



**REPORT**  
**on**  
**TRAINING of TRAINERS**  
**for the**  
**CAPACITY BUILDING of PARALEGALS in NEPAL**  
**POKHARA, NEPAL**  
**18<sup>TH</sup> – 23<sup>RD</sup> MARCH, 2017**



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## ❖ Introduction

The South Asian Institute of Advanced Legal and Human Rights Studies [SAILS], in association with BRAC University and IDEAL Centre for Social Justice [CSJ] organized a *'Training of Trainers for the Capacity Building of Paralegals in Nepal'* from 18<sup>th</sup> to 23<sup>rd</sup> March, 2017 at Hotel Jal Mahal, Pokhara, Nepal. The workshop was organized in furtherance of the overall vision of SAILS, BRAC-U and CSJ to build a cadre of legal professionals across South Asia who will further and promote the 'paralegalism' movement, by training trainers and paralegals for the legal empowerment of the poor and ensuring access to justice for the overall development of the South Asian region.

The Training of Trainers Workshop was attended by 26 participants from Nepal. Over the six days of the workshop, the master trainers' capacities were built on designing training sessions for paralegals, by incorporating principles of adult learning and alternative legal education. The training workshop was holistically designed keeping in mind the needs of the trainers especially in the context of Nepal.

This report captures the workshop's proceedings including the pedagogy used and the rationale behind it along with insights from the group of participants, and aims to be a learning document of sorts for capacity building in access to justice which will lead to building a discourse around the 'paralegalism' movement in South Asia.

**DAY I**

**18<sup>TH</sup> MARCH, 2017**

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**WELCOME**

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Mr. Gagan Sethi (*Development Educator, Trainer and Vice-Chairperson, IDEAL CSJ*) welcomed the participants.

## SETTING THE CONTEXT

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Mr. Gagan invited Dr. Manzoor Hasan, OBE (*Executive Director, Centre for Peace & Justice, BRAC University*) to set the context.

Dr. Hasan began by talking about the process of creating the idea behind this type of training and formulating it into a workable collaboration, which took place in a Brainstorming Workshop at Dhaka, Bangladesh in December 2014. He went on to explain how, in all the different South Asian countries, paralegal work had been going on for a very long time, with paralegals being known by different names such as human rights defenders in India, shibikas in Bangladesh etc.

*"What do we do? What should we be focusing on? It's not only the work of the paralegals that is important but the thought behind it. What is the future of the work that paralegals do? What should be the relationship of paralegals with the lawyers and other professionals?"*

This was concluded at the end of that Workshop, through discussions between the participants. Dr. Hasan spoke about the justice sector and how, when we talk about it, we talk about it as the formal justice sector and the informal justice sector.

*"We know from our own experiences that the formal justice system is not delivering what it should to the vulnerable, the minorities, the poor etc. In such a situation, where do the disadvantaged go for access to justice? They go to the informal justice sector."*

He noted how the participants of that Brainstorming Workshop had felt that there was a need to nurture and increase the capacities of paralegals so that they could have the right environment to take their work forward.

*"This movement called "paralegalism" has to also interact with the formal justice sector, which will happen over a period of time. A number of areas need focus. Capacity building is just a component of this entire massive movement."*

He spoke about how BRAC University and Centre for Social Justice came together nearly two and a half years ago. This training is the Fourth such regional training session. The First took place in Dhaka, Bangladesh, the Second in Colombo, Sri Lanka and the Third in Islamabad, Pakistan. Each of them has been slightly different from the other. In Nepal, Dr. Hasan pointed out that in this training of trainers only Nepalese organizations had been invited to send their trainers. In the other trainings, participants of South Asian organizations from Pakistan, Afghanistan, Nepal, Bhutan, Sri Lanka etc. had been invited. This training is designed so that it could break ground on a national process in Nepal which would contribute to the 'paralegalism' movement in South Asia. Dr. Hasan concluded his speech by expressing his gratitude to the organizers and trainers and welcoming the participants.

## LOCATING THE PROGRAMME IN THE CONTEXT OF NEPAL

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Mr. Gagan invited Mr. Prabhakar Bagchand (*Executive Director, LANCAU*) to locate the programme in the context of Nepal.

Mr. Bagchand said that this training was aimed at bringing together trainers who train paralegals – ‘the barefoot lawyers’, to end the monopoly over the knowledge of law. He stressed on the importance of simplifying laws so that the common people can understand it as well.

*“This is essentially a learning programme designed to help trainers train their paralegals in an engaging manner, who in turn can use the law to help their community.”*

He concluded by noting how law can emancipate the oppressed and the suppressed and expressed his hope that the programme would be fruitful for the participants, trainers as well as the organizers, in taking forward the ‘paralegalism’ movement in South Asia.

## SESSION 1

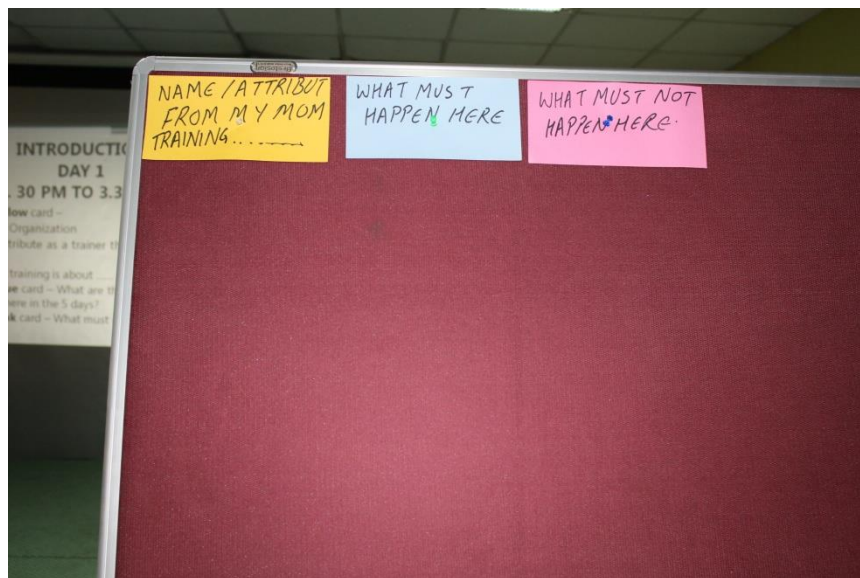
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### ➤ Objectives of the Training

*"The ultimate training objective is to learn together and within this frame, whatever the participants want to work on becomes the objective of this particular training. This is a workshop. We will work hard together and have fun... Human beings cannot be trained. They can learn though, and that's the aim. In Nepal's context, the participants can discover this. We will look at the legal empowerment programme's strategies, the role of a paralegal, etc. This is why this is called a capacity building programme instead of a training programme."*

While giving a basic outline of the programme, Mr. Gagan emphasized that throughout the programme, work will be done, learning will happen and what can be done in Nepal's context would be arrived at by the last day of the training.

### ➤ Introduction Exercise [Materials Used: Colored cards, markers]



**Rationale behind the Exercise:** Getting in touch with their learning from their mother and setting their own ground rules for the programme.

