

Legal Services to the Poor People in Zimbabwe

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Department for Africa

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Sida Evaluation 01/39

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Table of Contents

Executive Summary	1
1 Introduction	3
2 Background of LRF	3
3 Mission of the organisation	4
3.1 Mission Statement	4
3.2 General Objectives	4
3.3 Target Groups	5
4 Methodology and approach	6
5 Organisation and management structures	7
5.1 Trustees	7
5.2 The National Director	7
5.3 The National Office	7
5.4 The Centres	7
5.5 Management Structure	8
5.6 Evaluation	8
6 Services provided	10
6.1 Legal Project	10
6.2 Paralegals	10
6.3 Training and Education	11
6.4 Legal Aid and Test Cases	12
6.5 Publications	12
6.6 Networking	12
7 Funding	13
7.1 Sources of Funding	13
7.2 Income Generation	13
7.3 Sida Funding	14
7.4 Donor Funding	14
8 Financial management	15
8.1 Financial Discipline	15
8.2 Evaluation	15
9 Human resources and administration	16
9.1 Human Resources	16
9.2 Administration	17
9.3 Evaluation	17
10 Resources to support services provided	18
10.1 Office and Other Resources	18
10.2 Libraries	19
10.3 Evaluation	19

11	Evaluation and recommendations	20
11.1	General Perceptions	20
11.2	Overall Evaluation	20
11.3	Recommendations	20
11.3.1	<i>Organisational Structure</i>	20
11.3.2	<i>Trustees</i>	21
11.3.3	<i>Succession Plan</i>	21
11.3.4	<i>Fund Raising</i>	22
11.3.5	<i>Networking</i>	22
12	Conclusions	22
	Bibliography	23
Appendix I	Terms of Reference for the Evaluation of the Sida support to the Legal Resources Foundation (LRF) in Zimbabwe.	24
Appendix II	List of people met and places visited	27
Appendix III	Deed of Trust	29
Appendix IV	Map of LRF Centres	36
Appendix V	List of trustees	37
Appendix VI	From Performance Review of "Legal Rights in Zimbabwe, Phase II" CIDA Project no. 766/17490	38

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List of abbreviations

CBO	Community based organisations
CIDA	Canadian International Development Agency
CLAC	City Legal Advice Centre
DANIDA	Danish International Development Agency
ECOSOC	United Nations' Economic and Social Council
EU	European Union
FNF	Friedrich Naumann Foundation
GoZ	Government of Zimbabwe
IRI	The International Republican Institute
LAC	Legal Advice Centre
LPC	Legal Projects Centre
LRF	Legal Resources Foundation
NCA	National Constitutional Assembly
NGO	Non-Governmental Organisation
NOVIB	The Netherlands Organisation for International Development Cooperation
RLAC	Rural Legal Advice Centre
SALAN	Southern Africa Legal Aid Network
Sida	Swedish International Development Cooperation Agency
ZLSC	Zanzibar Legal Services Centre

Executive Summary

Description of LRF and its programmes

Abuse of power and denial of rights happen most frequently at the village level in Zimbabwe. LRF is providing access to the legal system through legal services, legal aid and legal education to the rural population.

The overall objectives for LRF are “the promotion of human rights environment in Zimbabwe by:

- Undertaking programmes which empower individuals to use the legal system;
- improving the quality of justice for all in Zimbabwe;
- increasing legal awareness in Zimbabwe, particularly among disadvantaged;
- creating a positive input to legislation”.

These objectives are implemented through the paralegal, education and publications programmes. There are five Legal Projects Centres and 20 Legal Advice Centres throughout the country. The staff is 96 people.

LRF was established in 1984 and the time frame for the organisation is not really discussed. It seems that LRF is even more important now than when it was established.

Purpose and focus of the evaluation

Sida has been supporting LRF since 1995. Before going into a new period of support, Sida felt it necessary to have an independent evaluation done. The purpose of the evaluation was to look at LRF as an organisation, including its activities in relation to its main objectives. It should assess the implementation, results and long-term impact both for Sida and LRF itself of Sida's support. The evaluation should also ascertain to what degree the support reflects Sida's strategy and objectives with regard human rights and democracy and lastly to assess whether any change in direction, scope or funding of LRF support would be necessary to achieve Sida's strategies and objectives.

The scope of work for the evaluation team included

- to assess LRF as an organisation; management, activities etc by going through documents of the organisation itself;
- to study documents, policies and regulations of LRF as well as of Sida with regards human rights and democracy;
- to assess the usage of Sida's funding;
- to assess whether the increasingly repressive political situation and contempt for law and order has caused significant changes in the programme activities of LRF;
- to assess whether Sida's strategy and objectives with regard human rights and democracy could be better achieved by an expansion of the activities of LRF but within LRF's present objectives;
- to discuss the desirability or otherwise of targeting Sida assistance to LRF to specific activities rather than to core funding as present.

Summary of findings, conclusions and recommendations

The evaluation team concluded that LRF is an important organisation in the administration of justice and the promotion and protection of human rights in Zimbabwe. And that one cannot talk of the existence of the rule of law if there are no institutions that defend it; neither can one talk of empowering the people and letting them exercise economic and social rights, if there are no political, constitutional and legal frameworks in which those rights can be exercised. Seventeen years after its founding, the objectives of the LRF, according to the consultants, are more pertinent and relevant today than they were ever before, and its mission more important today than those days immediately after Independence when the nation was still in euphoria.

The consultants believe that the objectives of the LRF are being achieved and in the current situation the LRF provides a critical service to its target population. It is also felt that the organisation has a long-term future within Zimbabwe as long as donor funding is maintained. The consultants recommend however that LRF's organisation be looked into, for example that the Deed of Trust needs be revisited and that the organs of the LRF be clearly stipulated in the Trust Deed.

The LRF needs also to diversify its sources of funding. There are institutions in the Southern African region and beyond that it can ask for small contributions or for such things as books, training programmes, exchange programmes, etc.

At present the LRF is a member-organisation of SALAN. The evaluation team finds the organisation weak in developing networks with organisations outside the country. There is need to extend its network to many other institutions and organisations abroad. It can also develop bilateral relations with a number of legal aid and human rights organisations in the Southern and Eastern African regions and other places.

The consultants recommend therefore that donor funding should continue, and if possible Sida and other remaining core donors should consider meeting the shortfall created by the withdrawal of DANIDA and the coming withdrawal of CIDA in the year 2003. The objectives of the LRF are critical to Zimbabwe both in the current and long term situations and therefore additional funding should be considered.

1 Introduction

The Swedish International Development Cooperation Agency (Sida) has been supporting the Legal Resources Foundation (LRF) in its various activities since 1995. Two consultants were contracted by Sida to evaluate LRF and to ascertain whether the funding provided has been used in accordance with the latter's objectives and was in line with the Agreement signed by the two institutions. The 'Terms of Reference' for the work of the consultants are provided as Appendix I. The Consultancy Team reports directly to Ms Ann Melin-Wenstrom, the Programme Officer at the Swedish Embassy in Harare.

The consultants started work on 30 April 2001 by first having a meeting with the National Director of the LRF, followed by a series of meetings with others within the organisation and outside it. The list of people we have met and the places we have visited is given as Appendix II.

2 Background of LRF

The LRF was established on 18th July 1984 following a regional workshop on Legal Aid held at the University of Zimbabwe. This was four years after Zimbabwe's Independence. It can be assumed that the founders felt there was a need to provide such services to the broader sections of the population. Under colonial and former regimes, legal services were not only expensive but also limited to a small section of the population. The few lawyers in the country were all urban-based. Moreover, there were no state institutions or NGO's engaged in providing civic organisation, human rights awareness and educating the general public on their rights and responsibilities. The state was coercive in the real sense of the word.

At Independence, not only within Zimbabwe but also in Africa generally, there was already an obvious development gap that private citizens wanted narrowed. The Registry of NGOs in the country shows an explosion of basic community organisations interested in both general development and specific areas. In the area of legal services, the LRF for a long time was not considered as being in competition with the Government or as being hostile to the Government. Its services were perceived as complementing the Government's efforts, and the two parties enjoyed a very cordial relationship. It is only recently that the relationship has turned to be cool.

The LRF was registered in 1984 as a Trust under the Welfare Organisations Act 93 of 1967, now Private Voluntary Organisations Act [Chapter 17:05], and the Deed of Trust is attached as Appendix III. The Deed of Trust stipulates very clearly that the founders wished to establish a "charitable and educational trust" for the purposes of "promoting the development of legal resources in *Zimbabwe* and facilitating the realisation of social, economic and legal rights of the masses in Zimbabwe". The Deed of Trust has undergone only two amendments since 1984, in 1997 and in 1999 respectively.

3 Mission of the organisation

3.1 Mission Statement

The Mission Statement of the organisation, as indicated above, seems to be two-fold, namely to develop legal resources and to facilitate the realisation of the rights of the people. In its Second Five Year Plan 1998–2003, the LRF states as its standard bearer the following:

To encourage a democratic environment in Zimbabwe, based on the rule of law and respect for human rights, by extending legal information and legal assistance to Zimbabweans; to facilitate the advancement and development of the community through legal knowledge and to strengthen and support institutions established to promote and protect individual and group rights

At present Zimbabwe is in a serious economic and constitutional crisis. The development agenda itself seems to be in shambles after the collapse of the National Development Strategy and the failure of Structural Adjustment Programmes. Even organisations such as the LRF cannot isolate themselves from the debate raging throughout the country as to where Zimbabwe is heading, but it might be pertinent to the LRF to look at the link between legal education, human rights education and development. As has been argued by many legal scholars, development is so much intertwined with legal and human rights matters that it is impossible to separate one from the other. Democracy and development are two sides of the same coin.

3.2 General Objectives

The general objectives of the LRF as stated in its Deed of Trust are to:

- a) initiate and support projects which promote the development of legal resources in Zimbabwe;
- b) establish and maintain a law library or libraries to which all individuals and organisations in Zimbabwe shall have access;
- c) train paralegal personnel and provide them with supporting services;
- d) promote public legal education;
- e) contribute to legal research and legal education;
- f) assist in the training of law students, legal practitioners, persons holding judicial office, court staff and administrators;
- g) support organisations which provide legal advice and assistance to the public;
- h) initiate law reform; and
- i) engage in, or provide assistance for, any related activities which, in the opinion of the trustees, are likely to further the interests of law and justice in Zimbabwe.

