> <p>2 = Two weeks to one month</p> <p>3 = Two to three months</p> <p>4 = Four to six months</p> <p>5 = Six months and above</p> <p>6 = One to Five days</p> <p>7 = One to two weeks</p> <p>8 = Two to three weeks</p> <p>9 = One to three months</p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>
B18	On average, how many cases are assigned to one staff per month?	<p>1. = 1 – 5</p> <p>2. = 6 – 10</p> <p>3. = 11 – 15</p> <p>4. = 16 – 20</p> <p>5. = 21 – above</p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>

B19	Have you ever referred cases to any of the following organizations?	1. Magistrate court 2. Family Support Unit 3. General police 4. Local or customary courts 5. Office of the Ombudsman 6. Traditional leaders (Including sub-chiefs, mammy queens) 7. LAB	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
B20	How often do you refer cases to other organizations?	Always Frequently Sometimes Never	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
Direct and indirect costs				
B21	What is the estimated annual budget of your organization?	1 = Less than Le. 50,000,000 2 = Le. 51, 000,000 – Le. 100,000, 000 3 = Le. 101, 000,000 – Le 150,000,000 4 = Le. 151,000,000 – Le 200,000,000	5 = Le. 201, 000 – Le 250,000,000 6 = Le. 251, 000,000 – Le 300,000,000 7 = Le. 301,000,000 – Le 350, 000,000 8 = Le 351, 000, 000 – Le Above	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B22	Which of the following represent your sources of your funding? <i>(Select all that apply)</i>	1. Personal funds 2. Private and family donations 3. Community donations 4. Development Aid (donors) 5 Philanthropic organizations	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	

		6. Others (please specify) _____	
B23	On average, how much does your organization spend on transportation to resolve one legal problem?	1 = Less than Le. 50,000 2 = Le. 60, 000 – Le. 100, 000 3 = Le. 110,000 – Le 200,000 4 = Le. 210,000 – Le 300,000 5 = Le. 310, 000 – Le400,000 6 = Le. 500,000 and above	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B24	On average, how much your organization spends on telephone or airtime to resolve one case?	1 = Less than Le. 50,000 2 = Le. 60, 000 – Le. 100, 000 3 = Le. 110,000 – Le 200,000 4 = Le. 210,000 – Le 300,000 5 = Le. 310, 000 – Le400,000 6 = Le. 500,000 and above	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B25	On average, how much money does the organization spend on stationery to resolve one case?	1 = Less than Le. 50,000 2 = Le. 60, 000 – Le. 100, 000 3 = Le. 110,000 – Le 200,000 4 = Le. 210,000 – Le 300,000 5 = Le. 310, 000 – Le400,000 6 = Le. 500,000 and above	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B26	On average, how much does the organization spend on lawyers' salaries/fees to resolve one case?	1 = Less than Le. 50,000 2 = Le. 60, 000 – Le. 100, 000 3 = Le. 110,000 – Le 200,000 4 = Le. 210,000 – Le 300,000	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

		5 = Le. 310, 000 – Le400,000 6 = Le. 500,000 and above	<input type="checkbox"/> <input type="checkbox"/>
B27	On average, how much does the organization spend on lawyers' salaries/fees per month?	1 = Less than Le. 50,000 2 = Le. 60, 000 – Le. 100, 000 3 = Le. 110,000 – Le 200,000 4 = Le. 210,000 – Le 300,000 5 = Le. 310, 000 – Le400,000 6 = Le. 500,000 and above	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B28	What is the estimated annual cost of rent of your office?	1. Le. 500,000 – 1m 2. Le. 1,500,000 – 5m 3. Le 6m – 15m 4. Le 16m – 25m 5. Other (please specify) _____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B29	What is the estimated annual cost of your office security?	1. Le. 500,000 - 1m 2. Le. 1,500,000 – 5m 3. Le 6m – 15m 4. Le 16m – 25m 5. Other (please specify) _____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B28	What is the average annual cost of electricity including the running of generator?	1. Le. 500,000 - 1m 2. Le. 1,500,000 – 5m 3. Le 6m – 15m 4. Le 16m – 25m 5. Other (please specify)_____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B30	What is the estimated annual cost of supporting/ancillary staff?	1. Le. 500,000 - 1m 2. Le. 1,500,000 – 5m	<input type="checkbox"/> <input type="checkbox"/>

		<p>3. Le 6m – 15m</p> <p>4. Le 16m – 25m</p> <p>5. Other (please specify) _____</p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>
B31	What is the estimated annual cost of office equipment including for servicing?	<p>1. Le. 500,000 - 1m</p> <p>2. Le. 1,500,000 – 5m</p> <p>3. Le 6m – 15m</p> <p>4. Le 16m – 25m</p> <p>5. Other (please specify) _____</p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>
B32	What is the estimated annual operating cost for vehicles and motorbikes?	<p>1. Le. 500,000 - 1m</p> <p>2. Le. 1,500,000 – 5m</p> <p>3. Le 6m – 15m</p> <p>4. Le 16m – 25m</p> <p>5. Other (please specify) _____</p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>
B33	What is the estimated annual cost of outreach and visitation services?	<p>1. Le. 500,000 - 1m</p> <p>2. Le. 1,500,000 – 5m</p> <p>3. Le 6m – 15m</p> <p>4. Le 16m – 25m</p> <p>5. Other (please specify) _____</p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>
Use of innovation and technology			
B34	<p>Which of the following technologies/innovations has your organization used in the delivery of its service?</p> <p><i>(Select all that apply)</i></p>	<p>1. A call centre to receive complaints and provide legal advice/education/information to clients (free toll line)</p> <p>2. Special App through which clients log in information in relation to justice problems</p> <p>3. A shared/open access platform for uploading and analyzing data</p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>