Mr. Gagan began the programme by asking the participants to answer the following questions –

In a yellow card:



- Name/Organization
- One attribute as a trainer that I got from my mother.
- For me, training is \_\_\_\_\_ [fill in the blanks].

For eg:

Gagan Sethi / Centre for Social Justice  
Patience  
Learning Together

- What (up to 2) must happen here?

For eg:

Learning  
Fun

In a pink card:

- What (1) must not happen here?

For eg:

Unnecessary disturbances

**Outputs from the Participants:** The participants introduced themselves through this exercise.



Their responses are summarized as follows –

One attribute as a trainer that I got from my mother.	For me, training is _____ [fill in the blanks].	What (up to 2) must happen here?	What (up to 2) must not happen here?
Treating everybody equally	Learning and sharing	What technique of law influences a social movement the fastest	Violation of time schedule Dishonor of others' sentiments
Help individuals in need	Skill	Paralegal training approach	Suitable examples Respect to all languages by all participants
Listening to others' views honestly	Learning	How to start a joint campaign with paralegals	Side talk Mobile phone usage
Honesty	Enhancing capacity, knowledge and skills	How to face the barrier to the reach of law to deprived people	Side talk Mobile phone usage
Need to be honest	Enhancing quality, capacity and skills	How to increase the reach of law Equal participation (gender balance)	Judging others
Need to share what you know, your experiences, knowledge etc.	-	Group discussion Paralegal-related national and international practice techniques	Side talk Mobile phone usage
Listening to others carefully	Sharpening knowledge and gaining skill to transform that knowledge into real	Group discussion Comprehensive information about	Should talk about societal issues

	practice	paralegals	
Do not try to be a perfect, try to be brave with your natural beauty, humanity and honesty	Training is the art that I already have	Complete knowledge on paralegals How to provide access to law and justice to the victims	Side talk
Supporting poor and disadvantaged groups who are dominated by others	Learn and share	Sharing and learning experiences while mobilizing paralegals Establishing working relations with the organizations engaged in social justice	Discrimination between participants Time mismanagement
Hard work	To develop proper skills in paralegals and learning about the paralegal movement	Learning and sharing Case studies Legal/social barrier and opportunities for paralegals Common issues on paralegals in South Asian countries Skill Exchanging technical assistance	Side talk Mobile phone usage Continuous presentations
Activeness	Guideline and skill	Tools and kit in paralegal	Discrimination Lecture method
Dedication	Learning	Training should have more interactive Experience sharing to each others	Side talk Mobile phone usage
Leadership/friendly	Paralegals experience sharing based on grassroots level issues and it should help to support our new Constitution	Example	No dropout from training Training just only for training
Hardworking	Learning	Sharing of ideas and interaction	Noise Mobile phone usage
Honest	Learn always	Equal participation Practical approach	Mobile phone usage Noise from participants
Learning attitude with happiness	Learning and capacity building	To learn how to link social and legal justice Different organizations' different ideas/skills	Time mismanagement Mobile phone usage
Pay attention	Learning and sharing	Sharing and learning with each other Learn new and different methods	Mobile phone usage Time management

Speaking clearly	Learning	New emerging issues, skills, techniques on legal empowerment Participatory with different methods	Mobile phone usage
Draw attention of group	-	How to carry out paralegals and social workers main responsibility	Deviations (due to language barrier) Time mismanagement
To be helpful and honest to everyone	Enhancing my skills and learning and sharing from other participants	New skill and knowledge Tools and techniques for policy advocacy	Lecture method Side talk Time mismanagement
Listen to people	School	Time management Concept clear in the issue	Side talk
Time management	-	Speaking skill enhancement Conceptual clarity in issue how to ensure access to justice to victim	Silence
Learning attitude with happiness	Learning and capacity building	Learning and sharing Activity participatory Community example	Side talk Time mismanagement
Social work	Opportunity	Quiet environment Learning, sharing Interesting classes	Lecture method Repetition of issues
-	-	Sharing the best practices or stories of the paralegal movements Learning new pedagogies of training	Side talk Time mismanagement
-	-	New training tools Dynamics of paralegal	Side talk when the facilitator is speaking
	-	Common understanding on paralegalism Strategy to take forward legal empowerment movement	-
		Paralegals concept Relation to rights and legal	

Training often leads to assumptions regarding roles. Every person is responsible for their own behavior. Very quickly one needs a 'teacher'. But Mr. Gagan challenged this requirement of a teacher.

➤ **Reporting Group Instructions**

Ms. Nupur (*Trainer and Executive Director, CSJ*) gave the instructions for the Reporting Group i.e. a Group of participants assigned to report on each day of the workshop.

She explained that every morning, the assigned groups would be given the stage to present about the previous day's learnings, which could be conceptualized as they wished as long as the core questions of 'What we did, how we did, why we did' were notably addressed.

\_\_\_\_ **Tea Break** \_\_\_\_

## SESSION 2

Mr. Gagan asked the participants to name the difference between a human being and an animal? After several answers which were not quite right, he observed that the difference between human beings and animals is that human beings live in the past, present and future simultaneously.

*"Human beings write history while living it because they can learn."*

➤ **'Arena of Learning' Exercise** [Materials Used: Chart papers, markers]



**Rationale behind the Exercise:** *To validate their historicity.*

Mr. Gagan asked the participants to spend five minutes individually to recall two important moments in their lives –

- When they were up to 7 years old – An incident or moment they vividly remember as having learnt something for life.
- Any time in the past 7 years – An incident or moment where they supported or facilitated somebody else's learning and that person acknowledges it till today.

After recalling this, the participants, who were already seated in groups, were to share their stories among the group and had to draw out common factors that supported learning for them and practices which helped others learn. After drawing out these common factors, the top three or four factors were to be presented on a chart paper.

**Outputs from the Groups:** The various groups presented their charts.



The content of the charts are summarized as follows –

COMMON FACTORS THAT SUPPORTED LEARNING				
Group 1	Group 2	Group 3	Group 4	Group 5
<ul style="list-style-type: none"> <li>- Personal suffering (pain/experience)</li> <li>- Observation, acknowledgment</li> <li>- Feedback (Constructive criticism)</li> </ul>	<ul style="list-style-type: none"> <li>- Wisdom</li> <li>- Safety</li> <li>- Struggle for protection</li> <li>- Confidence</li> <li>- Motivation</li> <li>- Identity</li> <li>- Accessibility</li> </ul>	<ul style="list-style-type: none"> <li>- Self empowerment</li> <li>- Fight against discrimination</li> </ul>	<ul style="list-style-type: none"> <li>- Feeling of discrimination (Leads to revolutionary movement)</li> <li>- Learn about self defense</li> <li>- Stand up for rights and good deeds (Speak for truth)</li> <li>- Rehabilitating women affected by trauma (Due to domestic violence)</li> <li>- Fighting against the family for the society (Revolutionary activity against the interest of family)</li> <li>- Able to teach large number of girls how to get redressal from torture, violence even from family members</li> </ul>	<ul style="list-style-type: none"> <li>- Gender-based violence</li> <li>- Learned and experienced the practical things needed in society</li> <li>- Curiosity and adopt what you learn</li> <li>- Gender-sensitive language</li> <li>- Women representation and leadership</li> <li>- Sharing of skills enhances knowledge and builds up confidence</li> <li>- Societal change</li> </ul>

**Inputs from the Trainers:** The trainers noted how there was a need to understand what is meant by culling out the 'learnings' from the incidents or moments.