Even though the objectives are very broad, they fall within a specialised field. One would have to explore, though, whether some of these objectives cannot be realised through other means. For example, the training and maintenance of paralegals is commendable work, but could they not

be employed on a part-time basis, and the resources being expended on the 43 fully employed now be used in training and maintaining more? If such services being provided now by the paralegals are to be effective and to have an impact on the society in general, definitely they have to be near and accessible to as many of the people they are intended to serve as possible. Ideally these 'barefoot lawyers' need to be in every village; but if that is not possible because of financial constraints, then they need to be at least in every district. In Africa abuses of power and denial of rights happen most frequently at the village level, though these do not catch national and international attention.

To ensure the implementation of its objectives, LRF undertakes a variety of activities. It trains paralegals and then deploys them in its various Legal Advice Centres in the country. It has an Education Programme, and publishes books, pamphlets, booklets, fliers, posters, etc. It does advocacy work too. Though not stated in its objectives, but arising from the nature of developments in Southern Africa especially prior to the end of apartheid in South Africa, the LRF has had to develop networking with organisations with similar objectives in the region.

There are 5 LPC's being operated by the LRF, in Harare, Gweru, Masvingo, Bulawayo and Mutare, and 20 RLAC's throughout the country as shown in Appendix IV. Two RLAC's, as will be briefly discussed below, have been closed recently because of the political pressure exerted on them. The organisation has a staff of 96 of whom 43 are paralegals.

From the interviews we have had with the LRF staff members, we are satisfied that the objectives of the organisation are generally understood by all of them. From our observations also, we can venture to state that the LRF has a mission that is well articulated and objectives that are clear.

3.3 Target Groups

The targeted groups envisaged by the LRF founders were first, the legal professionals who will have to be equipped with skills and expertise to enable them to function efficiently and administer a justice system premised on the rule of law; and second, a people knowledgeable of their rights and exercising them within a democratic culture.

4 Methodology and approach

One of the main objectives of the present evaluation exercise, as stipulated in the ‘Terms of Reference’, is to look at the LRF as an organisation, including its activities in relation to its main objectives. To be able to do that, we have had to:

- examine the constituent document of the organisation, its organisational structure and its culture;
- study the LRF documents, policies, regulations, 14th, 15th and 16th Annual Reports for the years 1998, 1999 and 2000 respectively, financial statements and Auditors’ reports, the Second Five Year Development Plan 1998–2003, Review of the Five Year Plan 1992–1997, the Institutional Analysis of LRF, and previous evaluation studies that have been done on the organisation;
- talk to the Trustees, executives and other staff of the organisation;
- visit the Foundation’s Head Office in Harare, the LPC’s in Bulawayo, Harare and Gweru, and the LAC’s in Harare, Bulawayo, Gwanda, Murehwa, Gweru and Kwekwe;
- meet with the benefactors of the Foundation’s activities;
- talk to academics/activists who have written on the country’s NGO community in general;
- hear the views of the legal fraternity in general on the work of the LRF;
- talk to the NGO community on their perception of the LRF; and
- talk to the Judiciary, the Judicial College and the Ministry of Justice and Legal Affairs on their cooperation with the LRF.

We did not prepare any questionnaire, not only because of the time factor but also because we thought oral unstructured interviews are the best way of getting more information in a short time. Not only is this the most effective way for a study like this in a small organisation such as the LRF, but it additionally enables the consultants to determine to what extent the staff members consider the organisation as ‘their own’ and whether the community thinks it serves its purposes.

All the documents that were made available or requested have been reviewed. If it were not for the shortage of time and other constraints, it would also have been useful to visit all the LPC’s and at least half the LAC’s.

5 Organisation and management structures

This section reviews both the organisation and management structures of the LRF. A brief review of the committees which support the structures is also given.

5.1 Trustees

The LRF has a Board of Trustees which, according to the 'Deed of Trust', cannot exceed 14 members. At present there are 13, one of whom resides outside the country [see Appendix V]. Three trustees are also members of staff in the LRF, though one of them works on a part-time basis. Trustees are the ones who set the policies of the organisation, give it a general direction, and by whom, collectively, all assets and liabilities of the organisation are held. The Trustees meet six times a year. Since most of the Trustees reside in Harare, consultations are often held on the phone.

5.2 The National Director

The National Director is in charge of the day-to-day running of the Foundation. The present National Director has been in the office for several years, and before that she was the National Administrator. Under her are the National Administrator, National Accountant, the Financial Controller (who is also a Trustee), the Publications Coordinator, Curriculum Coordinator (also a Trustee) and the Directors of the 5 LPC's. The post of the Paralegal Training Coordinator is at present vacant but the Curriculum Coordinator is temporarily filling in. All these constitute the Management Committee, or what is called within the LRF the Board of Directors.

5.3 The National Office

The National Office is split between Harare and Bulawayo with the main office being situated in Harare, and with the National Administrator and the Curriculum Coordinator being in Bulawayo. The perception within the organisation is that the split does not cause operational inefficiency and, in fact, may enhance the operations of the organisation. This opinion is supported by the CIDA Review conducted in 1998, but we have a different view to this. We believe that the location especially of the National Administrator in another city from where the National Director and the National Accountant are may not be advantageous to the overall efficiency of the LRF in terms of communication and division of function. The National Administrator has to communicate either by e-mail or telephone and has to travel to another city when attending meetings. Some of the functions that form part of the job have an integral input into other positions and it is felt that being situated in the same geographical location may enhance operations.

5.4 The Centres

Apart from the National Office, there are 5 LPC's and 20 LAC's. Historically the organisation has expanded rapidly, but since 1998 the LRF has stabilised with no further expansion of centres or rationalisation of its staff component. Recently the RLAC's in Mt Darwin and Guruve had to be closed due to threats resulting from the ongoing political situation in the country, and the Plumtree RLAC had to be relocated. Currently similar problems are being experienced in Lupane, Nkayi and Mutoko.

The organisational structure shows a decentralisation of operations and related decision making with the RLACs reporting to the LPCs, which report to the National Office. This enables the field staff to be managed fairly easily (in normal situations) with the National Office providing the support service required.

There is currently a total of 96 staff of which 43 are paralegals situated in the RLACs. Careful monitoring of staff numbers, because they constitute the largest expense, is undertaken. In most cases of resignation, the position is frozen unless the post is considered to be essential to the LRF's operations. This is due to the fact that salaries are the largest expense for the organisation, comprising 60% of the total expenditure.

5.5 Management Structure

As stated previously, currently three members of Management are also Trustees. The Board of Directors/Management Committee meets every two months. Each LPC holds its own meeting for its staff from the office and the RLACs so that communication is improved. It may appear that there is an overkill on committees for such a small organisation, but due to the complexity of the services and the variety of locations, it is believed that these meetings are critical to enhance the communication process and the operational efficiency of the LRF.

The thrust of the organisation is to be politically non-partisan. It was reported that there may be some problems experienced with this perception in the current political climate. Since the issues the LRF partakes, such as the Test Cases, are sensitive, the Government sees the LRF as not only political, but as supportive of the opposition. To our best knowledge this has no credence. The fact, though, that its late Patron was a leader of an opposition party, or that one of its present Trustees and one Director are Members of Parliament on an opposition ticket, does not help matters. We understand also that one paralegal holds a senior position in the ruling party. As will be discussed below, this situation needs to be seriously and openly discussed within the LRF since it is perceived by some people as compromising the political non-partisanship of the LRF.

There are a number of sub-committees within the Trust structure and these are responsible for a variety of functions as shown below:

- Salaries (organ of Trustees)
- Expenditure (organ of the Trustees)
- Staff Development (organ of the Board of Directors)

From our research, it is apparent that these sub-committees often meet on an ad-hoc basis and on many occasions decisions are made telephonically. Part of the reason is distance and the careful monitoring of costs, as well as the fact that meetings are only held when required and not on a regular basis.

Retreats are held once a year for senior staff (national staff, administrators and professional staff), with the paralegals having their own retreat once every two years.

5.6 Evaluation

We are of the view that the split in the operation of the National Office may not be in the best interests of operational efficiency. We feel that it would be more appropriate for the National Administrator to be situated in Harare, particularly in light of the duties this position carries and the fact that a major part of the job involves centralised administrative functions. Also if the

LRF had a position of a Deputy Director, then the National Administrator would have been considered as the natural person to occupy such a position.

We understand the circumstances in which the present National Administrator was appointed, and that one of her conditions was that she remains in Bulawayo. We also recognise that part of the rationalisation for the current situation is the decentralisation process, but with a Director at each LPC, decentralisation is already being effected. There is no doubt in our minds that it would enhance the work of the LRF and very much improve its efficiency if the National Administrator were to function from the Head Office.

From our discussions with various people both within the LRF and outside and from our observations of the current political situation in the country, we are of the strong opinion that the current status of the Board of Trustees needs to be reviewed urgently, so that the non-partisan nature of the LRF is not undermined. The concern is that the reputation, and hence the objectives of the organisation, may be questioned by other parties which are uncomfortable with the role of the LRF.

We have been informed that Hon Justice Ebrahim, one of the founders of the LRF, had to resign as a Trustee when he felt that there might be a 'conflict' between his position as a Trustee and his role as a Justice of the Supreme Court. We understand also that the NCA had to ask people occupying positions in Government, the judiciary or political parties to resign from its leadership as this was a requirement for the NCA to enjoy an observer status with the ECOSOC.

Similar legal and human rights NGOs in the Southern African region have imposed a Code of Ethics within their organisations forbidding people having a high political profile from occupying a leading position in a legal aid or human rights NGO. One organisation that immediately comes to mind is the ZLSC, a legal aid and human rights NGO in Tanzania, and which, like the LRF, is a member-organisation of SALAN. In Article VI (4) of its Constitution, the ZLSC states:

A Trustee accepting a leadership position in a political party, becomes a member of Parliament or House of Representatives, or appointed as a Minister or Deputy Minister, shall cease to be a Trustee. He/she may be reconsidered after an expiry of his/her term of office.

We are of the view also that the LRF should introduce a Code of Ethics which would be applicable to all levels of staff and Trustees. The Code would include the stand to be taken when staff take on substantial political responsibility. It could also provide a call for staff and Trustees not to use the Foundation's facilities, name or influence to further private gain or any partisan, religious, ethnic or similar interests which are contrary to the LRF's objectives.

6 Services provided

The LRF provides a number of services to the Zimbabwean community. Every one we talked to had high praise for the services that the LRF provides. These services are directed at the legal professionals, such as the publication of the Law Reports, the provision of paralegals that helps especially the rural communities, the training of the police and prison officers, and the publication of simplified literature on law that educate the general public on different legal aspects.

6.1 Legal Project

At present the LRF has 5 LPC's in Harare (opened in 1985), Bulawayo (opened in 1986), Gweru (opened in 1991), Masvingo (opened in 1991) and Mutare (opened in 1995). It also has 20 Legal Advice Centres. The Mt Darwin RLAC was closed in April 2001 and its staff transferred to other centres because one of its paralegals was assaulted and there has been a continuous threat posed against the paralegals by the War Veterans. The Guruve RLAC has also been closed from May 2001 because of the threat posed by the Youth Wing of the ruling party.