		<ul style="list-style-type: none"> 4. Community outreach services 5. Cost sharing with other organizations 6. Local fund raising programmes 7. Close user group (CUG) 8. WhatsApp groups 9. Others (please specify) <p>_____</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B35	<p>What factors affect your choice of technology used in the delivery of your services?</p> <p><i>(select all that apply)</i></p>	<ul style="list-style-type: none"> 1. Technological infrastructure including availability of the internet 2. Cost of technology 3. Capacity of staff to operate technology 4. Ability of service users to pay for the use of the service 5. Capacity of service users to operate technology 6. Others (please specify) <p>_____</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Gender dimension			
B36	<p>What type of cases that are usually reported to your organization?</p> <p><i>(Select all that apply)</i></p>	<ul style="list-style-type: none"> 1 = Theft 2 = Land dispute 3 = Child support 4 = Child Neglect 5 = Wife Neglect 6 = Wife support 7 = House rent 8 = Wife beating 9 = Others 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B37	<p>Who are more likely to report the type of cases above?</p>	<ul style="list-style-type: none"> 1 = Men 2 = Women 3 = Children 	<input type="checkbox"/>

<p>B38</p>	<p>Why it is that _____ are the ones mostly reporting these cases to your institution?</p>	<p>1 = Trust in the services we offer 2 = Services are free of cost 4 = Services are easily accessible 5 = Equal opportunity for parties to be heard 6 = Feel more comfortable with case handling 7 = Other justice services are relatively less affordable 8 = Fear that other institutions might discriminate based on gender</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p>
<p>B39</p>	<p>What would you describe as the main difference(s) between female and male service users of your services? <i>(Select all that apply)</i></p>	<p>1. Women are more cooperative in resolving cases than men 2. Women are almost always the complainants in family law cases 3. Men are more likely to renege on commitments made in resolving cases than women 4. Men are more cooperative in resolving cases than women 5. Men are almost always the complainants in family law cases 6. Women are more likely to renege on commitments made in resolving cases than men 7. Women are more likely to serve as witnesses in cases than men 8. Men are more likely to serve as witnesses in cases than women 9. Others (Please specify _____)</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p>
<p>B40</p>	<p>How do you normally deal with the power imbalances between women and men? <i>(Select all that apply)</i></p>	<p>7. Providing a disproportionately higher opportunity for women’s cases to be heard 8. Preventing women from bullying me 9. Maintaining impartiality in the mediation process 10. Helping me cover some of my costs 11. Providing me with a safe house 12. Others (please specify) _____</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p>
<p>B41</p>	<p>How would you describe the level of training of your staff in handling</p>	<p>1. Staff are well trained 2. Staff are moderately trained 3. Staff are mostly untrained volunteers 4. Staff are in dire need of training</p>	<p><input type="checkbox"/> <input type="checkbox"/></p>

	sensitive legal problems relating to women?	5. Others (please specify _____)	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B42	What would you describe as the biggest challenge(s) facing women when accessing community-based justice?	6. Finance 7. Lack of knowledge in relation to rights 8. Culture 9. Security/protection 10. Distance to paralegal office 11. Others (Please specific _____)	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B43	How would you describe the satisfaction level of your clients with the outcome of their cases?	1 = Always satisfied 2 = Sometimes satisfied 3 = Somehow satisfied 4 = Less satisfied 5 = Not satisfied 6 = Don't know	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

Annex 3: Counterfactual survey questionnaire

Introductions:

INSTRUCTIONS FOR RESEARCHER:

Introduce yourself to the respondent and explain the purpose of the research. Assure the respondent that the information he/she is about to provide will remain confidential, and that his/her identity will also remain anonymous throughout, and the data/information will be used only for the purpose of the research, and to improve community justice services for people like him/her. Pause and allow respondent to introduce him/herself (you may ask him/her to add few interesting things that he/she likes before moving to the interview proper).

THEMATIC AREAS:

- Family Law – spousal and child support
- Property Rights – land and tenancy issues

SECTION A: BASIC DEMOGRAPHIC INFORMATION				
A1	Name	_____		
A2	Occupation	01 = Farming 02 = Fishing 03 = Mining / quarrying 04 = Driving 05 = Trade and artisan work 06 = Petty trading 07 = NGO worker	08 = Civil servant 09 = Teacher 10 = Health care worker 11 = Security/watchman 12 = Housewife 99 = Other, specify _____	[] []
A3	Age	01= 18 to 25 years old 02= 26-35 years old 03=36-50 years old	04=51-65 years old 05=46-50 years old 06 =65 and above	[] []
A4	Sex	7. Male 8. Female 9. Other (please specify _____)		[] [] []
A5	Education	13. No Formal Schooling 14. Primary School 15. Junior Secondary School	16. Senior Secondary School 17. Technical/ Vocational Education 18. University Education	[]
A6	Marital status	1.Single 2.Married 3. Divorced	4. Widower 5. Widow 5. Separated 6. Living together	[]

