



November 9, 2021

JAIL MAIL – Legal Services Day 2021

On the occasion of Legal Services Day 2021 celebrated each year on 9th November, we bring to you updates on the latest developments in legal aid delivery in India in the last year. The key highlight this year has been the release of a vision and mission statement by NALSA, and the conduct of a six week campaign on outreach and awareness. There is also an increased emphasis upon improving the quality of legal services being delivered to the beneficiaries.

In 2021, India's legal services institutions (LSIs) continued their efforts to address increasing inequalities and disparities, even as the pandemic continued to impact thousands of lives during the deadlier second wave of infections. To strengthen its efforts further, and celebrating India's 75 years of independence, the National Legal Services Authority launched a Pan India Legal Awareness Campaign on 2nd October 2021, for six weeks, with the aim to generate public awareness on the existence of legal services institutions, as well as the provision of free and competent legal services for the poor and vulnerable sections.

The pandemic and its consequences have made inequalities more glaring – acute disparities in wealth, access to health & timely medical intervention, employment & livelihood, as well as the ability to adopt preventive and isolation measures. In the face of such myriad challenges and restrictions, it is imperative that LSIs continue to provide immediate legal assistance for those in need and contribute immensely in formulating policies to respond to the ongoing crisis.

As per [data](#) released by NALSA on legal assistance delivered during the crucial period of the second wave of the pandemic (April 2020 till August 2021), an estimated **2,34,131** beneficiaries have accessed legal services. Between April 2020 and March 2021, 6,31,758 beneficiaries had received legal aid. Between April 2021 and July 2021, **40,254** awareness camps were conducted which were attended by **21,53,589 persons** (in comparison to 1,26,541 legal awareness camps between April 2020 and March 2021 which were attended by 13,06,9637 persons). Data also indicates that 56,062 Paralegal volunteers were trained and 11609 were deployed between April 2021 and August 2021 (in comparison to 60,024 being trained and 13,153 of them being deployed in 2020). As for Legal Services Clinics, 12808 were operational across the country which was visited by 2,33,467 persons. An estimated 1,88,786 beneficiaries were provided legal aid between April 2021 and August 2021 (in comparison to 13526 Legal Services Clinics which was visited by 5,53,904 persons among whom 4,52,863 beneficiaries received legal aid in 2020).

Highlights of the year

- To document the crucial work of LSIs across the country during the initial days of the pandemic NALSA released a [statistical snapshot](#) that provides relevant facts and figures on the assistance provided by LSIs. In 2020, a number of dedicated legal services clinics were set up to ensure access of justice, legal aid and advice to the needy. As the pandemic imposed physical restrictions, alternate methods of dispute settlement were innovated to be operationalised. A steady rise in cases settled was witnessed which impacted the docket as well. Targeted programmes for vulnerable categories were restarted to ensure access to legal aid and representation.