Each LPC is headed by a director, and has its own lawyer and administrative and supporting staff. Each centre, in its own area of operation, is responsible for:

- implementation of the paralegal programme, monitoring of the activities of the paralegals, and assisting them in their work;
- assisting members of the legal profession to improve and update their knowledge of the law through public talks, Legal Forum lectures, and the provision of legal libraries;
- administering a public education programme; and
- conducting legal literacy campaigns.

The centres are in effect the implementing agencies of the LRF. Their work is enormous. Unfortunately they are situated in only 5 of the country's 13 provinces. It would be ideal if every province in the country had a centre. Alternatively, two more centres could be added so that each centre covers at least two provinces.

6.2 Paralegals

The paralegals are the backbone of the work of the LRF. In a country with less than 600 lawyers, out of a population of 14 million people, and most of whom are concentrated in the big cities of Harare and Bulawayo, there are millions of people with no access to legal services. The only access that some of them might have is to a paralegal if one exists in their area.

The LRF started training paralegals in 1993, and since then 100 people have been trained, of whom 43 have remained in the service of the LRF. The training programme entails in-house training at the Legal Projects Centres, and short residential courses. A paralegal has to undergo four stages of basic training, and this takes at least two years. The training manuals are developed by the Curriculum Unit of the LRF, and they consist of Zimbabwean laws, the international human rights instruments, and the skills necessary for the work of a paralegal.

The 43 paralegals employed by the LRF are spread over 20 Legal Advice Centres in the country. The work of a paralegal does not seem to be an easy one. Like the 'barefoot doctors' in China, a paralegal is a person the community runs to in case of any problem to do with law and rights.

The work needs a high commitment to the people, preparedness to help them in their problems, an ability to relate to them and a respect for their rights.

Apart from providing legal counselling and legal literacy, a paralegal also compiles case files that are handed over to the LPC lawyer for further action. A paralegal is also supposed to mobilise the community for development work and to conduct education outreach programmes. In the few rural centres we have visited, we saw how the paralegals are really integrated into the community, and how the communities look to them for all sorts of assistance.

Zimbabwe has 57 districts. It would be a good thing if paralegals were spread throughout the country. But that would be an expensive exercise for the LRF. One way, as has been suggested previously, would be to employ the paralegals on a part-time basis, and that would double the present workforce. The LRF had started that way, and according to information we have gathered, it did not work. The best way we can think of is for the LRF to come to an understanding with the Local Government and District Authorities for the LRF to train paralegals for them who would then be deployed in the districts and be paid by the Local Government and District Authorities themselves. Here we have in mind, as an example, a situation in Tanzania where during the 'ujamaa village' settlement scheme, villages selected young people from their own communities whom they sent to the National Service camps to be trained as carpenters, tailors, masons, etc., and after training were returned to the villages to work with the villagers. The LRF also can train, for a fee, paralegals that can be used by organisations like the Zimbabwe Women Lawyers Association, the Women Action Group and other legal aid, human rights and community based organisations (CBOs). It would help if the LRF does a needs assessment of these organisations for paralegals, and offers training for them for a fee. We are of the opinion that these measures, if adopted and well coordinated, would not only reduce the burden on the LRF of providing paralegals, but would make the services of a paralegal accessible to many more people.

The LRF now is in discussion with the Judicial College on having its paralegal training programme certified by the College, and having the paralegal trainees sit for an examination set by the college and moderated by the Zimbabwe Law Society, and recognised by the Council for Legal Education. This is an encouraging development. If realised it would confer recognition on the paralegals as an important element in the administration of justice in the country.

6.3 Training and Education

Training is very much part of the LRF's work. It has organised training for the Police and Prison Officers and for other targeted groups. It also conducts training for its own paralegals and others recruited by other organisations. Within the LRF there are the Curriculum Coordinator and the Paralegal Training Coordinator, though since the latter was made a Director of the Bulawayo LPC, the former combines both functions. All this stresses the significance that the LRF attaches to training.

The training manuals are produced in-house. The libraries also produce a conducive atmosphere for further learning. When the certification of the paralegals' training becomes reality there will be greater demand put on the LRF for training people.

The outreach programmes and other education activities in the communities are also very important. Definitely for most of the recipients this may be their only 'university'. The subjects for discussion are usually selected by the paralegals, but sometimes the people themselves through their church organisations, CBOs and women organisations suggest the topics for

discussion. This is very healthy. Unfortunately, in some places this work of the LRF in community mobilisation and civic education has been construed as politically motivated, but this is short-sightedness on the part of those who think so. A democratic society demands not only a literate population but one that is also conscious of its rights and responsibilities, and one that is ready to defend them.

6.4 Legal Aid and Test Cases

Legal aid is now recognised the world over as an important element in the administration of justice. There are people in our societies that cannot afford the services of a lawyer. For them to be able to exercise their rights, it is imperative that they get a legal opinion or legal assistance. In many places if a person is faced with a case that carries a death penalty and cannot afford the services of a lawyer, the court appoints one for him/her. This is also the case in Zimbabwe. But there are other situations where a lawyer's help is also necessary. And it is organisations like the LRF that can play a role.

But the LRF cannot be alone in this. There is legislation on the provision of legal aid passed by the National Assembly, and within the Ministry of Justice and Legal Affairs there is a Directorate for Legal Aid. But this needs to be more coordinated. Organisations like the Women Lawyers' Association and the Zimbabwe Law Society could get heavily involved in this. Zimbabwe could adopt the practice existing in some countries in the region by which every private lawyer/advocate who is a member of the Law Society is required to conduct at least 10% of the cases he/she takes annually on a legal aid basis.

The LRF in cooperation with other NGO's such as the Lawyers for Human Rights also take up test cases. These could be cases to do with the interpretation by the court of a legal or administrative decision, or with the constitutionality of legislation. This is important in the development of law.

6.5 Publications

It is in the area of publications that the LRF is really shining. Its record has no comparison in the Southern African region amongst similar organisations. Its publications are focused and relevant. The only criticism we heard from some other NGO's was that the LRF needs to consult more before it puts out its publications, especially those intended to the rural communities. Some of the cases that the LRF and its partners have taken so far, like the one on maintenance and the other concerning the two journalists, have been landmark ones.

It seems that the LRF with others have also taken up cases of some of those who lost in the last year's parliamentary elections. Even though the "consortium" seems to have invited all the political parties to make use of this facility, it looks that only the main opposition party has availed itself of this offer. We do not think that all those cases can be considered as "test cases" nor do we think that they can all qualify under the means test of legal aid.

6.6 Networking

Within Zimbabwe the LRF seems to network very well with a number of organisations. It also works very closely with organisations like the Lawyers for Human Rights, Women Lawyers Association and the Zimbabwe Law Society. It needs though to extend its networking more especially with the CBO's. In this its LPC's can help.

7 Funding

7.1 Sources of Funding

Funding for the LRF is achieved through both core funding and project specific funding. Details of the various donors and the value of their funding are found in Appendix V. The majority of donors now provide core funding which assists the organisation to operate effectively by having some flexibility in planning disbursements and budget. The sources of funding as well as the size of funding is becoming more critical for the organisation as the current situation in Zimbabwe places increased demand on the organisation's services.

Funding comes not only from the international donor community but from local sources, albeit to a small degree. The issue of local funding is a concern in that it forms a minor percentage of overall funding. The LRF is vulnerable if it continues to heavily rely on international funding for its survival. At the same time, it is extremely difficult for the LRF to generate income as most of its services are offered free.

In many cases, local funding may not be in a monetary form but rather through the provision of free or voluntary services or at a subsidised rate. The GoZ provides funding in the form of half the costs for the publication of the Law Reports. This may now become an issue as the other donor – DANIDA – has ceased partial funding of the Law Reports, and the GoZ will have to fund these publications totally, unless another donor is found.

A Quarterly Report is prepared for the donors, and on an annual basis each donor gets given a copy of the Annual Report. The Quarterly Report gives a detailed account of the performance of the LRF over a three month period, including financial statements. An Annual Donors Meeting is also held where the year's performance is discussed as well as the funding required for the next year.

7.2 Income Generation

The objectives of the LRF stress the provision of free legal services to the poor and the needy and therefore income generation is extremely difficult. There are proposals for assisting the organisation to become self-sustainable to a degree through the provision of the following services that can generate income:

- The commercialisation of the Publications Unit which can provide additional publication services to related professions at a discounted cost but still providing income for the LRF.
- The provision of external training to other institutions.
- The selling to other organisations of the LRF publications when they have seminars/workshops for targeted groups.
- The improved utilisation of land and building owned by the LRF in Bulawayo.
- The provision of limited consultancy services to other organisations.

This is an area which requires further consideration in terms of income generation but it is recognised that local income will be limited due to the type of service provided.

7.3 Sida Funding

Sida with several other international donors have agreed to provide core funding which can be used for recurrent expenses and the general operation of the organisation. As all the core funding is consolidated, it is difficult to assess the individual usage of Sida funding which over the period 1998–2001 amounted to SEK 2,625,000. What is known is that normal expenditure usually exceeds income and therefore all donor funding is fully utilised.

7.4 Donor funding

This is extremely carefully managed through monthly management accounts and the quarterly financial variance as well as the Quarterly Donor Reports. However, it appears that core funding is more difficult to account for on an individual donor basis as it is consolidated. Should an individual donor require specific information on their funds, this may be difficult to ascertain. What should be noted, however, is that the majority of donors who have agreed to participate in core funding have done so because the LRF has historically proven their prudent financial management.

What Sida and other international donors should consider now are the strategies for longer term sustainability of the LRF. DANIDA has, for example, bought a building in Bulawayo for the LRF where it has its LPC and LAC offices and the land behind it could be developed for income generation purposes. The Ford Foundation has also given the LRF an Endowment Fund of US \$1,000,000 whose interest the LRF can use for its activities. If other donors could think along these lines, it might in the long run reduce the LRF's heavy dependency on foreign donor funding. This becomes more necessary as we are seeing the decrease of foreign funding, what with DANIDA having stopped funding since December 2000 and CIDA already announcing its intention to stop further funding from the year 2003.

It appears that there should be a marked effort to try to increase local donor funding as international funding is decreasing, and with the current situation in the country, may decrease even further. It is recognised, however, that this is very difficult as many of the corporations that would consider donations are restrained by the fact that donations to NGO's are not tax deductible.

Where possible, income generation should be considered in order to increase the self-sustainability of the LRF. Consideration should be given to utilising some of the Ford Endowment Fund interest to purchasing property which can generate additional income and ensure future financial security for the LRF.