*"Everybody has experiences that they can talk about for hours on end. What is important is to take the learnings from those experiences and talk about that instead."*



➤ **Learning to Learn to Learn Exercise** [Materials Used: Colored cards, markers]

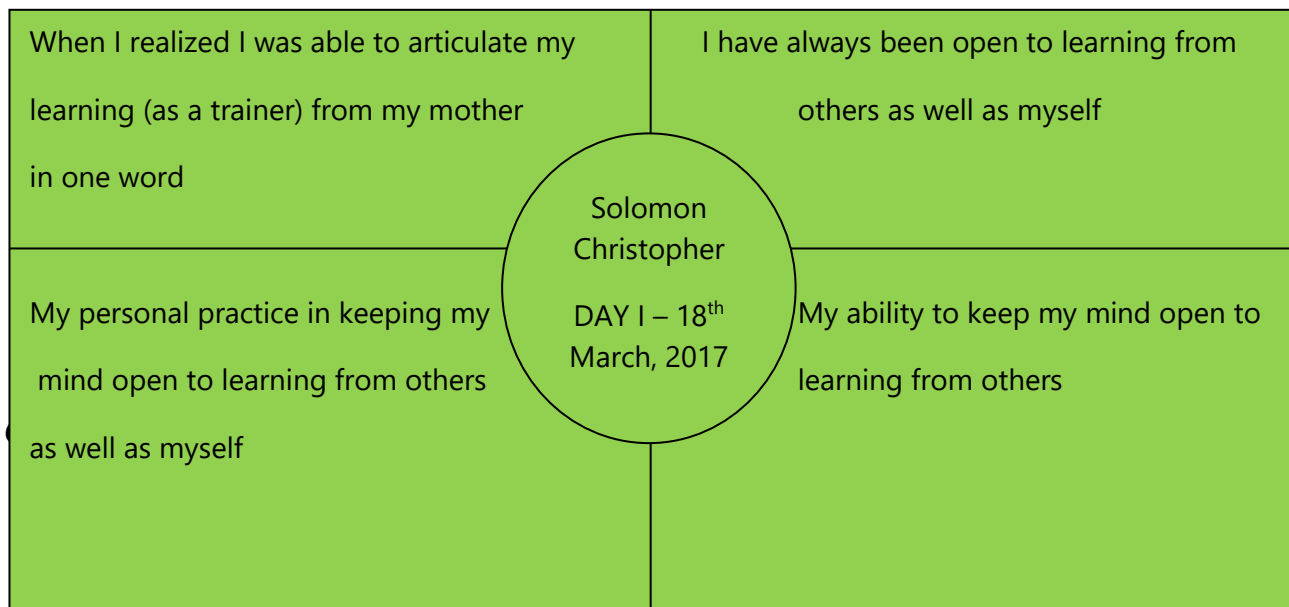
**Rationale behind the Exercise:** To reinforce learning to learn to learn.

*“Learning to Learn to Learn is important. Once you learn to learn, you as a trainer won’t talk about stories. You will talk about what you learnt from those stories.”*

Ms. Nupur asked the participants to take a card and to divide it into four parts with their name and the day of programme in a circle, in the centre. In the four divided parts, the participants were to answer the following questions –

- One aha moment during the day...
- One thing that I learnt about myself...
- One thing that got reinforced...
- One thing that got challenged...

For eg:



**Outputs from the Participants:** The participants’ responses are summarized as follows

–

DAY I – 18 <sup>th</sup> March, 2017			
One aha moment from the day	One thing that I learnt about myself	One thing that got reinforced	One thing that got challenged

Empower confidence	-	Training is participatory	It is extra knowledge which I think
Trainer facilitation style	Creating story to learning style	Experience-sharing to each other	Language
Self-learning	Self-decision	Theory and document	No challenge
Reflecting back our history (7 years)	Reflecting back myself	I learn setting rules for yourself	Need to unpack my learning on training
Remembering my mother	Confidence	Paralegalism skill	Discussion (group)
Individually recalling	Case is powerful and we need to give the space to the participants while training	Participatory training method	Learning capturing is more challenging
Introduction – Attributes from my mother	There is a lot to learn about training skill	Training modality – Participatory	-
Opening remarks by Dr. Manzoor Hasan	I have continued struggle for rights protection	Establishing theory of learning	Visual limitation to follow the slide presentation
When I introduced myself with what I learnt from my mother	Self-realization	Training skill of trainer	No challenge
Building theory of learning	I myself am the source for identifying process of learning	Personal suffering is the best way of learning	Understanding on training tools
Introduction session	Validating my history	About the methodology	Too difficult to bearing in process of our historicity
Gagan Shetty sir gave me a idea to how to transfer or make a experience into a knowledge	My childhood experience that I am very determined from the challenge	I think what I believe is not right about training because only I shared the story not the knowledge or focused on outcome	How to transfer the story into the ideas and knowledge (how to learn the skills and methodology)
Introduction session	Every person has their own history which we can use as knowledge	Past and present history	To make knowledge with our own story
Introducing through learning from mother	Story learning	Training tools	Learn by learn, language
Human being only can make history (mom)	I could have essential power to change	Training is not like training, it should be learning	How to make practical experience into theory
Sharing of personal experiences (one before 7 years)	I can explain myself and put my opinion	Training is learning and sharing	-
Learning to learn to learn	I realized my past is not too perfect	Actively participate in group discussion is a good way	-
Got a chance to meet	I have confident level	My beliefs have	I thought training is only

good people from different organizations		changed	sharing knowledge to others but it is not only sharing knowledge
Sharing group's stories and finding out the common values within the group	When you engage in group work, you need to share your views clearly so that the others understand and also include them	Sharing of stories in trainings is very powerful and that was practiced here	The presentation of value in the story and linking it with the principle
Fruitful learning sessions	Linking of one's childhood with the present times	Difference in methods of discussion	It was difficult to transform individual incidents into group processes through discussion
Training provided by international trainers	Validating my historicity	The stories from the villages and those from the trainers were very different	Just saying is not sufficient, you need to feel it and while preparing stories, one has to be sensitive

## DAY II

19<sup>TH</sup> MARCH, 2017

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### MORNING SEMINAR

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The morning seminar took place outdoors. Mr. Gagan led the participants, in a meditation of sorts called 'body work', to help them connect with the various parts of their body.

### REPORTING GROUP PRESENTATION

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**Output from the Reporting Group:** The Reporting Group made two power point presentations.

**Feedback from the Participants:** One participant said that the trainers skillfully summarized and helped in the group's learning. Another added that the Reporting Group could have written a positive feedback of the previous day's activities and also highlighted the deviations by people who did not understand Hindi.

**Inputs from the Trainers:** Mr. Gagan noted that the Reporting Group lost out on the 'what we did, how we did, why we did' frame of questions that they were supposed to capture. They had only ended up assessing the impact of the previous day. Ms. Nupur

noted that they would have to remember while reporting to capture the 'what we did, how we did, why we did' frame in order to present the report.