A7	Religion	4. Christianity 5. Islam 6. Other _____		[]
A8	Ethnicity	01 = Krio 02 = Mende 03 = Temne 04 = Mandingo 05 = Loko 06 = Sherbro 07 = Limba 08 = Kissi	09 = Kono 10 = Susu 11 = Fullah 13 = Koranko 14 Yalunka 66 = other 00 = none	[] []
A9	District of residence	01 = Western Area Urban 02 = Western Area Rural 03 = Port Loko 04 = Kambia 05 = Koinadugu 06 = Bombali 07 = Tonkolili	08 = Kono 09 = Kenema 10 = Kailahun 11 = Bo 12 = Bonthe 13 = Moyamba 14 = Pujehun	[] []
A10	Town/village	_____ _____		

SECTION B - Access to Justice and Justice Problems/Needs for Individuals and Communities				
B1	Have you ever used a community-based justice service provider to resolve a legal/justice problem? <i>(If yes, please move on to the next respondent)</i>	1 = Yes 2 = No		<input type="checkbox"/> <input type="checkbox"/>
B2	Is there a community justice service institution in this community?	1 = Yes 2 = No 3 = Don't know		<input type="checkbox"/>
B3	How many community justice service institutions are working in this community?	0 = None 1 = One 2 = Two 3 = Three 4 = More than Three		<input type="checkbox"/>
B4	Please tell me the names of the justice institutions working in your community <i>(Select all that apply)</i>	0 = Don't Know 1 = Legal Aid Board 2 = Methodist Church Sierra Leone 3 = Access to Justice Law Center 4 = Center for Human Rights 5 = TIMAP for Justice	6 = Justice and Peace Commission 7 = NAMATI Sierra Leone 8 = LAWYERS 9 = Center for Human Right and Democracy (CDHR) 10 = Local Court 11 = Other (please specify) _____ _____ _____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B5	How did you know about these justice institution?	1 = Through a relative/friend 2 = Through another user 3 = In a community meeting	6 = Through television 7 = Through town crier	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

	(Select all that apply)	<p>4 = Through sensitization/mobile clinic by paralegals</p> <p>5 = Through radio announcement</p>		<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B6	<p>Which of these justice institutions people in this community mostly report their cases to the most?</p> <p>(Select all the apply)</p>	<p>0 = Don't Know</p> <p>1 = Legal Aid Board</p> <p>2 = Methodist Church Sierra Leone</p> <p>3 = Access to Justice Law Center</p> <p>4 = Center for Human Rights</p> <p>5 = TIMAP for Justice</p>	<p>6 = Justice and Peace Commission</p> <p>7 = NAMATI Sierra Leone</p> <p>8 = LAWYERS</p> <p>9 = Center for Human Right and Democracy (CDHR)</p> <p>10 = Local Court</p> <p>11 = Other (please specify)</p> <hr/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B7	<p>Why is it that people report their cases to this institution and not the others?</p> <p>(Select all that apply)</p>	<p>1 = Because it is closer to community</p> <p>2 = Because the services are free</p> <p>3 = Because they are fast</p> <p>4 = Because they are fair</p> <p>5 = Because they are respectful</p> <p>6 = Because they are skilled at resolving disputes</p> <p>7 = Others specify</p> <p>8 = Don't know</p>		<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

<p>B8</p>	<p>What are the common types of cases that people in this community mostly report to this institution?</p> <p><i>(Select all that apply)</i></p>	<p>1 = Theft <input type="checkbox"/></p> <p>2 = Land dispute <input type="checkbox"/></p> <p>3 = Child support <input type="checkbox"/></p> <p>4 = Child Neglect <input type="checkbox"/></p> <p>5 = Wife Neglect <input type="checkbox"/></p> <p>6 = Wife support <input type="checkbox"/></p> <p>7 = House rent <input type="checkbox"/></p> <p>8 = Wife beating <input type="checkbox"/></p> <p>9 = Debt <input type="checkbox"/></p> <p>10 = Others specify <input type="checkbox"/></p>	
<p>B9</p>	<p>Why are these cases common among the cases that are reported?</p> <p><i>(Select all that apply)</i></p>	<p>1 = Poverty <input type="checkbox"/></p> <p>2 = Less employment opportunities <input type="checkbox"/></p> <p>3 = Traditional/cultural practices <input type="checkbox"/></p> <p>4 = Gender discrimination <input type="checkbox"/></p> <p>5 = Poor awareness about HR <input type="checkbox"/></p> <p>6 = Inadequate enforcement of laws <input type="checkbox"/></p>	
<p>B 10</p>	<p>From your observation, what is the age of people who report the types of cases mentioned in B9 above?</p>	<p>1 = Six years and below <input type="checkbox"/></p> <p>2 = Seven to twelve years old <input type="checkbox"/></p> <p>3 = thirteen to eighteen years old <input type="checkbox"/></p> <p>4 = Nineteen to twenty-four years old <input type="checkbox"/></p> <p>5 = twenty-five to thirty years old <input type="checkbox"/></p> <p>6 = thirty to thirty-six years old <input type="checkbox"/></p> <p>7 = thirty-seven to forty-two years old <input type="checkbox"/></p> <p>8 = forty-three to forty-eight years old <input type="checkbox"/></p> <p>9 = forty-nine to fifty-four years old <input type="checkbox"/></p>	