8 Financial management

8.1 Financial Discipline

When considering the management of the financial affairs of the organisation, it is clear that the LRF operates with very clear and precise financial systems. From information provided, it seems that the Deloitte & Touche Auditors' Reports for the last three years have raised little, if anything, which needs to be changed in terms of the financial management of the organisation. This is particularly important in ensuring the continued support of the donor community. In fact it appears that the LRF prepares its annual results ahead of the timetable, which results in the audit being completed in good time.

Budgets are prepared by the five centres as well as the national office and these are reviewed and consolidated by the Financial Controller. It is the responsibility of the relevant Director to ensure that the centre keeps within budget and the incumbent is responsible for monitoring and is accountable for any variances that occur. The budgets are based on the most cost effective means of operating the LRF and there is little fat for exceptional expenses.

Part of the Quarterly Report included detailed quarterly financial results for the current period. With the current economic situation, as well as the decrease in international donor funding, the finances of the organisation are continuously and carefully monitored to ensure that appropriate and effective use of funds occurs. The LRF constantly reviews its expenditure and looks for means of cutting costs without impacting on the operational efficiency of the organisation.

The largest expense for the organisation is salaries, and problems have been experienced with staff as a result of this issue. Further comment has been made under the Human Resources Section, but with 60% of the budget being spent on remuneration, there would be a major impact on the operations of the LRF should funding further decrease. It should be noted that in the current economic situation, the demand for market related salaries is going to increase as inflation continues to grow.

8.2 Evaluation

The finances and records of funding are meticulously maintained and monitored in monthly management accounts, quarterly variance reports and quarterly donor reports (including finances).

On reviewing the Auditor' Reports for the last three years, it was apparent that there was little of significance on which to report. This re-enforces our impressions that the financial management is sound.

9 Human resources and administration

9.1 Human Resources

The Human Resource function is part of the responsibility of the National Administrator, with the National Accountant being responsible for salary administration.

The single largest expense in operating the LRF is the salaries which, as observed earlier on, are approximately 60% of the total running costs. This is understandable considering that the operation of the organisation is based on the services principally supplied by the paralegals and lawyers. Historically, the organisation has experienced problems in retaining professional staff because other NGO's and human rights organisations offer more attractive packages. The LRF, however, has experienced, and continues to experience, problems in the award of salaries to staff in contrast to their expectations. Ways of minimising expenditure have been reviewed and implemented, but the loss of quality personnel may be inevitable.

A Staff Development Programme for external courses has been introduced to assist staff with job related courses. The LRF funds two thirds of the cost with the employee funding the other portion for the Diploma in Law course with the University of South Africa, and the organisation pays in full for the other courses. The current budget this year is ZW \$393,000 (7% of the budget). With this emphasis, Management is ensuring the future development of managerial skills for the organisation.

There is an additional training budget for general training and the training of paralegals amounting to ZW \$540,000 for the current year. This is acceptable when one considers that the key asset of the LRF is its staff, as well as the fact that paralegals are trained on the job through four stages of training. Also the lawyers have Continuing Legal Education which is part of their registration requirement in the initial two years after they qualify. We suggest that lawyers also be sent on computer literacy programmes, and that in future it be a requirement that one is either computer literate before recruitment or acquires computer literacy skills within a year of joining the organisation. This would greatly reduce dependency on secretaries and would also enable the lawyers, once connected to the internet, to access libraries and information centres the world over.

There does not appear to be a Succession Plan for the LRF and this is a major concern, given that the National Director is nearing retirement age. In fact the Trustees decided two years ago that the present National Director would retire in August this year. From discussions with members of staff, it would appear that there is no internal candidate who would be suitable to replace the National Director, though three Trustees had indicated a person within the organisation whom they think could be considered as a possible successor. This situation has also arisen because of the fact that the LRF does not have a Deputy Director and nobody has been groomed within the organisation to be seen as a future National Director. The successful resolution of this issue is critical to the long-term success of the LRF.

A Draft Code of Conduct has been developed and is near completion, ready for registration with the Ministry of Public Service, Labour and Social Welfare. This is believed to be an essential management tool especially in the light of the current industrial relations climate.

Job descriptions exist for the majority of positions and are currently being updated. These documents are considered an essential part of the new performance review system that has been

updated in December 1999 and is being implemented at present. The system is being closely monitored so that amendments can be made to the system. It is believed that the enhancement of the performance review system should assist Management in measuring productivity and providing indicators for annual donor reports.

9.2 Administration

The National Administrator, located in Bulawayo, is responsible for the administration of the organisation. The LPCs employ administrators who also report to the National Administrator. In some LPCs the administrator is also responsible for the accounting function of the centre.

One of the Administrator's functions is also the purchase of books for the libraries. The current National Administrator being a trained librarian by profession is an advantage to the organisation. We want to suggest that the LRF, as a way of augmenting its libraries, also request Bar Associations and other organisations in the EU countries and North America to donate books to it. In this respect it can particularly ask the Canadian Bar Association, with which the LRF is associated through SALAN, to help it in the conduct of a book campaign.

9.3 Evaluation

For a small organisation, the LRF has many of the standard Human Resources systems in place and they are continually being updated. This supports the belief of many people that we have talked with that the LRF is managed effectively.

The issue of salaries is a problem and is hindered by the current funding situation. This has resulted in positions being frozen when vacant and hence a decrease in the services being provided by the LRF. It is believed that in the current economic situation the issue of salaries will continually be raised as the staff, who prided themselves in the past as having salaries a little higher than the civil servants, now find themselves way behind.

There is an expectation that all staff should be eligible for training and development on an annual basis, which is not feasible in the light of the financial situation. But it is worth introducing when finances permit.

10 Resources to support services provided

10.1 Office and Other Resources

The resources which are required to support an organisation like the LRF are varied and substantial. Based on the information from our evaluation exercise and the visits that we made to a number of centres, we make the following comments.

The premises seem to be well situated with most of them close to the main institutions, such as the Magistrates' Courts, Small Claims Courts, etc., as well as being conveniently placed for the majority of their clients (or 'consultants' in the LRF parlance). However, the RLAC in Murehwa is situated in Rural District Council offices, which is part of the Government structure and this may be perceived as having some political affiliation in the current scenario, and hence prevent some community members from using its services.

The RLACs offices may be inadequate for the services provided. The RLAC's in Gwanda and Murehwa that we visited showed that two paralegals in each centre share an office. On investigation, it was revealed that if one of the paralegals is interviewing, the other paralegal has to go out to sit somewhere to perform administrative work or to an outreach assignment in order to ensure confidentiality and privacy. It is recognised that this situation is due to the lack of resources, but it impacts on the operational efficiency of the paralegals.

The donation of land and buildings to the Bulawayo LPC by DANIDA has been a big contribution to the organisation, providing tremendous future potential for the LRF. This asset should be better utilised in order to generate additional income.

Many of the RLACs are inadequately furnished and require additional equipment, particularly in the form of computers. There appears to be an inadequate supply of equipment to support the legal services which the organisation provides. It was noted that staff have use of manual typewriters even when there is electricity in the centre. These machines should be sent to the centres that have no electricity and computers should be installed instead.

The issue of communication between centres is a major problem because of the financial constraints as well as the lack of communication technology. For example, the RLAC in Gwanda does not have its own telephone, fax, telex or computer, thus making communication with the Bulawayo LPC difficult. Also when sending documents to the CLAC, the postal system is used, which is unreliable, or a courier service, which is costly.

It appears that some offices have e-mail and access to the internet but they are in a minority. A website has been established to inform people of the services that the LRF provides but the majority of clients would not have access to such facilities. The vehicles owned by the LRF are managed and monitored very carefully but they are insufficient for the organisation to provide adequate monitoring services to the paralegals by the lawyers. A number of motorcycles have been purchased but many staff are unable or unwilling to use them, and some do not have licences. Many of the RLAC staff use public transport to travel to the outlying areas to visit their clients. This is time consuming as there is usually only one bus per day, which often results in them being out overnight.

10.2 Libraries

Libraries are an important input in work like that being done by the LRF. The library needs not only to contain textbooks but current law journals, be up to date with the country's legislation and the judgements of both the High Court and the Supreme Court. In the case of the LRF it needs not only to have a central library at its Head Office, but also a library in each of its LPCs. We must admit that on this it has shown far sightedness. The libraries that it possesses are not only used by its own staff but many others in the profession, especially those who are not in big law firms, NGO activists and law students. As stated above, the LRF must develop a relationship with Bar Associations abroad that might help it with the acquisition of books, journals and legislations.

10.3 Evaluation

The communication system needs to be improved so that paralegals can have easy access to the LPCs as well as be readily able to contact some of their clients. Additional computers are required to assist in providing more efficient service through improved administrative and communication systems. For example, computers would improve communications through the medium of e-mail, which would also keep costs to a minimum.

11 Evaluation and recommendations

11.1 General Perceptions

The LRF is perceived by the legal fraternity, the NGO community and the general public as a serious, committed and dedicated organisation. In the past the Government did seek its support and fully cooperated with it; it is only in recent times, because of the LRF's positions on human rights and constitutional issues, that the Government seems to develop a negative opinion of the organisation. But the technical Ministries and agencies do still work with the LRF.

11.2 Overall Evaluation

With reference to the recommendations made in the CIDA 1996 Mid-Term Evaluation and then reviewed by the Performance Review of "Legal Rights in Zimbabwe, Phase II", Appendix VI, we are of the view that the majority of the recommendations are still pertinent to the LRF. However, we also believe that some of the recommendations require amendments as follows:

- Recommendations 3 and 6 should become a priority for both the LRF and the donor community at large. The objectives of the LRF are critical to Zimbabwe both in the current and long term situations and therefore additional funding should be considered.
- Recommendation 11 should be reviewed in the light of the current political scenario and the careful screening of donations on behalf of other organisations be undertaken to prevent the LRF becoming vulnerable to criticism.
- Recommendation 18 has been addressed as there are many formalised meetings in the LRF as previously discussed. It is important to stress, however, that communication is always an issue for staff in all organisations and hence, it must be continuously worked on.
- The present consultants believe that the objectives of the LRF are being achieved and in the current situation the LRF provides a critical service to its target population. It is also felt that the organisation has a long-term future within Zimbabwe as long as donor funding is maintained.

11.3 Recommendations

Our general recommendation is that donor funding should continue, and if possible Sida and other remaining core donors should consider meeting the shortfall created by the withdrawal of DANIDA and the coming withdrawal of CIDA in the year 2003. We also suggest if possible including additional project specific funding for purchasing computers, printers and other modern equipment necessary for running an efficient office.