*"Teaching and learning is possible by everyone."*

She put it very precisely as to how the questions were framed after a need assessment of the participants in order to cater to the same instead of forcing a certain type of 'training' on them.

## SESSION 1

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- **Matchstick Exercise** [Materials Used: Colored cards, matchsticks, fevicol, markers]



**Rationale behind the Exercise:** Exploring learning styles – the best way to learn.

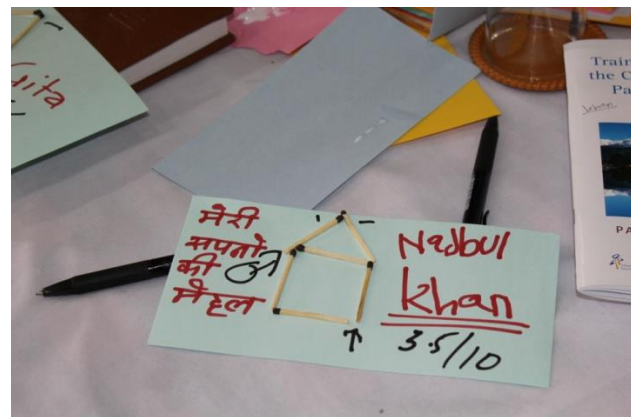
Mr. Gagan asked the participants to construct a house with six matchsticks like the one shown below.

Eg:





He said that they would be personally 'evaluated' by him on the basis of preciseness and exactness, quality and neatness (and also sustainability because the group deals with development issues as part of their work as trainers and social activists). The participants were given 7.5 minutes to do this exercise. After they made their 'houses', they stood in line while Mr. Gagan tested each design and marked each product out of ten.



After this, he asked them to make anything else with another set of six matchsticks and the same materials provided (it could again be a house but the participants had the choice).



**Input from the Trainers:**

*"When we do this exercise there are certain terms we think of, like pass and fail. Failure is something which is our lived experience for the rest of our lives. Do we somewhere replicate, unconsciously, those very same experiences often? When we're the victim and*



*there is a perpetrator, we remember it as such. Then there are others who also remember the good done by people unto them...."*

Mr. Gagan asked the participants about whether they had joined their career paths out of choice. No one replied positively. He noted that they must have gotten into it out of necessity (to make a living etc.) yet, there may have subsequently been a point of decision where the joy in doing the work they do may have come in.

Mr. Gagan then shared an anecdote.

*"We worked with young children studying in middle school. One day, we got a phone call saying that one of our children had committed suicide. Forensic analysis happened. He had already achieved rigor mortis by the time they noticed that his fist clutched his suicide note. His fist was broken and the letter was pried out. In it, he had written that his teacher had called in his father and said that the child was hopeless and had no future and he, the teacher, would ensure as such. The child had written – "With no possibility of a future, how can I stay alive?""*

Mr. Gagan went on to explain the point of the exercise. When he had first asked them to make a house the exact same way as shown in the picture and also said that he would be evaluating them, there was participation from the participants. However, their creativity was restricted by the frame of instructions that was 'given' to them. The evaluation was totally arbitrary. He had simply marked any design zero and not gone higher than seven out of ten. He asked the participants whether they had enjoyed the task the first time around or the second. When they replied 'second', he again asked them why. They said that they had enjoyed the task the second time around because the element of choice was involved and everyone gave some meaning to that activity. *"Every person had played their own role in the activity so much so that the activity became his or her own."*

Mr. Gagan then asked the participants whether they had still remained in the frame of instruction given for the first round, while working on the second round. Many had made the same houses but this time, the house had a meaning. Only two of the participants had even thought about bending the paper. One had made a plane and one had made a box out of the paper and placed the matchsticks inside it. He spoke about how, for many, the instructions of the first round must have prohibited them from fully enjoying the task in the second round. The second time around, there was only one instruction given and that was to use all the three materials (six matchsticks, card and fevicol). Yet only two people even bothered to bend their paper.

*"Did you consider that the matchsticks could be broken, the paper could be bent and torn? You were stuck in your previous frame, where you were directed saying that the materials*

*have to be used in a particular manner.... I made you my slave by telling you to think the way I teach you? Is this the way to teach paralegals?"*

Mr. Gagan emphasized that as trainers they may have several techniques on how to solve any problem but the ultimate solution comes from the paralegals.

*"As a teacher, trainer, how is it possible that I don't have the solution and find it from someone else? We need to reexamine this. If you want to work with adults, will you teach them with your childhood experiences? Will you make this fun? Will you? Let's think about this. The people who come to you, how do you help them reach their objective and bring out the solution from them? They are not your slaves. They are not your servants. Only if we come out of this frame of mind, will we be able to work on and re-think access to justice."*

**Tea break**

## SESSION 2

- **'Word is the World' Exercise** [Materials used: Colored cards, markers]



***Rationale behind the Exercise:*** Reinforcing 'word is the world'.

Mr. Gagan stressed that words make the world what it is and trainers should help paralegals find their words. He asked the participants to take a card and write the following –

- One word which, if spoken, produces pain...
- One word which, if spoken, produces joy...

For eg:

Memories

Memories

**Outputs from the Participants:** The participants wrote words like 'fear' and 'discrimination' as words that produced pain and words like 'love' and 'care' as words that produced joy in them.

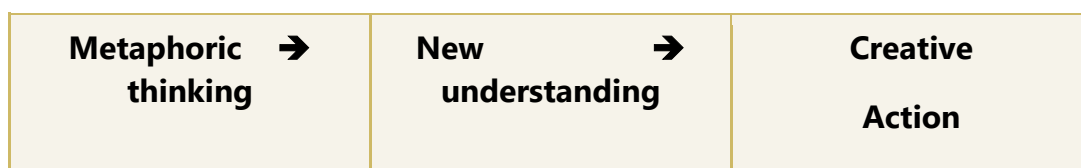
**Inputs from the Trainers:** Mr. Gagan then asked the participants whether the words they wrote were theirs or others'.

*"Do I own the words or are they 'given' to me? Behind these words is some other word that means something that is 'your word' and this is linked to 'your world'."*

He noted that what is needed for good facilitation is finding the right words. Once you have the right words, you throw them in and people will start working. He went on to share his experience as a paralegal where he had undertaken listening surveys involving no prepared material or questions. It involved listening to the people and then constructing the survey based on what he had heard. He narrated his experience of working with tribals without knowing their language and how one word (which meant 'a man coming as a suitor to ask for a woman's hand in marriage') created so much anxiety, hope etc. for those women. Having picked up this word, he had asked them to give their stories on that word and the data that came from those stories were thought through to cull out where legal interventions could be made.

*"Finding the right word which is the world is better than teaching 'my' words."*

➤ **Input on Making & Using Metaphors**



Ms. Nupur summarized what had happened thus far. She noted that where logic and concept is one way to understand things, a metaphor or a picture is another way to understand things. Then she went on to explain the process of making and using metaphors in trainings as follows –

- i. Metaphor is the technique of **explaining one thing in terms of another.**
- ii. Metaphor is a way of **creating new ideas and understandings.**
- iii. Metaphor uses **likeness as a gateway to the unknown** (For eg: Grammar of genetic code, fatigue in metals, orchestra for organization etc.).