- NALSA on 1st August 2021, launched a yearlong campaign on '[Quality of Legal Services being the key to Access to Justice for all](#)'.
- On 8th August 2021, NALSA released its [Vision and Mission Statement](#) reiterating the constitutional goal of Article 39A to provide equal justice and free legal aid. The statement draws up a roadmap to inform the activities and engagements for some years to come.
- On 8th August 2021, NALSA also launched the [Legal Services Mobile App](#) in collaboration with the Department of Justice towards ensuring availability of free legal aid and other legal services to the needy and poor. This is the third effort by the Government – after the Tele Law Scheme and Nyay Bandhu mobile app – to ensure availability of aid to the needy at their doorstep using technology. This will promote digital literacy among masses as well as optimise the costs of approaching legal service institutions. The option of applying virtually for mediation service without approaching Court in appropriate cases will assist people as well as judiciary in resolving disputes of all eligible nature amicably through negotiation and eventually reducing the burden of judiciary.
The Legal Services Mobile Application for Android Phones, incorporates features including seeking legal assistance, legal advice, and other grievances. Application tracking facilities, and seeking clarifications are some additional features available to both Legal Aid beneficiaries and Legal Services Authorities. Beneficiaries can also apply for pre-institution mediation through the app. Victims can also file an application for Victim Compensation via the App. The App will soon be launched on iOS and in regional languages.
- On 8th August 2021, NALSA initiated a one-of-a-kind collaboration with India's vast postal network for spreading legal literacy. In order to bridge the gap of accessibility to justice between the highly privileged and the most vulnerable, NALSA actualised the utilisation of the postal network across the country through display of legal awareness posters for dissemination of information at all post offices across the country regarding the availability of free legal aid and assistance.
- On 2nd October 2021, NALSA launched a [Pan India Awareness & Outreach Campaign](#) for six weeks to celebrate 25 years of its inception. The four highlights of the campaign are to ensure legal aid & assistance; outreach programmes; Lok Adalat & Mediation and lastly Victim Compensation Schemes. The campaign through its objectives has created linkages with the Sustainable Development Goals 2030. Significant dates throughout the six weeks have been identified and a strategy for implementing activities has been drawn up to achieve higher standards of awareness and implementation. In addition to identifying the objectives and deliverables through the campaign, it has stressed importance on the need for LSI to report activities daily, for which formats have been prepared and shared. Assessment of activities too is to be undertaken to assess the effectiveness of the campaign. A post campaign assessment is vital and will be a key takeaway to understand the impact of activities undertaken so as to inform future initiatives.

What CHRI did this Year:

Like previous years, CHRI continued its efforts to seek accountability from LSIs all across the country towards ensuring effective access to legal aid for persons in custody. It worked to support efforts by LSIs through collaborations in training programmes, awareness activities and capacity building of legal service functionaries in various states and union territories. In order to comprehensively document the services provided by LSIs in the first wave and second wave of the pandemic, it sought data from NALSA. It also supported efforts towards decongestion of prisons, improving functioning of under trial review committees, improving understanding of rights of prisoners among legal services providers and strengthening the legal services clinics by LSIs in prisons. Some key highlights were,

- CHRI released a report – '[Responding to the Pandemic: Prisons and Overcrowding](#)' which examined the functioning and the efforts made by the High Powered Committee (HPC) of 24 States/UTs during the period April to June 2020 and analysed the impact of decongestion efforts on prison populations across these states. It also analysed the functioning of the UTRCs of 17 states and Union Territories during the said period, and assessed the compliance with their mandate, and the minutes of their meetings from across five regions to understand the role of the UTRCs in the decongestion process. Among other themes, the report also documented the role of LSIs in the process of decongestion, as the High Powered Committees were headed by the Executive Chairperson of the SLSA in each state; prisons relied on legal aid lawyers and paralegals to identify prisoners eligible for interim release and the secretaries of the SLSA and DLSA coordinated efforts for filing of bail applications in courts.
- CHRI released a report '[Lost Identity: Transgender Persons In Indian Prisons](#)' which sheds light on issues faced by Transgender persons confined in Indian prisons. Through an analysis of the

international and domestic legal frameworks, and the information received from 34 States/UTs, it provides relevant information on compliance within prisons with existing legal frameworks relevant to protecting the rights of Transgender persons in prisons, especially in terms of recognition of a third gender, allocation of wards, search procedures, efforts towards capacity building of prison administrators etc. The report advocates for the need to provide specialised legal assistance to transgender persons in detention by prison legal aid clinics and legal aid functionaries. It calls upon NALSA to conduct a campaign for identifying the needs of transgender persons in conflict with law, and provide necessary legal aid and assistance.