In view of what we have observed and from the discussions we have had with people within the LRF and outside it, we also wish to make the following recommendations:

11.3.1 Organisational Structure

- The Deed of Trust needs to be revisited. The organs of the LRF must be clearly stipulated in the Trust Deed. The two organs presently existing must be given their proper names, that one is a Board of Trustees in which all trustees meet and the other is a Management Committee

where the National Director, National Administrator, National Accountant, Financial Controller, Publications Coordinator, Curriculum Coordinator, Paralegal Training Coordinator and the Directors of the five LPCs meet.

- The next National Director be not a Trustee, but attend Board of Trustees meetings as Ex-Officio and also be the Secretary of the Board.
- The National Director be the permanent chairperson of the Management Committee and the National Administrator be its secretary. It should also be understood that in case of the absence of the National Director, the National Administrator would be in charge of the office. In other words he/she should be seen as the Deputy Director, even if not so designated.
- Should the next National Director be a lawyer, there would be no need of having a Chief or Senior Legal Advisor. Even if the new National Director is not going to be a lawyer, he/she can use the lawyers within the Management Committee for any legal advice.
- The functions presently performed by the Financial Controller can be performed by the National Accountant with proper guidance and training. The National Accountant also needs to develop confidence, and this can be achieved by giving her more responsibilities. We suggest that in the coming six months the present Financial Controller give more guidance to the National Accountant, and then the Accountant be given full responsibilities. The Financial Controller can, as the need arises, be contracted as a consultant on specific issues.

11.3.2 Trustees

- We are not happy with the situation in which Trustees are also paid employees, even if part-time ones, of the organisation. There is a rational need for separating the roles, otherwise there will be a problem of accountability. A trustee can be contracted as a short-term consultant and be given a particular assignment for a specified period, but not as an employee. We know that at present there are two trustees who are paid employees of the LRF (one on full time, the other on part-time basis), but separation would ensure good governance. If this idea is acceptable, we are confident a way can be found to accommodate those who might be affected.
- Prof Reg Austin has been outside the country for many years, and has failed to attend many meetings of the Trustees. We understand the urge to retain him; after all he was one of the founders of the LRF and one of its first trustees. But we do not see him making any contribution now, and not for a long time to come, knowing of his assignments abroad. Since he qualifies, under Article 5 (a) of the 'Deed of Trust' to be a Patron, we humbly suggest that he be considered for such a position.

11.3.3 Succession Plan

- What concerns us is the absence of a succession plan even though it was known to the Trustees two years ago that the present National Director would have to retire in August 2001. The present National Director is an exceptional person and has run the organisation in an exemplary way. Among legal aid and human rights NGO's in the Southern Africa region LRF is considered to be one of the best run. But there comes a time when even the best of us have to give up and allow a new generation to take over. Our responsibility is to encourage such a development and to ensure a proper handing over takes place. To avoid abrupt disruption and assure continuity, we suggest that a search for a person to take over commence immediately. After such an appointment is made, we strongly suggest that Ms Eileen Sawyer be requested to remain for at least six months as a Technical Advisor to the new National

Director. Such an arrangement would ensure continuity and stability within the organisation, and would let the new National Director get the feel of the organisation.

11.3.4 Fund Raising

- Fund raising should be the responsibility of not only the National Director but of every Trustee.
- The LRF needs also to diversify its sources of funding. There are institutions in the Southern African region and beyond that it can ask for small contributions or for such things as books, training programmes, exchange programmes, etc. It can use its membership in SALAN to request the Canadian Bar Association to provide it with Internet facility as it has done with the ZLSC.

11.3.5 Networking

- At present the LRF is a member-organisation of SALAN. The organisation is weak in developing networks with organisations outside the country. There is need to extend its network to many other institutions and organisations abroad. It can also develop bilateral relations with a number of legal aid and human rights organisations in the Southern and Eastern African regions and other places.

12 Conclusions

The LRF is an important organisation in the administration of justice and the promotion and protection of human rights in Zimbabwe. We cannot talk of the existence of the rule of law if there are no institutions that defend it; and we cannot talk of empowering the people and letting them exercise economic and social rights, if there are no political, constitutional and legal frameworks in which those rights can be exercised.

Seventeen years after its founding, the objectives of the LRF are more pertinent and relevant today than they were ever before, and its mission more important today than those days immediately after Independence when the nation was still in euphoria.

Bibliography

- M. Cappelletti and E. Johnson (eds): *Toward Equal Justice – A Comparative Study of Legal Aid in Modern Societies*, Oceana Publications, NY, 1981.
- F. Chinemana: *Evaluation of the Pilot Paralegal Scheme – Seke Rural District, Zimbabwe*, HLPC, 1988.
- CIDA: *Institutional Analysis of the Legal Resources Foundation. Performance Review of “Legal Rights in Zimbabwe, Phase II”*, September 1998.
- Deloitte & Touche: Financial Statements for 1998.
 Financial Statements for 1999.
 Financial Statements for 2000.
- A. Dieng and C. Thompson: *Paralegals in Rural Africa*, ICJ Geneva, 1991.
- LRF: The Fourteenth Annual Report 1998.
 The Fifteenth Annual Report 1999.
 The Sixteenth Annual Report 2000.
 Support for Framework of Activities of the LRF 2001-2003 submitted to Sida on 30 October 2000.
 Second Five Year Development Plan July 1998 – June 2003.
 Review of the Five Year Plan 1992-1997.
- S. Moyo, J. Makumbe and B. Raftopoulos: *NGOs, the State and Politics in Zimbabwe*, SAPES Books, 2000.
- NANGO: Zimbabwe Funding Directory 2000.
 Zimbabwe NGO Directory 2000.
- M. Schuler and S. Kadijamar-Rajasingham (eds): *Legal Literacy – A Tool for Women’s Empowerment*, UNIFEM, NY, 1992.
- Swedish Government: *Democracy and Human Rights in Sweden’s Development Cooperation*, Coomunication SKR 1997/98:76.
- Amy Tsanga: *Evaluation of Pamphlets – Their Impact on Rural Communities*.
- Alemayehu Yitayew: *Paralegals in Ethiopia*, Unpublished Paper, May 199.

Appendix I

Terms of Reference for the Evaluation of the Sida support to the Legal Resources Foundation (LRF) in Zimbabwe.

Background

Sida has, along with other donors, been assisting the Legal Resources Foundation (LRF) in Zimbabwe. Sida assistance commenced in 1995. Current Sida support has been carried out under an Agreement for the period 1.1.98 to 30.6.01 and as attached as appendix 1. Prior to any possible extension of the Sida support to the LRF after June 2001, Sida wishes to carry out an evaluation of the LRF and the programmes being carried out by the LRF. The major donors/agencies involved in support to the LRF are CIDA, Danida, NOVIB, EU and the Friedrich Naumann Foundation.

The LRF has as its objectives “the promotion of a human rights environment in Zimbabwe by:

- undertaking programmes which empower individuals to use the legal system
- improving the quality of justice for all in Zimbabwe
- increasing legal awareness in Zimbabwe, particularly among the disadvantaged
- creating a positive input to legislation”

These objectives are implemented through the paralegal, education and publications programmes of the LRF and which are carried out through its five Legal Projects Centres in Harare, Gweru, Bulawayo, Mutare and Masvingo.

The funding proposal under which Sida is currently supporting the LRF is attached as appendix 1. This includes the LRF Second 5 year Development Plan 98/99 to 02/03.

In addition the LRF has prepared a proposed “Framework of activities of the LRF from 1.1.01 to 31.12.03” for Sida’s consideration based on guidelines Sida has made available to the LRF. This is attached as appendix 2.

Various evaluations on certain aspects of the LRF activities have been carried out in the past, and these are namely:

- a 1996 mid-term review conducted by CIDA on the LRF and all of its activities.
- evaluation of the paralegal programme
- evaluation of the schools legal education programme
- evaluation of the law enforcement agencies programme
- final evaluation of the LRF by CIDA to coincide with the end of the first 5 year Development Plan of the LRF (July 1992–June 1997)

A financial audit was recently carried out by Deloitte and Touche for the period 1.7.99 to 30.6.00.

The minutes of the latest (8th) Annual General Meeting of the donors held on 5.12.00 are attached as appendix 3.

Whilst acknowledging that Sida is not the sole donor involved in supporting the LRF and that Sida funding is basically core funding of the activities of the LRF, Sida wishes to have an updated evaluation of the overall activities of the LRF in order to revise, if necessary, the direction and scope of its involvement with the LRF.

Sida funding for the latest period is SEK 2,625.000 (ie. SEK 825 000 per year for the years 1998–2000)

Objective of the Evaluation

To carry out an evaluation of the LRF as an organisation, including its activities in relation to its main objectives.

To carry out a systematic and thorough assessment of the implementation, results and long term impact both for Sida and the LRF itself of Sida's support since mid-1997.

To ascertain to what degree the support as currently conceived, reflects Sida's strategy and objectives with regard human rights and democracy.

To assess whether any change in direction, scope or funding of the LRF support would be necessary to achieve these (Sida's) strategies and objectives.

Scope of Work

The scope of work shall include but not be limited to:

- Carry out a desk study of the various evaluations carried out to date of the LRF and its activities.
- Assess the LRF as an organisation, its management and its activities in relation to its stated goals and objectives. Study the Cida mid-term evaluation report and recommendations dated July 1996 and comment on its current relevance. Discuss areas where it is considered updating of the recommendations is required.
- Discuss the latest audit report (for the period July 1999–June 2000) and subsequent follow up by the LRF on the auditors remarks/recommendations.
- Discuss and assess the usage of Sida's funding to the LRF, as stated in the September 1998, 1999 and 2000 annual reports to Sida and as required in Article 8 of the Sida – LRF Agreement.
- Study the current Sida country strategy with regards human rights and democracy and assess to what degree the activities presently supported within the LRF reflects this strategy.
- Assess whether the increasingly repressive political situation and contempt for law and order has caused significant changes in the programme activities of the LRF. Discuss these changes, if any.
- Study the November 2000 document "Support for framework of activities of the LRF 1.1.01–31.12.03" and discuss as to what degree this document reflects the guidelines as made available by Sida to the LRF.
- Assess whether Sida's strategy and objectives with regards human rights and democracy could be better achieved by an expansion of the activities of the LRF but within their (LRF's) present objectives.

- Discuss the desirability or otherwise of targeting Sida assistance to the LRF to specific activities rather than to core funding as at present.
- Discuss the possibility of establishing some form of indicators within the annual reporting system to assess the impact of Sida assistance.