- iv. Metaphors are not solutions; they are **invitations to explore new situations with fresh perceptions.**
- v. **Sports and war metaphors have dominated Western business and development work and defined its cultures in the past.**

The importance of metaphors was reinforced –

- a) Metaphorical thinking is the ability to make connections between two unlike things, by recognizing an inherent similarity or a common trait.
- b) "Making the familiar strange." This is where students break known connections in order to discover something new about what was previously learned.
- c) Promotes synthesis, integration and evaluation of the learning.

- **'Input on Ecosystem' Exercise** [Materials used: Ecosystem example pictures, chart papers, sketch pens, crayons]



**Rationale behind the Exercise:** To locate the paralegal in the local access to justice ecosystem.

Ms. Nupur talked about what an ecosystem is.

*"An ecosystem is a biological community of interacting organisms and their physical environment. It is a community of living organisms in conjunction with the non-living components of their environment (things like air, water and mineral soil), interacting as a system."*

The participants were asked to do the following –

- Create their local area's 'access to justice' ecosystem.
- Mark the different actors in it.
- Locate the paralegal in the said ecosystem.

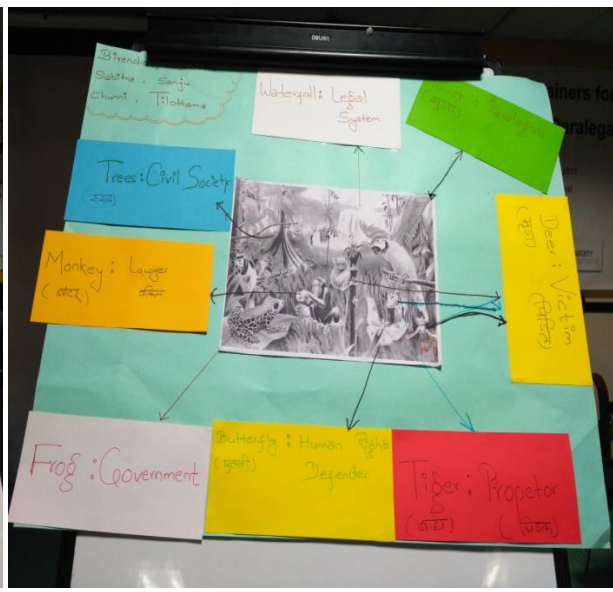
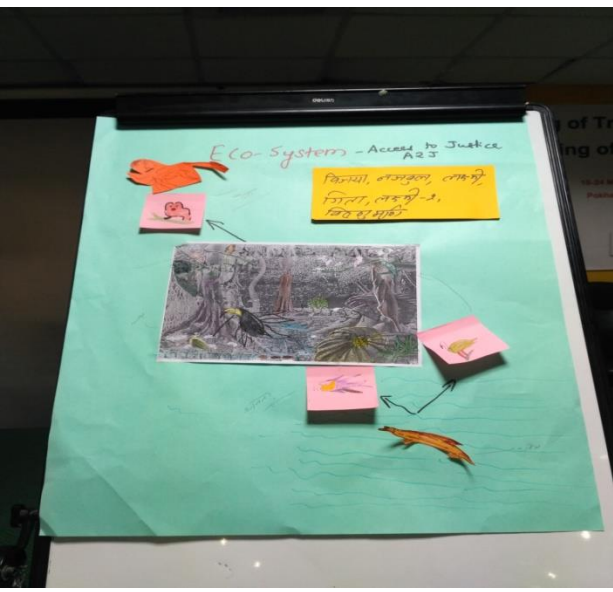
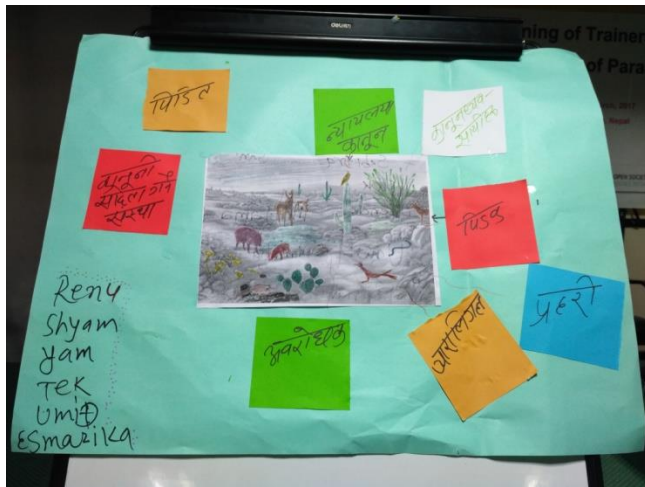
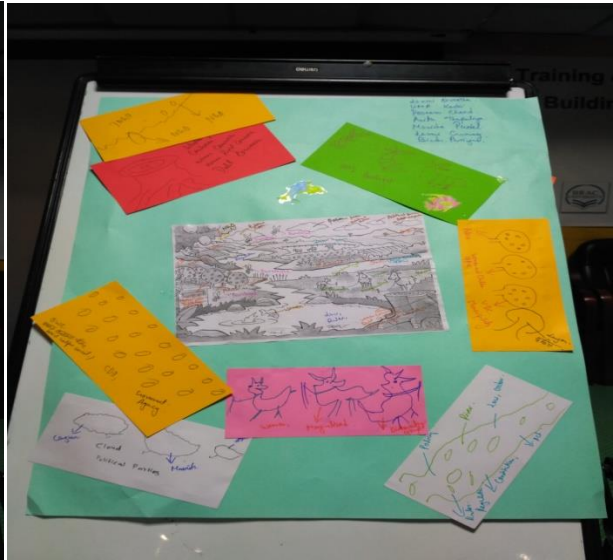
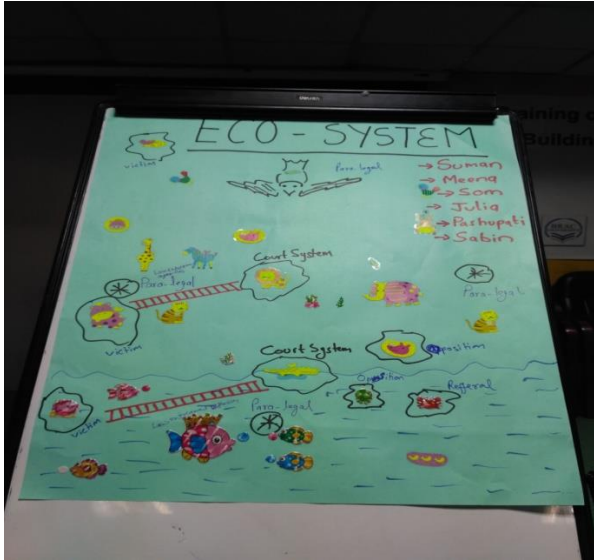
For eg:

In the following ecosystem –



Here, the deer is the victim which is scared, the frog is a lawyer, the river is the law etc.