		10 = fifty-five to sixty years old	<input type="checkbox"/>	
		11 = sixty-one to sixty-six years old	<input type="checkbox"/>	
		12 = sixty-seven and above		
B10	From your observation, what is the gender of people that mostly report the type of cases you mentioned above?	1 = Male 2 = Female 3 = Don't know	<input type="checkbox"/>	
B11	Where is the nearest office located?	1 = Within the community 2 = Outside the community 3 = Don't know	<input type="checkbox"/>	
B12	Approximately how many miles does it take to reach the nearest paralegal office?	1 = One to Two miles 2 = Three to Four miles 3 = Five to Six miles	4 = Seven and above 5 = Don't know	<input type="checkbox"/>
B13	Approximately how many miles does it take to reach the farthest paralegal office.	1 = One to Two miles 2 = Three to Four miles 3 = Five to Six miles	4 = Seven to Ten miles 5 = More than Ten miles 5 = Don't know	<input type="checkbox"/>
B14	Have you had a legal/justice problem in the last two years?	1 = Yes 2 = No	<input type="checkbox"/> <input type="checkbox"/>	
B15	If yes, what type of legal/justice problem have you had in the last two years? <i>(Select all that apply)</i>	1 = Child neglect/support 2 = Spousal neglect/support 3 = Child custody 4 = Land dispute 5 = Wife bartering 5 = Housing – tenant/landlord 6 = Debt	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	

		7 = Consumer problems	<input type="checkbox"/>
		8 = Injury (mainly work-related injuries)	<input type="checkbox"/>
		9 = Employment	<input type="checkbox"/>
		10 = Obtaining ID, passport, driver's licenses.	<input type="checkbox"/>
		11 = Others specify	<input type="checkbox"/>
B16	Through what channel did you know you had a legal/justice problem that needed resolution? <i>(Select all that apply)</i>	1 = Through a relative/friend 2 = Through another user 3 = In a community meeting 4 = Through sensitization/mobile clinic by paralegals	5 = Through radio discussion 6 = Through television 7 = Through town crier
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
B17	Why did you not seek the services of community-based justice institutions to resolve your legal/justice problem?	1 = Did not know I had a legal problem 2 = The paralegal office was too far from where I live 3 = I thought I won't get justice 4 = The other party was too powerful 5 = The paralegal office did not have a good reputation 6 = I thought I had to pay for the service 7 = It would have been time consuming and I had other things to do 8 = I feared relationship breakdown 9 = I used other justice service providers: (Please specify_____)	<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
B18	What was the cost of you not seeking the services of community-based service providers to	1 = I permanently lost my land 2 = I couldn't get spousal support from my spouse 3 = I couldn't get child support	<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>

	<p>resolve your legal/justice problem?</p> <p>(Select all that apply)</p>	<p>4 = I couldn't collect rent from my property</p> <p>5 = My tenancy was prematurely terminated by landlord without compensation</p> <p>6 = I lost my job and I was not compensated</p> <p>7 = I suffered emotional and psychological breakdown</p> <p>8 = I could not send my children to school</p> <p>9 = I could not provide for my children and other dependants</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B19	<p>Did you regret not seeking the services of community-based justice service providers?</p>	<p>1 = Yes</p> <p>2 = No</p>	<input type="checkbox"/> <input type="checkbox"/>
B20	<p>If the answer to question B19 is yes, why did you regret not reporting your legal problem?</p>	<p>1 = Because the problem persisted</p> <p>2 = I would have secured justice</p> <p>3 = I would have recovered what I lost</p> <p>4 = Others who reported their cases were able to get justice</p> <p>5 = Other, specify _____</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
B21	<p>If you are faced with a similar legal/justice problem in the future, would you seek to resolve it through community-based justice service providers?</p>	<p>1 = Yes</p> <p>2 = No</p>	<input type="checkbox"/> <input type="checkbox"/>
B22	<p>If no, why would you not seek to resolve it through community-based (paralegal) justice service providers?</p>	<p>1 = I am afraid of reprisals from my family and community</p> <p>2 = I am ashamed of taking my case to them</p> <p>3 = I would lose my marriage</p> <p>4 = I would damage my relationship with the other party</p> <p>5 = I don't have money to pay for transportation and other costs</p> <p>6 = I don't trust the paralegal organization in my community</p> <p>7 = I discrete, and I don't want to go public</p> <p>8 = I am afraid of the stigma that will result from the case</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

<p>B23</p>	<p>How would you describe the social status of people who report the cases you mentioned in B9 above?</p>	<p>1 = Extremely poor 2 = Moderately poor 3 = Poor 4 = Well off 5 = Moderately well off 5 = Extremely well off 6 = Don't know</p>	<p>[]</p>
<p>B24</p>	<p>Why do you think people report their cases to paralegal institutions and not the others? (e.g. FSU, police, local courts)</p> <p><i>(Select all that apply)</i></p>	<p>1 = Because they are closer to them 2 = Because the services are free 3 = Because they are fast to deliver 4 = Because the procedure is fair and impartial 5 = Because they are respectful 6 = Because they are skilled at resolving disputes 7 = Because they can deliver justice to victims without fear or favour 8 = Because they can restore what the victims lost 9 = Because they can repair damaged relations 10 = Because they can enhance community peace and cohesion 11 = Others, specify _____ 12 = Don't know</p>	<p>[] [] [] [] [] [] [] [] [] []</p>