Organisation, Coordination and Time Schedule

1. The consultant will report directly to the responsible Programme Officer within Sida (Harare), Ms. Ann Melin-Wenström. The contract for the evaluation will be between the Consultant and the Embassy of Sweden, Harare
2. It is envisaged that it may be necessary to visit at least one or two other organisations or institutions within Zimbabwe and also LRF offices in other centres in connection with this evaluation. Sida would wish to have sight of any proposed questionnaire or discussion paper that the consultant may prepare prior to the visits to these institutions.
3. The evaluation is expected to take place during May 2001 and should cover initial preparatory work and study of relevant documents, meetings with stakeholders, visits to other institutions, further consultations with stakeholders and report writing.

Consultancy personnel

It is envisaged that the consultancy team will comprise a recognised expert in the areas of human rights and democracy. Limited input from legal and management experts is also envisaged. Sida may wish to nominate a member of its own staff (possibly from its Department of Evaluations and Internal Audits or Division for Democratic Governance) for a limited period to the consultancy team.

Reporting

The consultancy team will, at the latest the 8th May 2001, produce a short (max.10 pages) inception report and hold a meeting with the Embassy of Sweden, to discuss this report.

At the end of the study period, and at the latest the 31st May, the consultant will produce a draft final report (max. 30 pages excluding appendices) for presentation to the Embassy of Sweden. Following a review and approval of the draft final report by the latter, the consultant will produce a final report.

If found desirable the consultant may be required to present his findings and recommendations to a wider audience of interested parties. The consultant's input into such a workshop would be outside the main evaluation contract.

Appendix II

List of people met and places visited

29 April 2001	Ann Melin-Wenstrom	Swedish Embassy
30 April 2001	Eileen Sawyer	LRF Director/Trustee
2 May 2001	Sheila Mahere Martin Pireye Violet Karidza Jane Jowa	Director/HLPC Publications Coordinator/LRF National Accountant/LRF Paralegal/HLAC
3 May 2001	Freshman Chauke Deborah Barron Mary Ndlovu	Director/BLPC National Administrator Curriculum Coordinator/Trustee
4 May 2001	Edna Ncube Veronica Moyo Paul Chizuze Deborah Barron Mary Ndlovu	Paralegal Paralegal/Gwanda LAC Paralegal/Bulawayo LAC National Administrator Curriculum Coordinator/Trustee
7 May 2001	Lillian Zemma Betty Mbundire Mary Gore Brian Hill	Paralegal/Murehwa Paralegal/Murehwa Lawyer/HIPC Financial Controller/Trustee
8 May 2001	Amy Tsanga Geoff Feltoe	Trustee Trustee
9 May 2001	Eillen Sawyer	Director LRF/Trustee
15 May	A Mavunga A.R Gubbay R. Shanai E. Goldsborough A. Mangota T. Hondora	Paralegal/Mt. Darwin/LAC Chief Justice Principal/Judicial College Training Office/Judical College Permanent Secretary of Legal Justice & Parlimentary Affairs Zimbabwe Lawyers for Human Rights
16 May 200	S. Moyo Ms. Dodo/ Mrs Nzira	President/Law Society of Zimbabwe WLSA
17 May 2001	L. Zigomo-Nyatanza J. Mudedwe B. Khutsoane	Director/Zimbabwe Women Lawyers Association Director/NANGO Director/WILDAF

18 May 2001	B. Raftopolous	Zimbabwe Insitute of Development Studies
18 May 2001	P. Matsheza	Director/Human Rights Trust of Southern Africa
	S. Mumbengegwi	Director/Women Action Group
	Amy Tsanga	Trustee
21–22 May 2001	Attending SALAN meeting hosted by the LRF	
23 May 2001	Emilla Muchawa	Director/Gweru LPC
	Mania Kangonia	Lawyer/Gweru LPC
	Beauty Mtadeleki	Paralegal/Gweru CLAC
	Matipa Rungaro	Paralegal/Kwekwer LAC
24 May 2001	Sam Moyo	Director/SARIPS
28 May 2001	Submission of the Draft Report	
30 May 2001	Discussion of the Draft Report	

Appendix III

Deed of Trust

DEED OF TRUST

BE IT HEREBY MADE KNOWN

THAT on this 10th day of July in the year 1984 before me

HARRY MEYER KANTOR

A Legal Practitioner/Notary Public by lawful authority admitted and sworn, in the presence of the subscribed witnesses, came and appeared.

**REGINALD HENRY FULBROOK AUSTIN
IAN ANTHONY DONOVAN
EILEEN MAY SAWYER**

(hereinafter called "the founders")

and also appeared

**REGINALD HENRY FULBROOK AUSTIN
AHMED MOOSA EBRAHIM
EILEEN MAY SAWYER**

(hereinafter called "the Trustees")

AND THE SAID APPEARERS DECLARED that the Founders wish to establish a Charitable and Educational Trust to be known as the **LEGAL RESOURCES FOUNDATION** for the purposes of promoting the development of legal resources in Zimbabwe and facilitating the realization of social, economic and legal rights of the masses in Zimbabwe.

NOW THEREFORE THESE PRESENTS WITNESSETH:

1. A charitable and educational trust known as the **LEGAL RESOURCES FOUNDATION** is hereby founded and established ("the Foundation")
2. The objects of the Foundation are:
 - (a) to initiate and support projects which promote the development of legal resources in Zimbabwe;

- (b) to establish and maintain a law library or libraries to which all individuals and organisations in Zimbabwe shall have access.
 - (c) to train paralegal personnel and to provide them with a supporting service;
 - (d) to promote public legal education;
 - (e) to contribute to legal research and legal publications;
 - (f) to assist in the training of law students, legal practitioners, persons holding judicial office, court staff and administrators;
 - (g) to support organizations which provide legal advice and assistance to the public;
 - (h) to initiate law reform; and
 - (i) to engage in or provide assistance for any related activities which, in the opinion of the trustees, are likely to further the interests of law and justice in Zimbabwe.
3. The Founders hereby jointly donate irrevocably to the Foundation the sum of one hundred dollars (\$100) which sum shall comprise the trust fund, together with any additions and accretions thereto from other sources. The trust fund shall be held in trust and utilised in furtherance of the objects, further to the conditions hereinafter set forth.
4. (a) The Founders hereby appoint the Trustees as the first trustees of the Foundation.
- (b) There shall at all times be no fewer than six (6) and no more than fourteen (14) trustees acting at any time under this deed, which trustees shall retire at the second annual general meeting of their appointment and shall be eligible for re-appointment.
 - (c) The office of trustee shall be vacated:
 - (i) if a trustee resigns office by notice in writing addressed to the secretary of the Foundation, or the other trustees; or if a vote of no confidence in a particular trustee is passed in accordance with clause 4(b);
 - (ii) if a trustees becomes of unsound mind, insolvent, or in any other way incapable of managing his own affairs or is or becomes under any legal disability affecting his legal capacity.

- (d) Immediately a vacancy in the office of trustee occurs and if thereby the number of trustees is reduced below the prescribed minimum, the remaining trustees shall forthwith appoint a trustee to fill such vacancy, which they shall be empowered to do notwithstanding the provision of subparagraph (b) hereof.
 - (e) The trustees may from time to time appoint one or more persons as trustees and to act as such with them subject to there being no more than fourteen (14) trustees at any time.
 - (f)
 - (i) The trustees shall, as they may determine from time to time, meet to consider and administer the affairs of the Foundation by may appoint one or more of them to administer the day to day affairs of the Foundation including the manner in which the funds of the Foundation should be applied in furtherance of its objects and the amount to be expended by the Foundation from time to time.
 - (ii) The trustees shall be entitled to nominate one or more of them, or delegate their authority to any person or persons selected by them both for the purpose of management of the Foundation and the execution of all documents of an nature relating to the carrying out of the purposes of the Foundation including documents in connection with the investment and realisation of the Foundation, which realisation shall be in whatever manner they think fit.
 - (iii) Should any difference arise among the trustees in regard to the affairs of the Foundation, the same shall be determined by a majority vote of the trustees taken at a meeting of the trustees convened on not less than 48 hours' notice.
 - (g) With the approval of the remaining trustees, a trustee may appoint an alternate to represent him during a period of temporary absence from Zimbabwe.
 - (h) A vote of no confidence in a particular trustee may be passed by not less than two-thirds of the total membership of the board of trustees at a meeting at which not less than seven (7) days' notice has been given; such notice having included a proposal that a vote of no confidence be passed in respect of the trustee concerned.
5. (a) The trustees may appoint as patrons of the Legal Resources Foundation no more than three persons, being persons who have, in the view of the trustees, either rendered significant service to the Foundation or made a significant contribution to the development of the law in Zimbabwe.

- (b) A patron of the Foundation shall be entitled, if he so wishes, to attend and speak at meetings of the trustees, but shall have no vote at such a meeting.
- 6. The Founders shall have no power to revoke or amend any of the provisions of this deed of trust, but any of the provisions of the deed of trust may be revoked or amended, and any new provisions may be introduced, by a resolution of the trustees supported by 75% of the trustees then in office, if such trustees are of the opinion that such revocation, amendment or addition will benefit the Foundation, or is necessary to enable them to achieve any object consistent with the purposes of the Foundation as set out in the preamble hereto.

Provided that the approval of the Commissioner of Taxes shall be required for any amendments to clauses 2, 10 and 11 of the deed of trust.