**Outputs from the Groups:**



The groups then presented their charts which are summarized as follows –

**LOCATING THE PARALEGAL IN YOUR ACCESS TO JUSTICE ECOSYSTEM**

Group 1	Group 2	Group 3	Group 4	Group 5
<ul style="list-style-type: none"> <li>- <b>Parrot: Paralegal</b></li> <li>- Waterfall: Legal System</li> <li>- Trees: Civil Society</li> <li>- Monkey: Lawyer</li> <li>- Frog: Government</li> <li>- Butterfly: Human Rights Defender</li> <li>- Deer: Victim</li> <li>- Tiger: Perpetrator</li> </ul>	<ul style="list-style-type: none"> <li>- <b>Parrot: Paralegal</b></li> <li>- Deer: Victim</li> <li>- Stones: Barriers/Obstacles to Access to Justice</li> <li>- Wild boar: Civil Society Organizations</li> <li>- Wolf: Perpetrator</li> <li>- Eagle: Court of Law</li> <li>- Tree: Lawyer</li> <li>- Lizard: Police</li> </ul>	<ul style="list-style-type: none"> <li>- <b>Honeybee: Paralegal</b></li> <li>- River: Law, Rules</li> <li>- Fish: Women</li> <li>- Trees: Court, Ministry, Lawyers, Government Departments</li> <li>- Tied-up Sheep: Prisoners &amp; Marginalized</li> <li>- Clouds: Political Parties</li> <li>- Stumps of Trees: Women's Commission, Dalit Commission, Human Rights Commission etc.</li> <li>- Fruits on Trees: NGOs</li> <li>- Grazing Cows: Men</li> </ul>	<ul style="list-style-type: none"> <li>- <b>Pigeon: Paralegal in the Sky Ecosystem</b></li> <li>- Small Bird: Victim in the Sky Ecosystem</li> <li>- <b>Tiger: Paralegal in the Land Ecosystem</b></li> <li>- Cow: Victim in the Land Ecosystem</li> <li>- Giraffe: Law Enforcement Agencies in the Land Ecosystem</li> <li>- Lion: Court System in the Land Ecosystem</li> <li>- Hippo: Opposition in the Land Ecosystem</li> <li>- <b>Big Fish: Paralegal in the Water Ecosystem</b></li> <li>- Small Fish: Victim in the Water Ecosystem</li> <li>- Jellyfish: Opposition in the Water Ecosystem</li> <li>- Crab: Referral in the Water</li> </ul>	<ul style="list-style-type: none"> <li>- <b>Parrot: Paralegal</b></li> <li>- Fish: Victim</li> <li>- Crocodile: Perpetrator in the Water Ecosystem</li> <li>- Monkey: Politicians</li> <li>- Toucan: Perpetrator in the Land Ecosystem</li> </ul>



			Ecosystem - Crocodile: Court System in the Water Ecosystem - Bridge over the Water: Law Enforcement Agencies in the Water Ecosystem	
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**Inputs from the Trainers:** Then Ms. Nupur asked the groups to identify the common characteristics that the participants had identified as that of a paralegal, from all the group presentations.

The following characteristics of a paralegal were identified by them –

- One who thinks globally but acts locally.

*"This is often forgotten. There are trainings where the principles of United Nations are talked about and left as such, but a paralegal needs to be able to envision those principles on the ground level."*

- One who works for and represents the victim.

*"What are you looking at here? Is the role of the paralegal to become the voice of the people or to strengthen the voice of the people?"*

- One whose work in society is never recognized.
- One who is a facilitator and empowers people.
- One who bridges the gap between the law and the community.

*"This is the difference between a social worker and paralegal. Every paralegal has to be a good social worker but every social worker need not be a good paralegal."*

- One who is located within the community.
- One who mobilizes.
- One who is a leader.
- One who is unbiased.

**\_\_\_\_\_ Lunch Break \_\_\_\_\_**

### SESSION 3

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Ms. Nupur led the participants to continue on to the next part of the exercise. She asked the participants to do the following –

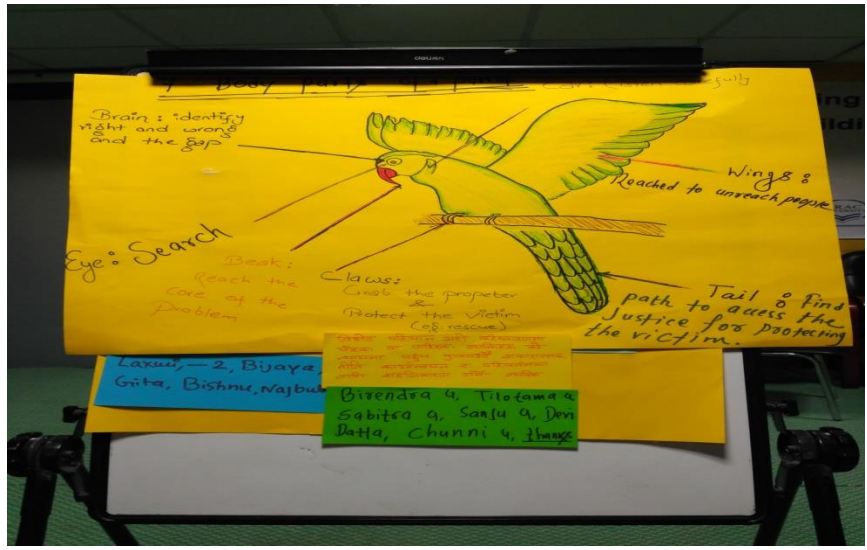
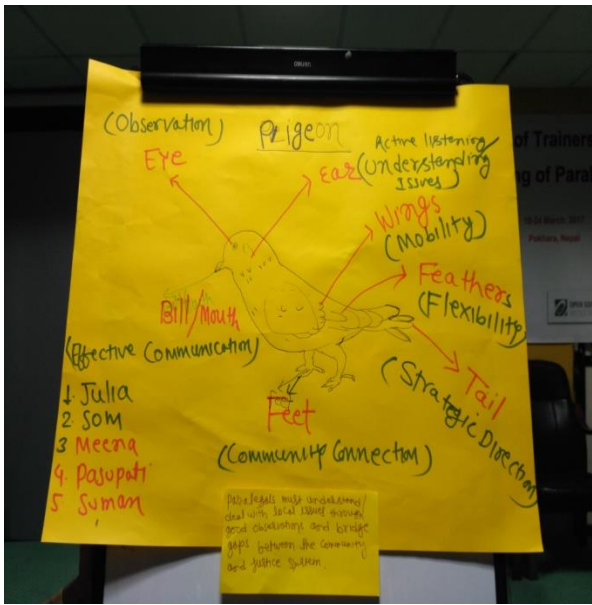
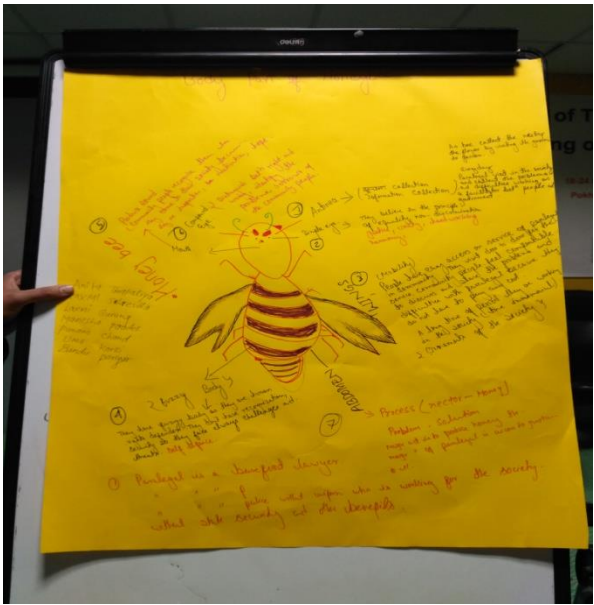
- Take the creature or object that you identified as the paralegal in your ecosystem.
- List seven of that creature or object's body parts as attributes of a paralegal.
- Develop a definition of a paralegal in your 'access to justice' ecosystem.