Endnotes

- 1 Manuel, M. and Manuel, C. .2021. "People-centred justice for all – A route to scaling up access to justice advice and assistance in low-income countries". ODI Report. London: ODI (www.odi.org/en/people-centred-justice-for-all).
- 2 OECD and OSF .2016. "Leveraging the SDGs for Inclusive Growth: Delivering Access to Justice for All", Issues Brief. Available at <https://www.oecd.org/fr/gov/access-to-justice.htm>, accessed on 1 February 2021; World Justice Project .2019. "Measuring the Justice Gap: A People-Centered Assessment of Unmet Justice Needs Around the World". Available at <https://worldjusticeproject.org/our-work/research-and-data/access-justice/measuring-justice-gap>, accessed on 1 February 2021.
- 3 Manuel, M. and Manuel, C. .2021.
- 4 OECD and OSF .2019. "Legal Needs Surveys and Access to Justice". Paris: OECD Publishing. Available at <https://doi.org/10.1787/g2g9a36c-en>, accessed on 3 February 2021.
- 5 OSIWA .2019. "Baseline and Needs Assessment for the Provision of Non-Criminal Primary Justice Services in Sierra Leone". Available at <https://www.osiwa.org/publications/baseline-and-needs-assessment-for-the-provision-of-non-criminal-primary-justice-services-in-sierra-leone-full-report/>, accessed on 3 February 2021.
- 6 OSIWA .2019. p, 5.
- 7 Manuel, M. and Manuel, C. .2021.
- 8 Note that due to the lack of reliable data, we have not been able to comprehensively analyse the benefits accruable to service providers.
- 9 OSIWA .2019.
- 10 Shorten, A and Smith, J .2017. "Mixed methods research: expanding the evidence base", *Evid Based Nurs.* volume 20, number 3, 10.1136/eb-2017-102699.
- 11 Onwuegbuzie AJ, Burke Johnson R .2006. "The 'validity' issue in mixed research". *Research in the Schools.* Vol. 13, No. 1, 48-63; Johnson, B.R and Christensen, L.B. .2017. *Educational research: Quantitative, qualitative, and mixed approaches.* Los Angeles: SAGE.
- 12 Etherington, K .2009. "Life story research: A relevant methodology for counsellors and psychotherapists", *Counselling and Psychotherapy Research.* 9 (4): 225-233.
- 13 See for example Harley, G and Capita, I et al. .2019. "A Tool for Justice. The Cost-Benefit Analysis of Legal Aid". Washington DC. World Bank; Manuel, M. and Manuel, C. (2021) *People-centred justice for all – A route to scaling up access to justice advice and assistance in low-income countries.* ODI Report (www.odi.org/en/people-centred-justice-for-all); Legal Aid Service Providers' Network .2016. "Cost Benefit Analysis of the Uganda National Legal Aid Policy", available at <http://www.laspnet.org/joomla-pages/reports/research-reports>, accessed 29 July 2021.
- 14 See Moor, L and Farrow, T.C.W .2019. *Investing in Justice: A Literature Review in Support of the Case for Improved Access.* Toronto: Canadian Forum on Civil Justice.

- 15 We have however used a descriptive statistical framework to illustrate the costs and benefits of community-based justice services to the wider community.
- 16 Newton, A. M .2015. "A synthesis of community-based justice and complementarity", in Christian De Vos, Sara Kendall, and Carsten Stahn (ed) *Contested Justice: The Politics and Practice of International Criminal Court Intervention*. Cambridge: Cambridge University Press, pp. 122-144.
- 17 Park, A.SJ .2010. "Community-based restorative transitional justice in Sierra Leone", *Contemporary Justice Review*. Vol. 13, No. 1, 95-119.
- 18 Capece, G., and Costa, R. .2013. "The new neighbourhood in the internet era: network communities serving local communities". *Behaviour & Information Technology*, 32(5), 438-448.
- 19 Bettez, S. C. 2013.. "Community Building in Social Justice Work: A Critical Approach. *Educational Studies*", 49, 45-66.
- 20 Focus group discussion, Women, Port Loko, 12 November, 2020.
- 21 Conteh, F. M .2014. "Chiefs, NGOs and Alternative Conflict Resolution Mechanisms in Post-conflict Sierra Leone", *Review of African Political Economy*, 41:142, 516 – 529.
- 22 Conteh, F.M and Maconachie, R .2019. "Spaces for contestation: The politics of community development agreements in Sierra Leone" *Resources Policy*, 61, 231-240.
- 23 Focus group discussion, men and women, Port Loko, 12 November 2020.
- 24 Focus group discussion, men and women, Bo, 14 November 2020.
- 25 Focus group discussion, men and women, Kono, 16 November 2020.
- 26 Focus group discussion, women, Port Loko, Makeni, Kono, Bo and Kenema, 12-16 November 2020.
- 27 Focus group discussion, women, Port Loko, Makeni, Kono, Bo and Kenema, November 2020.
- 28 Focus group discussion, men and women, Port Loko, 12 November 2020.
- 29 Focus group discussion, women, Port Loko, 12 November, 2020.
- 30 Focus group discussion, women, Port Loko, 12 November, 2020.
- 31 Focus group discussion, women, Port Loko, Makeni, Kono, Bo and Kenema, 12-16 November 2020.
- 32 At the time of writing 1 USD was equivalent to 10,637.5 SLL.
- 33 Focus group discussion, men and women, Kono, 16 November 2020.
- 34 Interview with the Local Court Chairman in Port Loko, 6 September 2019.
- 35 Langan II, R.H. 2016. "Evaluation Report UNDP Sierra Leone (Irish Aid) Improving Rule of Law & Access to Justice Programme", New York: UNDP.