- 7. The trustees shall
 - (a) deposit all moneys not invested by them in a banking account to be opened in the name of the Foundation, or in any registered building society. Such accounts may be operated by the trustees in such manner as they may determine;
 - (b) cause a proper set of books and accounts to be kept relative to the affairs of the Foundation, which books and accounts shall be audited annually by an auditor to be appointed by the trustees, and shall have power to vary this appointment from time to time;
 - (c) be entitled and are hereby empowered to invest the assets of the Foundation insofar as the same are not required for the immediate purposes of carrying out the objects of the Foundations;
 - (d) Have the following specific powers:
 - (i) to call in, recover, collect and if necessary, to sue for all loans or other moneys including rents and the like belonging to the Foundation at any time, whether invested by them or otherwise, and to foreclose bonds and, if necessary, to buy in securities;
 - (ii) to purchase or otherwise acquire and hold shares in any trading company, whether commercial, manufacturing or otherwise or in any company which has among its main objects the acquisition of income producing movable or immovable property;
 - (iii) to borrow money for tile purposes of this Foundation and at their discretion to mortgage, pledge or hypothecate any movable, immovable or other property or rights belonging to the Foundation;

- (iv) to sign and execute all transfers of any immovable or other property or rights, all cessions and/or consents to cancellation of bonds, securities, lease, servitudes or other deeds and/or all powers of attorney relating thereto, and generally all documents of any nature or kind whatsoever requisite and necessary from time to time in connection with the acquisition or the realisation of the Foundation assets and/or carrying out the terms of this deed of trust..
- (v) to allow any time for the payment of any debt due to the Foundation as they may think fit and to compromise, compound or submit to arbitration all claims, debts or things whatsoever belonging or relating thereto;
- (vi) to employ and pay out of the Foundation any other persons to do any act or acts including the receipts of moneys, although they or any of them could have done that act or these acts;
- (vii) from time to time expand such portion of the capital or income of the Foundation as they may deem necessary for the preservation, maintenance and upkeep of any property belonging to the Foundation and to demolish any buildings which, in their opinion, should be so dealt with and to erect new buildings on land belonging to the Foundation;
- (vii) to hold funds in trust for other persons or organizations and, if so required by the Legal Practitioners Act or any regulations made thereunder, to open and operate a trust account;
- (viii) to lend money or leave moneys on deposit with any company;
- (ix) to enter into agreements with legal practitioners and to retain such legal practitioners for the purpose of advising and representing persons in cases where the trustees may decide to provide such assistance in terms of the objects of this Foundation;
- (x) to apply the capital and income of the Foundation to the furtherance of the objects in such a manner as the trustees in their discretion may from time to time determine.
- (xi) to frame rules, standing orders and regulations for the administration of the Foundation in the conduct of its affairs all and to alter, vary or rescind the same from time to time;

- (xii) if it should become necessary in terms of any law of Zimbabwe, the trustees shall have the power to procure the registration of this Foundation in such manner and upon such terms as may be required by such law, and to this end shall be entitled to alter, vary or amend the terms of this Foundation;
 - (xiii) to indemnify any legal project centre the director and employees thereof and any other employee of the Foundation against any claim which may be made against them arising out of their bona fide performance of their duties;
 - (xiv) to take out and/or pay the premiums on insurance policies of any class that the Trustees may consider necessary or desirable for the purpose of insuring themselves, any legal projects centre, the director and employees thereof and any other employee of the Foundation;
 - (xv) to contribute towards any pension or medical benefit or provident fund providing benefits to the director and employees of any legal projects centre and any other employee of the Foundation;
 - (xvi) in the absolute discretion of the trustees, to make payment of or contribute towards the payment of any order for costs made against a litigant assisted by a legal projects centre.
8. The Foundation shall be entitled to sue and be sued in any court having competent jurisdiction in respect of any matter arising out of the Foundation hereunder created and all costs incurred by the trustees as well as other charges, expenses and disbursements incurred by them in or arising out of their administration of the Foundation shall be a first charge on the fund and the income thereof.
 9. The trustees shall not personally be liable for any loss which may be suffered or sustained by the Foundation, nor shall they be responsible for the actions of any accountants, agents and legal practitioners appointed by them.
 10. The trustees are hereby empowered to accept and acquire for the purpose of the Foundation hereby constituted any gifts, bequests or payments that may be given, bequeathed or paid to them as an addition, or with the intention to add, to the Foundation hereby constituted and whether any such additions consist of stocks shares, moneys, movable or immovable property and any additions so accepted and acquired shall be deemed to form part of the Foundation and shall be administered and dealt with subject to the terms of this deed of trust, except where the donor has made specific direction to the contrary.

Any additions to the Foundation so received by the trustees may be retained by them in the form in which they are received and such retention shall be a sufficient compliance with the power to invest herein contained.

11. The Foundation shall have perpetual existence but may:-
- (a) at any time be wound up and dissolved on a resolution supported by seventy five per centum (75%) of the trustees then in office;
 - (b) in the event of dissolution the trustees shall dispose of the surplus assets of the Foundation remaining after all obligations of the Foundation have been met, to any other or bodies which, in the opinion of the trustees, has or have objects similar to the objects of the Foundation, or in a manner which, in the opinion of the trustees, would further the interests of the Foundation;

Provided that the body or bodies to which the surplus assets are disposed is or are:-

- (i) exempt from tax; and
 - (ii) approved by the Commissioner of Taxes.
12. The Trustees hereby accept appointment to such office subject to all terms and conditions hereinbefore set out.

**REGISTERED at HARARE, ZIMBABWE THIS 18TH DAY OF JULY 1984
NO: MA426/84.**

[Includes amendments approved by Trustees' Annual General Meetings on 5 March 1997 and 11 February 1999].

Appendix IV

Map of LRF Centres

LRF Legal Projects Centres and Rural Advice Centres



■ Legal Projects Centres

● Rural Legal Advice Centres

Continuous lines represent district boundaries

Appendix V

List of trustees

Prof R. Austin	Institute of Democracy and Electoral Assistance (IDEA), Stockholm, Sweden
Mr D Coltart	Legal Practitioner
Mr B Elliot	Legal Practitioner
Prof G Feltoe	Professor of Law
Mrs B Hargrove	Legal Publisher
Mr B Hill	Finance Consultant – <i>executive</i>
Mrs S Moyo	Legal Practitioner
Miss N Moyo	Legal Practitioner
Mr G Mutseyekwa	Legal Practitioner
Mrs M E Ndlovu	Educationalist – <i>executive</i>
Adv. P Nherere	Advocate
Mrs E Sawyer	Sociologist – <i>executive</i>
Dr A Tsunga	Law Lecturer

Appendix VI

From Performance Review of "Legal Rights in Zimbabwe, Phase II" CIDA Project no. 766/17490

APPENDIX 2.0 - STATUS OF RECOMMENDATIONS FROM MID-TERM EVALUATION

RECOMMENDATION	STATUS
1. Workplans should be developed for each upcoming year, based on the first year plan, but reflect changed circumstances. The quarterly and annual reports should use this workplan as a basis for reporting	Workplans are done quarterly. Each quarter reflects what has been achieved. Paralegal programme has made plans up to 2000. Each Centre has a regular meeting to match Workplan with budget
2. The 5 Year Plan should be reviewed yearly, and if necessary altered to reflect major changed circumstances and revision of basic assumptions, and be extended for one year so as always to have a five year horizon	Ongoing and regularly done
3. Consortium donors begin planning for Phase 'III' or other long term programme support	Achieved
4. Donors to use discussions about 'Phase III' as a lever to try and pry tangible support for LRF from the Zimbabwean state, and discuss with LRF approaches for ensuring that this leverage is employed successfully	Achieved
5. The Zimbabwe government should be called upon to indicate that it regards LRF as important to the country's development, by resorting at least some of the financial support it once provided	Acknowledged but government has no plans to support financially
6. LRF must continue to approach existing donors, asking that they contribute funds in addition to those they currently donate, as well as finding new donors to replace those who are no longer providing assistance to LRF	Donor base diversified, including local donors being approached. Endowment Fund set up with partners in the US
7. LRF should consider options for scaling back its growth and cutting back spending if the financial picture is not improved very soon	SLEP has been cut down; Publications Unit has been commercialized; Not expanding into Mashonaland West; LEA working with other organizations to cut down on cost
8. If a government-run Legal Aid Plan is instituted, the legal profession and foreign donors should investigate whether the resources thus committed-and hitherto denied to LRF - would be employed more efficaciously by LRF	The GOZ has indicated that it will not be instituting a Legal Aid Plan in the foreseeable future
9. LRF should explore the possibility of seeking grassroot community financial and 'in kind' support, particularly when research is done to the establishment of any new Legal Advice Centres. LRF should test whether seed funding may be obtained to assist in the initial phases of such efforts	Not feasible as LRF is serving the poorest of the communities but is seeking contribution in kind
10. In seeking support from local business sponsorship for the LACs, LRF must ensure that its independence is not affected by such cooperation and that the sponsors are not linked with human rights violations in the country or elsewhere	Achieved

11. Where LRF accepts donations on behalf of other organizations, they should be paid for such services. LRF should also be cautious about stretching its capacities when acting as a broker, contracting agency or administrator for human rights and law project of others, including national government. The situation should not arise where consultancy or 'brokerage' causes LRF to be diverted from its main goals	The LRF has been paid so far for doing this
12. LRF should continue to act as a consultant to governments and NGOs elsewhere, but as advised above, if LRF assists an NGO in another country, donors should help LRF to cover any significant additional administrative and personnel burden	Achieved
13. LRF must guard against putting too much on their personnel	LRF is attempting to address staff work loads through its staff development programme
14. LRF should remain a leader in regional efforts, including cooperation with other legal and human rights NGOs	Member of a legal aid and advice network in the Southern African region and also of the ALAW but need budget for activities
15. LRF should make no significant expansion of regional efforts without adequate financial and personnel resources being reasonably assured	Exchange information on the Test Case with other countries such as Tanzania, Botswana, Namibia, South Africa
16. LRF should continue to strive for shared training and certification of paralegals in the region	Judicial College has agreed to set exams and act as external examiner to certify the paralegals. This does not mean additional status to paralegals but it is a step in the right direction. LRF wants to achieve status of paralegals as in Namibia where they can enter into labour tribunals
17. Along with better tracking of the implementation of decisions of the Board of Trustees and the Board of Directors, more care needs to be taken to ensure that a task is assigned to someone with the time as well as the capability to carry it out	Still have a problem because Trustees are volunteers. Formed an organization called SILICUS
18. To address intra-organization communication problems, LRF management and staff have agreed that when ideas are taken to board meetings there must be timely and informative feedback to staff. Systems to assure this need to be planned and implemented	Still a problem but steps have been taken through the setting up of a Management Committee to address their problems. Directors of Project Centres, Lawyers and Coordinators attend meetings and the last attend in a non-voting capacity
19. Lawyers in the same programmes for example, Education and Paralegal should have the opportunity to meet regularly	This is achieved through the Management Committee meetings but not at Trustee meetings as these want confidentiality. Minutes of Trustees are not circulated
20. Practices should be instituted for those who attend conferences to make sure they report back to other personnel and to make available to the LRF libraries, resource materials brought back	Attended to. Those who attend conferences are required to write reports and these are circulated. However, some do not read reports.
21. Staff lawyers should have adequate access to office computers when the units are not assigned to other uses and are not regularly in use. The lawyers should also receive adequate training in computer training and temporary consultative support	Management Committee has approved this as a legitimate request for training and also as part of staff development. Format of training for lawyers still to be computerized.