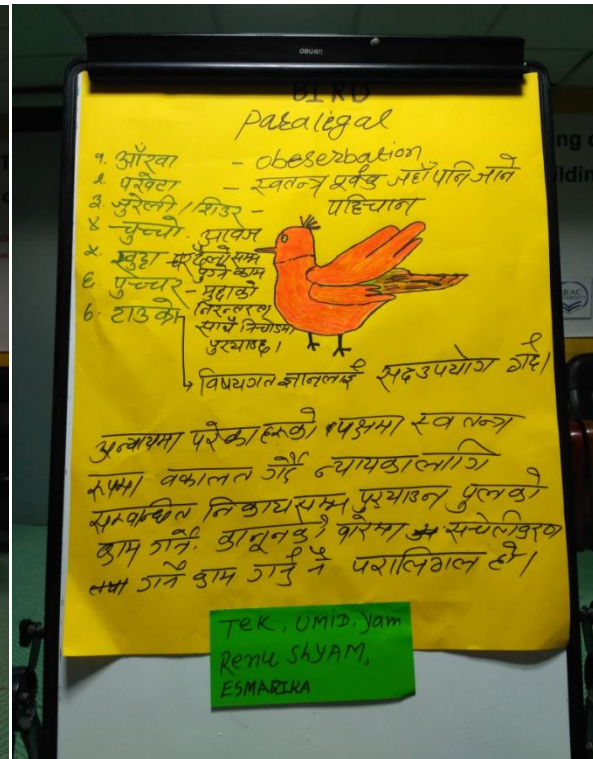
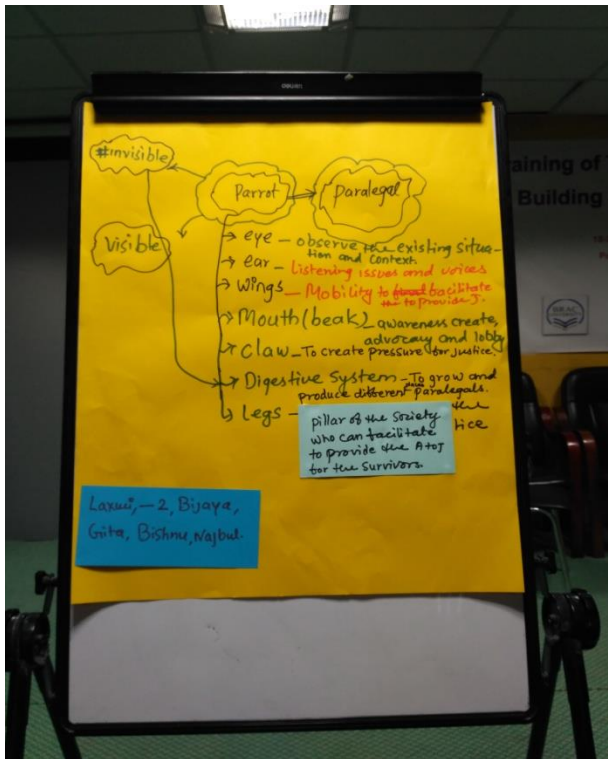
For eg:

For me, in my access to justice ecosystem, the paralegal is like the air that all beings in the ecosystem (living as well as non-living) utilize to survive.

The attributes of air (paralegals) in my access to justice ecosystem are as follows –

- Invisible (Paralegals exist everywhere but their presence is often not acknowledged).
- Adaptable (Paralegals change form when they are a part of different processes happen. This signifies their change in demeanor. As counselors to victims, they would be good listeners, while visiting government offices, they would be community leaders etc.).
- Essential (Whether acknowledged or not, the role of paralegals is very important for the survival of the access to justice ecosystem as a whole).
- Etc.
- Etc.
- Etc.
- Etc.





The groups then presented their charts which are summarized as follows –

ATTRIBUTES OF A PARALEGAL IN YOUR ACCESS TO JUSTICE ECOSYSTEM				
Group 1 (Parrot as Paralegal)	Group 2 (Parrot as Paralegal)	Group 3 (Honeybee as Paralegal)	Group 4 (Pigeon as Paralegal)	Group 5 (Parrot as Paralegal)
<ul style="list-style-type: none"> <li>- Eyes: Observes the existing situation and context</li> <li>- Ears: Listens to issues and voices</li> <li>- Wings: Mobile to facilitate the process of getting justice</li> <li>- Beak: Creates awareness through</li> </ul>	<ul style="list-style-type: none"> <li>- Brain: Identifies right and wrong and the gaps</li> <li>- Eyes: Searches the core of the problem</li> <li>- Claws: Identifies the perpetrator and protects and rescues the victim</li> <li>- Wings: Reaches</li> </ul>	<ul style="list-style-type: none"> <li>- Compound Eye: Distinguishes between right and wrong, identifies the problems and sorrows of the community</li> <li>- Simple Eye: Believes in the principle of non-discrimination, justice, unity, hard work, harmony etc.</li> </ul>	<ul style="list-style-type: none"> <li>- Eyes: Observes</li> <li>- Ears: Actively listens and understands issues</li> <li>- Wings: Mobile</li> <li>- Feathers: Flexible</li> <li>- Tail: Strategic direction</li> <li>- Legs: Community connection</li> <li>- Beak:</li> </ul>	<ul style="list-style-type: none"> <li>- Eyes: Observes</li> <li>- Wings: Can move independently</li> <li>- Crown: Has a unique identity</li> <li>- Beak: Is the voice of the people</li> <li>- Legs: Mobile and can go from door-to-door</li> <li>- Tail: Can</li> </ul>