- 36 Focus group discussions, heads of legal aid organisations, Freetown, 12 July 2019.
- 37 Interview, NGO Lead Paralegal, Port Loko, 6 September 2019.
- 38 Focus group discussions, heads of legal aid organisations, Freetown, 12 July 2019.
- 39 Focus group discussions, heads of legal aid organisations, Freetown, 12 July 2019.
- 40 Focus group discussions, heads of legal aid organisations, Freetown, 12 July 2019.
- 41 Focus group discussions, heads of legal aid organisations, Freetown, 12 July 2019.
- 42 Focus group discussions, heads of legal aid organisations, Freetown, 12 July 2019.
- 43 Langan II, R.H. 2016; Ibrahim, A.F., Conteh, F.M., Mbawa, H. et al. .2020. "Costly justice: why communities in Sierra Leone turn to paralegals instead of local courts to resolve their justice problems", *Pathfinders*, 16 October, available at <https://medium.com/sdg16plus/costly-justice-why-communities-in-sierra-leone-turn-to-paralegals-instead-of-local-courts-d971844f6a9c>, accessed 14 July 2021.
- 44 Family Support Unit. n.d. "Guidelines on SGBV Case Management: A Reference Handbook for the FSU". FSU: Freetown; Centre for Accountability and Rule of Law. n.d. "Assessing the Resource Gap in the Fight Against Sexual and Gender-Based Violence: Is the FSU Hamstrung? Freetown: Centre for Accountability and Rule of Law.
- 45 Interview, Officer in Charge, FSU, Port Loko, 6 September 2019.
- 46 Focus group discussion, women, Port Loko, 6 September 2019.
- 47 Focus group discussion, women, Port Loko, Makeni, Kono, Bo and Kenema, 12-16 November 2020.
- 48 Centre for Accountability and Rule of Law. n.d:15.
- 49 Ibrahim, A.F., Conteh, F.M., Mbawa, H. et al. .2020. "Costly justice: why communities in Sierra Leone turn to paralegals instead of local courts to resolve their justice problems", *Pathfinders*, 16 October.
- 50 Focus group discussion, women, Port Loko, Makeni, Kono, Bo and Kenema, 12-16 November 2020; Ibrahim, A.F., Conteh, F.M., Mbawa, H. et al. .2020.
- 51 Women focus group discussion, Port Loko, Makeni, Kono, Bo and Kenema, 12-16 November 2020; Ibrahim, A.F., Conteh, F.M., Mbawa, H. et al. .2020.
- 52 Focus group discussions, women, Port Loko and Kambia, 6-7 September 2019.
- 53 ACPF .2020. "The African Report on Child Wellbeing 2020: How friendly are African governments towards girls?" Addis Ababa: African Child Policy Forum (ACPF); See Government of Sierra Leone .2014. "Country Report by Sierra Leone on Implementation of the Beijing Platform for Action (1995) and the Outcome of the Twenty-Third Special Session of the General Assembly (2000)". Freetown: Ministry of Social Welfare, Gender and Children's Affairs.
- 54 Women focus group discussion, Port Loko, Makeni, Kono, Bo and Kenema, 12-16 November 2020.

- 55 Centre for Accountability and Rule of Law. N.d.
- 56 Ibrahim, A.F., Conteh, F.M., Mbawa, H. et al. .2020; Focus group discussion, women, Port Loko, Makeni, Kono, Bo and Kenema, 12–16 November 2020.
- 57 Ibrahim, A.F., Conteh, F.M., Mbawa, H. et al. .2020; Focus group discussion, women, Port Loko, Makeni, Kono, Bo and Kenema, 12–16 November 2020.
- 58 Ibrahim, A.F., Conteh, F.M., Mbawa, H. et al. .2020; Focus group discussion, women, Port Loko, Makeni, Kono, Bo and Kenema, 12–16 November 2020.
- 59 Ibrahim, A.F., Conteh, F.M., Mbawa, H. et al. .2020; Focus group discussion, women, Port Loko, Makeni, Kono, Bo and Kenema, 12–16 November 2020.
- 60 Ibrahim, A.F., Conteh, F.M., Mbawa, H. et al. 2020; Focus group discussion, women Port Loko, Makeni, Kono, Bo and Kenema, 12–16 November 2020.
- 61 Conteh, F.M, Conteh, S, Braima, L et al .2020. “Paralegals, community agency and access to justice in Sierra Leone”, NAMATI, 23 September 2020, available at <https://namati.org/news-stories/paralegals-community-agency-access-to-justice-in-sierra-leone/>, accessed 15 July 2021; Ibrahim, A.F., Conteh, F.M., Mbawa, H. et al. .2020; Focus group discussion, women Port Loko, Makeni, Kono, Bo and Kenema, 12–16 November 2020.
- 62 Focus group discussions, men and women, Port Loko, Makeni, Kono, Bo and Kenema, 12–16 November 2020.
- 63 Focus group discussions, men and women, Port Loko, Makeni, Kono, Bo and Kenema, 12–16 November 2020.
- 64 Interview, Lead Paralegal Legal Aid Board, Port Loko, 12 November 2020.
- 65 North, D.C .1990. *Institutions, Institutional Change and Economic Performance*. Cambridge: Cambridge University Press; Sandefur, J. and Siddiqi, B. 2011. ‘Rights or remedies? Shopping for justice in Liberia’s dualistic legal system. In: Harper, E. (ed.) *Working with customary justice systems: post-conflict and fragile states*. Rome: International Development Law Organisation (IDLO), 109–126; Sandefur, J and Siddiqi, B .2015. “Delivering Justice to the Poor: Theory and Experimental Evidence from Liberia”; Martins, B.W .2014. *Access to Justice: The Role of Community-based Paralegals in Community Restorative Justice in Rural KwaZulu-Natal*. Thesis. Kwazulu-Natal: University of Kwazulu-Natal.
- 66 Focus group discussion, women, Port Loko, Makeni, Kono, Bo and Kenema, 12–16 November 2020; Conteh, F.M; Conteh, S, Braima, L et al .2020; Ibrahim, A.F., Conteh, F.M., Mbawa, H. et al. .2020.
- 67 Focus group discussion, women, Port Loko, Makeni, Kono, Bo and Kenema, 12–16 November 2020; Conteh, F.M; Conteh, S, Braima, L et al .2020; Ibrahim, A.F., Conteh, F.M., Mbawa, H. et al.
- 68 Interview, NGO Lead Paralegal, Port Loko, 6 September 2019.
- 69 Ibrahim, A.F., Conteh, F.M., Mbawa, H. et al. .2020.