22. In the new human resource dynamic, part of the regular performance assessment should be a canvassing of the training and career goals of staff. There should be a regularized system for timely circulation of notices of pertinent opportunities, and a standard procedure for deciding when it is appropriate to accommodate a related request from a staff member	Achieved though the staff development programme
23. To reduce friction and uncertainty within the National office and HLPC, support staff and those who delegate work to them should be provided with some guidelines concerning the order of priority for work given to them from different sources	Communication has been approved
24. The new accommodations should be rendered accessible for visitors and staff who have mobility difficulties	Need budget for this
25. LRF should continue to promote internal affirmative action. LRF should consider how best to inform outside critics such as the Law Faculty and the government, about the steps it has taken in this respect, and on the positive results	Balancing the representation. Replacing those who resign with indigenous people
26. A set of management accounts should be generated, that is designed for non-accountants to comprehend and use for review and planning	Achieved
27. The increasingly more regular and informative narrative and financial reports being generated within LRF must be better used by management to highlight policy and operational areas needing attention. In that regard, management should receive training in reading and interpreting information provided in the financial reports and how to use this data for strategic planning	Achieved. Currently doing strategic planning
28. The National, HLPC and other bookkeeping staff must try to ensure that items are coded correctly	Done
29. Future budgets and Five-Year Plans should show projected cost allocations more realistically as certain general administration and project costs cannot be allocated precisely to paralegal, education and publications	Ongoing
30. Holding of donor funds offshore should continue	Achieved
31. LRF executive bodies and future evaluators examine the reports from retreats and assure that recommendations arising from them are, where practicable, instituted in the latter years of the Five-Year Plan	Two evaluations done so far and this taken into consideration
32. LRF needs to plan and carry out internally more periodic, systematic reviews of its programmes, organization and services.	LRF has developed a plan for continuous programme review.
33. The National Office should strive to ensure that components of LRF meet appropriate national standards	LRF could not understand the meaning of this

34. The LRF Trustees, after an appropriate interval, should review how well the administrative relationships and responsibilities assumed under the new format are working. They should also ponder how the scenarios might play if different personalities were holding key posts	Review in Trustees' meetings and having been doing this over the past 18 months. This exercise led to the restructuring of the Management Committee and the appointment of a former Paralegal Coordinator as the Director for BLPC. Also led to the splitting of jobs of national administrator and that of national director
35. LRF needs to be more calculating in preparing for the future, by ensuring that necessary systems are put into place that can carry on well even without some of their initiators and that adequate sharing of knowledge and skills training is undertaken within its ranks	Ongoing. Many systems in place and these are documented, such as staff development, Systems Manual which sets out conditions of service, etc.
36. Attempts being made to have court officials instructed and trained by their superiors on their duty to assist women better and with more respect must be pursued vigorously	Judicial College will incorporate this into the training of court officials by inviting LRF to run sessions during the refresher courses
37. LRF should continue to be a leader in endeavours promoting women's human rights. LRF should adopt a formal strategic position concerning the specific needs of women	Women not a specific target group of LRF but target community. Women however, constitute their main group of consultants (clients)
38. NGOs working with the LRF could have their personnel trained by LRF to carry out some of the less legally sophisticated activities done by LRF	Continuing
39. Initiatives should be taken to instil in local leaders the idea of community duties and sensitivity concerning human and legal rights. Part of this training could be the idea of applying social sanctions to those who do not conduct themselves in ways that respect laws, human rights and human dignity	No specific programme to target these but work with them in their everyday work. Have also been active in critiquing the Zimbabwean report to the UN Commission for Human Rights. Cannot apply sanctions
40. LRF to examine whether and how pertinent training and guidance at LACs might be used to supplement the course-based teaching and lawyer supervision received by paralegals. Refresher and upgrading courses for paralegals who have completed phase four of the training series should continue	New courses on counselling and also others to bring them up to date with current issues such as land. Encouraging paralegals to go on diploma course run by UNISA, a South African private institute. LRF will pay two thirds of the school fees
41. LRF must survey its paralegals concerning the breadth and currency of reference material (manuals, pamphlets) they possess or which have access to and which they do or would regularly use	All have nucleus of training materials and have also been given the manual and all pamphlets produced at the Foundation. Will also bring rural and urban paralegals in Harare and Bulawayo together to exchange information. Many working on what paralegals should have in their mini libraries
42. LRF must proceed with its plans for a 'pilot' provision of trail bikes, hoping that there will be a appropriate vehicle to facilitate LAC work	Provided in Chiredzi, Mat. North using own resources. Have also decided in the Management Committee meeting that need for each Project Centre to have its own 4x4
43. Closer questioning of LAC activity reports is needed to ensure that when paralegals report case statistics, these cases are in fact attended to properly	Lawyers are doing this and monitored through the Board of Trustees

44. The Test Case guidelines for accepting cases ought to be clearly defined and publicized more	Guidelines have been reworked and are clearer. They have been sent to relevant people including Judges, Lawyers, CCJP, ZimRights. IRI has provided funds for Test Case and has invited an experienced lawyer from South Africa to help them single out test cases
45. The LRF-TCP must ensure that it reaches out to the societal groups for whom it is not adequately providing assistance	Do not agree; this recommendation is not consistent with recommendation for controlled and responsible growth
46. Staff ought to channel potentially relevant case problems through the appropriate decision-making mechanisms of LRF	This is done
47. LRF ought to continue the practice of relinquishing part of an educational sphere to other NGOs or institutions once these others have shown a continuous and reliable interest and competence in a specific field. The "train-the-trainer" strategy is a prime mechanism for employing education resources wisely, especially as and when cooperating organizations and agencies "institutionalize" human rights and legal training ideas from LRF and agree to take on more of their own relevant training	Ongoing with organizations such as Judicial College
49. NGOs working with the LRF could have their personnel trained by LRF to carry out some of the less legally sophisticated activities done by LRF	Ongoing
50. LRF programmes should be targeted at recruits, Community Relations Liaison Officers and police at provincial levels, because these have more contact with the public. Human rights could be focused not just at the end of the recruit's course, but also during the sessions on constitutional law, when the Bill of rights is discussed.	An evaluation of LRA came up with different recommendations for the programme. No longer working with the C.L.R.L.Os because they are over subscribed. Now work with recruits. Workshops are now done per year and per province and then will focus on another province the following year. Through this new approach, agencies can provide support to one another
51. ZRP and others who benefit from the train-the-trainer schemes must be consulted at regular intervals as to their need for refresher courses and updating	LRF consults the new ones on their needs. No resources to run refresher courses
52. Police to "institutionalize" the LRF programme as part of regular police training and teach LRF's programme. LRF efforts are endorsed to have target agencies institutionalize LRF programme content in their regular training schedules	Under discussion with the police
53. Articles which can change police attitudes towards those they interrogate and arrest to be given to the national police magazine from time to time or a column to be instituted on a regular basis, based partly on existing materials	Not achieved. Instead LRF provides all its pamphlets to the police with the hope that they will reprint but police never do
54. LRF to respond to needs identified by students when offering sessions	No resources to do this. Only use information provided by the school at the beginning of the programme
55. Pamphlets should be distributed in advance to facilitate the digesting of the information by students and to encourage discussion	No resources
56. Mechanism should be set up allowing students to send follow-up questions to LRF	Did this but no feedback

57. LRF should be better able to respond to invitation from students at times other than the beginning of the school year (the time when students are most available to give instruction)	Cannot do this because LRF does not have staff. Can only use students
58. Some of the SLEP subjects should be incorporated into the regular curriculum	Working with a new programme that has been started by the Southern African Human Rights, Research and Documentation Trust to achieve this
59. The Programme should be kept in line with LRF administrative capacity	Discussions at Management Committee meetings ensure this
60. LRF should continue working to systemize training for teachers and nurses about human rights	Ongoing. For example, BLPC working with nurses on issues usually confronted by nurses such as abuse of children, accidents, and with teachers, they focus on issues of birth certificates.
61. Approaches to continue to be made to public authorities such as the prison and immigration departments concerning the provisions of human rights training	Ongoing. The Zimbabwe Prison Service will be starting a programme to train prison officials in human rights issues and LRF will provide technical assistance to these. LRF once carried out training sessions for prison officers and a training manual developed for training Commonwealth prison officers was used and has been adapted for use in training other officers. This manual will be used in the new programme.

Recent Sida Evaluations

- 01/25 Sida Support to the Social Rehabilitation Project in Bosnia and Herzegovina (SweBiH).** Nils Öström
Department for Central and Eastern Europe
- 01/26 Swedish Support to the Agriculture Sector in Zambia.** A.R. James, M. Davelid, T. Breinholt, D. Chitundu, T. Lundström
Department for Natural Resources and the Environment
- 01/27 Sida's Support to NUSESA – Network of Users of Scientific Equipemnt in Eastern and Southern Africa.** Eva Selin Lindgren
Department for Research Cooperation
- 01/28 Cambodian Human Rights and Democracy Organisations: Towards the Future.** John L. Vijghen
Department for Democracy and Social Development
- 01/29 Sida's Support to the land Reform Related Activities in Poland.** Mark Doucette, Sue Nichols, Peter Bloch
Department for Central and Eastern Europe
- 01/30 Sida's Support to the land Reform Related Activities in Lithuania.** Mark Doucette, Sue Nichols, Peter Bloch
Department for Central and Eastern Europe
- 01/31 Sida's Support to the Land Reform Related Activities in Latvia.** Mark Doucette, Sue Nichols, Peter Bloch
Department for Central and Eastern Europe
- 01/32 Review of PAHO's project. Towards an Integrated Model of Care for Family Violence in Central America. Final Report.** Mary Ellsberg, Carme Clavel.
Department for Democracy and Social Development
- 01/33 Sistematización del Proyecto de OPS. Hacia un modelo integral de atención para la violencia intrafamiliar en Centroamérica.** Mary Ellsberg, carme Clavel Arcas.
Departamento de Democracia y Condiciones Sociales.
- 01/34 Of Trees and People ...: An Evaluation of the Vietnam-Sweden Forestry Cooperation Programme and the Mountain Rural Development Programme in the Northern Uplands 1991–2000.** Claes Lindahl, Kirsten Andersen, Kjell Öström, Adam Fforde, Eivind Kofod, Steffen Johnsen.
Department for Natural Resources and the Environment
- 01/35 Acting in Partnership. Evaluation of FRAMA (Fund for Agricultural Rehabilitation after MITCH) Ministry of agriculrure and Forestry (MAGFOR) – Sida project Nicaragua.** Bengt Kjeller, Raquel López.
Department for Natural Resources and the Environment
- 01/36 Sociedad de Cooperación. Evaluación de FRAMA (Fondo de Rehabilitación para la Agricultura despues del huracán MITCH) Ministerio de Agricultura y Forestal (MAGFOR) – Asdi en Nicaragua.** Bengt Kjeller, Raquel López.
Department for Natural Resources and the Environment
- 01/37 Report on the Hoanib River Catchment Study Project Evaluation. Final Report.** Harmut Krugman
Department for Africa
- 01/38 Sida's Support to the land Reform Related Activities in Estonia.** Mark Doucette, Sue Nichols, Peter Bloch
Department for Central and Eastern Europe

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A complete backlist of earlier evaluation reports may be ordered from:

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