- CHRI released a report '[Disconnected: Videoconferencing and Fair Trial Rights](#)', which documents the experiences of 20 criminal lawyers and 10 judicial officers of criminal trial courts across the country, to understand the implications that videoconferencing hearings have on the fair trial rights of accused, especially of those who participate in these proceedings from prison. In addition to the report CHRI has prepared an informative [poster](#) for display inside prisons as well as an [informative video](#) for stakeholders. The report calls upon the prison legal aid clinics to ensure that all prisoners are informed of the procedures involved in hearings through video conferencing and to facilitate the display of awareness posters in prison.
- CHRI co-organised a state-level meeting on Functioning of UTRCs with the Madhya Pradesh State Legal Services Authority held on 6th May 2021. It was attended by representatives of the prison headquarters, superintendents of prisons in MP, Chairmen and Secretaries of the District Legal Services Authority and other legal aid and prison functionaries of the state. CHRI briefed the participants on the provisions of the NALSA SOP on the functioning of the UTRCs and urged the participants to fully comply with the mandate of the UTRCs. CHRI has been conducting zone-wise UTRC webinars followed by in-depth discussion and assessment of practices into the working of the UTRC in order to find practical solutions of specific issues and concerns in the working of the UTRCs.
- CHRI was invited as a resource person in a webinar organised by NALSA on the '*Functioning of Undertrial Review Committees (UTRCs)*' on 22nd May 2021. The webinar was organised in light of the recent directives of Supreme Court regarding the need to decongest prisons in view of the recent surge in COVID-19 cases. The webinar witnessed participation by Member Secretaries of State Legal Services Authorities (SLSAs) as well as Secretaries of the District Legal Services Authorities (DLSAs) across the country. The participants shared practical challenges faced at ground level like inconvenience in physical meetings, jail visits during the pandemic, lack of technological solution, lack of staff and infrastructural requirement etc. to highlight the need to find possible solutions for improvement on the working of UTRCs.
- CHRI conducted a Training Workshop on 'Rights of Prisoners and the Role of Legal Aid Lawyers' in collaboration with Chandigarh State Legal Services Authority on 6th and 7th August 2021. The workshop discussed various rights of prisoners based on landmark judicial pronouncements and the role of legal aid lawyers in realising the same. The sessions spread over two days covered more than 50 landmark judicial pronouncements of the Supreme Court and High Courts as well as guidelines issued by the National Human Rights Commission. The issues included rights pertaining to arrest & detention, prisoners' rights vis-à-vis the legal process, right to legal representation, rights related to prison conditions and treatment of prisoners, rights of vulnerable people including foreign nationals and transgender prisoners.
- CHRI conducted webinars in collaboration with SLSAs of Manipur, Madhya Pradesh, Punjab, Mizoram, and Karnataka on menstrual hygiene management in prisons in collaboration with Boondh. The sessions explained briefly the biological aspect relating to menstruation and followed it up with recommendations for ensuring effective hygiene management in a prison set-up.
- CHRI continued to track the State wise COVID related information on Indian prisons during the second wave on our [website](#). This information was sourced from various state prison and legal service authority websites. In addition to data on number of interim releases and number of infections, new set of information was also added on the number of staff and inmates vaccinated, categories identified for release of prisoners by the High Powered Committees and the status of the various High Court writ petitions on prison-related issues.
- CHRI continued its association with the India Justice Report and contributed towards the preparation of chapters on the four pillars of the criminal justice system viz. legal aid, prisons, police and judiciary for the India Justice Report 2020. Since then it has been involved in presentations on the report in various states, attended by legal services functionaries.

What you can do?

1. Raise awareness about various NALSA initiatives and schemes so it can reach intended beneficiaries.
2. Direct persons seeking legal aid and advice to the nearest legal services authority in your district, or inform them about NALSA's legal aid mobile application.
3. Through Right to Information (RTI) applications and other modes, review the functioning of legal services institutions in your state/district/sub-division and engage with them to ensure their effective functioning.
4. Report any issues with services provided by legal aid lawyers or paralegals to the nearest legal services institution, to enable effective oversight and monitoring over the quality of legal aid services provided.

Please feel free to write to us at chriprisonsprog@gmail.com with your comments and suggestions.

Please send us an email if you wish to unsubscribe from these updates.

With best regards,

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