- 70 Von Benda-Beckmann, K . 1981. "Forum Shopping and Shopping Forums: Dispute Processing in a Minangkabau Village in West Sumatra.", *Journal of Legal Pluralism and Unofficial Law* 13, no. 19: 117–60; Sandefur, J. and Siddiqi, B. 2011. 'Rights or remedies? Shopping for justice in Liberia's dualistic legal system. In: Harper, E. (ed.) Working with customary justice systems: post-conflict and fragile states. Rome: International Development Law Organisation (IDLO), 109–126; Sandefur, J and Siddiqi, B .2015. "Delivering Justice to the Poor: Theory and Experimental Evidence from Liberia"; Martins, B.W .2014. Access to Justice".
- 71 Focus group discussion, women, Port Loko, Makeni, Kono, Bo and Kenema, 12–16 November 2020.
- 72 Petsche, M .2011. "What's Wrong with Forum Shopping? An Attempt to Identify and Assess the Real Issues of a Controversial Practice". *The International Lawyer*. Vol. 45, No. 4, 1005 – 1028; Guthrie, N .1995. "'A Good Place to Shop': Choice of Forum and the Conflict of Laws", *Ottawa Law Review/Revue de droit d'Ottawa*, Vol. 27:2, 201 – 232.
- 73 Focus group discussion, men and women, Port Loko, 12 November 2020.
- 74 Focus group discussion, women, Port Loko and Makeni, 12–14 November 2020.
- 75 Focus group discussion, women, Port Loko and Makeni, 12–14 November 2020.
- 76 Focus group discussion, women, Port Loko and Makeni, 12–14 November 2020.
- 77 Focus group discussion, women, Port Loko and Makeni, 12–14 November 2020.
- 78 Guthrie, N .1995; Petsche, M .2011.
- 79 Focus group discussions, women and men, Port Loko, Makeni, Kono, Bo and Kenema, 12–16 November 2020.
- 80 Focus group discussion, men, Makeni, 13 November 2020.
- 81 Okech, A .2017. "Evaluating the impacts of protecting communal lands and resources and Comparing the impacts of state and customary land justice systems". Kampala: LEMU. P,26.
- 82 Focus group discussions, men and women, Port Loko, Makeni, Kono, Bo and Kenema, 12–16 November 2020.
- 83 Focus group discussion, women, Port Loko, 12 November 2020.
- 84 Focus group discussion, women, Port Loko, 12 November 2020.
- 85 Reno, W .1995. *Corruption and State Politics in Sierra Leone*, New York: Cambridge University Press; Mokuwa, E., Voors, M., Bulte, E., and Richards, P .2011. "Peasant Grievance and Insurgency in Sierra Leone: Judicial Serfdom as Driver of Conflict", *African Affairs*, Vol. 110, No. 440, pp. 339 –366; Jackson, P .2005. "Chiefs, Money and Politicians: Rebuilding Local Government in Post-War Sierra Leone", *Public Administration and Development*, Vol. 25, No. 1, pp 49–58; Jackson, P .2006. "Reshuffling an Old Deck of Cards? The Politics of Local Government Reform in Sierra Leone", *African Affairs*, Vol. 106, No. 422, pp. 95–111.
- 86 Martins, B.W .2014. "Access to Justice".
- 87 Ruiz-Chiriboga, O .2020. "Choosing the Most favorable Venue: Forum Shopping, Shopping Forums, and Legal Pluralism in Ecuador", *Mexican Law Review*, Vol 12, No. 2, 53 – 86. P, 69.

- 88 Chopra, T. and Isser, D. 2012. Access to justice and legal pluralism in fragile states: The case of women's rights. *Hague Journal on the Rule of Law*, 4, 337-358. P, 353.
- 89 Focus group discussion, men and women, Port Loko and Makeni, 12-14 November 2020.
- 90 Kiendrebeogo, Y., Davies, S., Kruse, A et al. 2021. Welfare and Poverty Effects of the COVID-19 Pandemic: Sierra Leone Economic Update, Washington, DC: World Bank Doi: 10.1596/978-1-4648-1408-2.
- 91 Voluntary Service Overseas .n.d. "Justice for women who face violence in Sierra Leone: Male Engagement programme", available at <https://www.vsointernational.org/our-work/healthy-communities/inclusive-srhr/male-engagement/justice-for-women-who-face-violence>, accessed 8 September 2021.
- 92 OSIWA .2019. "Baseline and Needs Assessment for the Provision of Non-Criminal Primary Justice Services in Sierra Leone".
- 93 Wambua, P.M and Logan, C .2017. "Popular distrust, perceptions of corruption mark Sierra Leone's court system". P, 2
- 94 James, W .1922. *Pragmatism: A New Name for Some Old Ways of Thinking. Popular Lectures on Philosophy*. New York: Longmans, Green and Co; Misak, C .2013. *The American Pragmatists*. Oxford: Oxford University Press; Misak, C .2016. *Cambridge Pragmatism: From Peirce and James to Ramsey and Wittgenstein*. Oxford: Oxford University Press.
- 95 Misak, C .2015. "Ramsey's Cognitivism: Truth, Ethics, and the Meaning of Life", *Transactions of the Charles S. Peirce Society*, Vol. 51, No. 4, pp. 463-474.
- 96 Dia, M .1996. *Africa's Management in the 1990s and Beyond: Reconciling Indigenous and Transplanted Institutions*. Washington, DC: World Bank.
- 97 Dia, M .1996. *Africa's Management in the 1990s and Beyond*
- 98 Ibrahim, A.F., Conteh, F.M., Mbawa, H. et al. .2020.
- 99 Manuel, M. and Manuel, C. .2021.
- 100 Bank of Sierra Leone 1-yr Treasury Bill rates: December 2017: 5 percent; December 2018: 5 percent, December 2019: 5 percent
- 101 Bank of Sierra Leone mid rates: 2017 - US\$1/Le.7,541; 2018- US\$1/Le.8,429; US\$1/Le.9,711.
- 102 Cost-Benefit Ratio = Benefits/Costs. The research presented the Cost-Benefit ratio calculated based on both the **NPV** as well as **Absolute mean costs and benefits**. The NPV helps in determining whether or not expending financial resources in accessing justice is a smart or rational decision and investment. It also sheds light on whether continuing to seek justice in the future makes sense now.
- 103 The Net Present Value (NPV) is the estimated current value of the future costs or benefits of accessing justice, discounted at an appropriate rate. A positive NPV makes financial and/or economic sense. The opposite is true when the NPV is negative. When the NPV is 0, there is no gain or loss.

- 104 Cost –Benefit is Benefits/Costs usually called BCR Ratio
- 105 Maru, V .2006. "Between Law and Society: Paralegals and the Provision of Justice Services in Sierra Leone and Worldwide". *The Yale Journal of International Law*, Vol. 31, 427 – 476; OECD and Open Society Justice Initiative .2016. "Understanding Effective Access to Justice", Workshop paper. Paris: OECD; Manuel, M. and Manuel, C .2021.
- 106 OECD and Open Society Justice Initiative .2016. "Understanding Effective Access to Justice".
- 107 The gross staff salaries were used in the analysis, given that tax compliance among service providers cannot be ascertained especially for auxiliary staff whose employment conditions may not have been formalised.
- 108 Manuel, M. and Manuel, C .2021
- 109 Manuel, M., Manuel, C. and Desai, H .2019. "Universal access to basic justice: costing Sustainable Development Goal 16.3". ODI Working Paper 554. London: ODI (www.odi.org/sites/odi.org.uk/files/resource-documents/12702.pdf).
- 110 Manuel, M. and Manuel, C .2021, p. 35.
- 111 Estimated average cost per case from Table 5.
- 112 Proportion of average cost of social welfare and health for the adult population + total cost of Sierra Leone Police, Judiciary, and Law Officers spent on the total population with 'met' justice needs.
- 113 Mean annual cost to public –mean annual cost of community justice services.
- 114 OECD and Open Society Justice Initiative .2016. "Understanding Effective Access to Justice".
- 115 Farrow, T. C. W. 2014. "What is Access to Justice?" *Osgoode Hall Law Journal*, 51, 3, 957–987; Mathews, J and Wiseman, D .2020. *Community Justice Help: Advancing Community-Based Access to Justice: A discussion paper*", Toronto: Community Legal Education Ontario.
- 116 Wambua, P.M and Logan, C .2017. "Popular distrust, perceptions of corruption mark Sierra Leone's court system", Dispatch No. 171. Accra: Afrobarometer; Kallon, A and Ransome, N .2013. *Delays in Criminal Proceedings: The Unhelpful Role of State Prosecutors and Jurors*". Available at <https://www.carl-sl.org/pres/delays-in-criminal-proceedings-the-unhelpful-role-of-state-prosecutors-and-jurors/>, accessed 7 September 2021.
- 117 Sesay, D .2014. "Community-Based Paralegals in Sierra Leone: Case Studies and Stories". Freetown: Namati.
- 118 OECD and Open Society Justice Initiative .2016:14. "Understanding Effective Access to Justice".
- 119 Sesay, D .2014. "Community-Based Paralegals in Sierra Leone". P, 7.
- 120 Interviews with paralegals, Port Loko, Makeni, Kono, 12 – 16 November 2020.
- 121 Manuel, M. and Manuel, C. .2021. "People-centred justice for all".
- 122 Teale, L .2016. "Legal Access for All: But Who Pays for It?", available at <https://www.justiceinitiative.org/voices/legal-access-all-who-pays-it>, accessed 13 October 2021.

- 123 Manuel, M. and Manuel, C. .2021. "People-centred justice for all".
- 124 See IDT LABS .2017. "Making the Justice App-Expediting Justice in Sierra Leone", available at <https://idtlabs.xyz/making-the-justice-app-expediting-justice-in-sierra-leone/>, accessed 9 September 2021.
- 125 NAMATI .n.d. "Community Paralegals", available at <https://namati.org/what-we-do/grassroots-legal-empowerment/paralegals/>, accessed 11 September 2021.