<p>advocacy and lobbying</p> <ul style="list-style-type: none"> <li>- Claw: Creates pressure for justice</li> <li>- Digestive System: Grows and produces different paralegals</li> <li>- Legs: Provides the foundation for justice</li> </ul>	<p>people who are out of reach to others</p> <ul style="list-style-type: none"> <li>- Tail: Finds the path to access the justice for protecting the victim</li> </ul>	<ul style="list-style-type: none"> <li>- Wings: Mobile and visits people door-to-door, makes them feel comfortable enough to share their problems and difficulties and charges no money for it while being an important part (ornament) of the society</li> <li>- Abdomen: Processes the problem and finds the solution like making honey out of nectar and the honey produced is the access to justice</li> <li>- Mouth: Has a voice that is recognized by the people which inspires hope and motivates them</li> <li>- Antenna: Collects information about the problems and difficulties of the people by visiting them regularly like a bee travels from flower to flower to collect nectar</li> </ul>	<p>Effective communication</p>	<p>reach the solution to the problem</p> <ul style="list-style-type: none"> <li>- Head: Utilizes topical or subject-based knowledge on the issue</li> </ul>
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		and also works as a facilitator between the people and the government - Fuzzy body: Human rights defenders who don't get recognition yet has a course outer self to face the various challenges that come their way in their work		
Definition – A paralegal is a pillar of the society, who can facilitate to provide access to justice for the survivors.	Definition – A paralegal is a person who facilitates for the implementation of policy and revolution by identifying discrimination and exclusion.	Definition – A paralegal is a barefoot lawyer, a police without uniform who is working for the society without State security and other benefits.	Definition – A paralegal must understand or deal with local issues through good observations and bridge gaps between the community and justice system.	Definition – A paralegal works as a bridge between the entities concerned with justice by advocating independently in favor of the people facing injustice and spreads awareness on law.

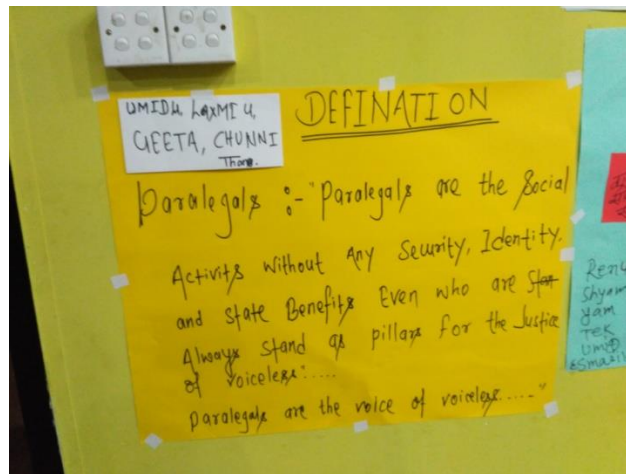
**Input from the Trainers:** Ms. Nupur said that Group 1's identification of the digestive system in the parrot (paralegal) of their access to justice ecosystem was quite remarkable and noted how a paralegal can never work in isolation, but has to work with others. She also noted how Group 3's efforts had covered such a wide arena because they had looked at the paralegal and the definition very holistically.

Then she asked one person to volunteer from each group to form a 'Common' Group to come up with a common definition of a 'paralegal' based on the definitions that the five groups had come up with. Chunni, Umid, Laxmi, Pasupati, Geeta volunteered for the same.

Mr. Gagan added to this that when one talks about the 'learning to learn to learn' framework, often, one normally looks at a paralegal training as a subject. 'What subject should we teach and what material should we prepare for teaching that subject?' are some of the questions that come up. However, he emphasized that looking at training in that sense would make it a process for setting a curriculum for a course.

"Are you teaching a paralegal or training him or her through a course or curriculum? He or she will be called a 'paralegal' but will remain an 'activist'? In access to justice, a paralegal is important because without him or her access to justice is impossible. Heart, mind and body have a connection. We have to prepare a person who identifies as a paralegal and the training for that is different from teaching a course curriculum. Making an identity happens after articulating what he or she is. Right now, a paralegal has been identified with a honeybee or a bird. Because of this will we define a paralegal on the basis of his or her identity or what is possible by him or her?"

**Output of the 'Common' Group:**



The 'Common' Group arrived at the following common definition for a 'paralegal' –

*"PARALEGALS ARE THE SOCIAL ACTIVISTS WITHOUT ANY SECURITY, AND STATE BENEFITS, WHO ALWAYS STAND AS PILLARS FOR THE JUSTICE OF the VOICELESS. PARALEGALS ARE THE VOICE OF THE VOICELESS."*

**Feedback from the Participants:** One participant said that the negatives highlighted were useless since it did not identify the 'paralegal' through the definition. Another participant said that the term 'social activist' is a term which may not be conducive. It was suggested by that participant that the term 'community paralegal' would be better.

**Input from the Trainers:** Ms. Nupur stated that this definition would not be frozen and would be worked on for all the remaining days of the programme, until the final day.

Mr. Gagan shared a personal experience at this juncture of the programme.

*"I was known as a Dalit activist for five years in all of India. Many battles were fought, won and lost. But one thing really got me thinking. When Ambedkar used the term Dalit, it had hope, a movement. But when Dalit politics began, the feelings in that term i.e. 'We are dead...', 'We need help...' were negative. In 20 years, this change was observed and it*

*pained us. An identity that had so much hope in it has slowly worn away and created in its place the very identity that a Dalit is useless or disempowered. It was then that we had arrived at a definition for 'Dalit' as 'One who believes in a common identity.' However, when I told a Dalit this definition, he said then he wasn't a Dalit. Despite that we worked with Dalits and asked them if they believed in equality. A new identity soon came up in this movement. Making this identity is a long struggle. But if we give a negative identity from the beginning, there is no hope for the movement. There is strength in identity. When this strength is translated into the definition, then it becomes powerful. They won't be just peons, office workers etc. They will have a greater understanding of the society than the law."*

**Tea break**



## SESSION 4

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### ➤ Input on Experiences of Working with Paralegals in India

Ms. Nupur then went on to talk about the paralegal work in Nepal. She also spoke in the Indian context, noting how, in India, social movements often lack legal rigor, there are very few organizations focusing on access to justice and how there is a lack of clarity about the scope of the role of a paralegal.

*"We say that a paralegal is one who does not have a law degree. This is very negative. Every time the role of a paralegal was tried to be legitimized, this point would come up."*

She noted that the category of 'paralegal' itself was not there in the past. The initial trainings used to be in models which used one shot-capsule inputs on law etc., some paralegals would lead movements while at work, some organizations would arrange inputs on particular issues for trainings etc. However, there were certain paradigm shifts.

*"The fact that a 'paralegal' is not an add-on or a lessened identity was reinforced. We arrived at the concept of an 'operational paralegal' as different from a 'person aware about the law'. A 'paralegal' is a 'social worker plus'. A good 'social justice lawyer' has to be a good 'paralegal'."*

Ms. Nupur stressed that there should be systemic intervention and not just awareness creation or dealing with individual cases. Creating spaces for paralegals within the mainstream is important.

Paralegals fall under different categories such as –

- i. Single Issue, Single Skill
- ii. Single Issue, Multiple Skills
- iii. Multiple Issues, Multiple Skills

They may be of any level such as –

- a) Level Zero – Has general information on law, is a community leader and helps in organizing meetings and fact-finding.
- b) Level One – Has the ability to identify violations, refer victims to lawyers.
- c) Level Two – Has the ability to address violations, give first-level support.
- d) Level Three – Does everything that a lawyer does except appearing in courts.

*"Strategies used to train the paralegals included identifying existing spaces within the government system, co-opting in various government mechanisms, lobbying with various*

*departments, creating their network, finding spaces where they can work like Lok Adalats etc. Money has never been an issue. We have worked in a way that we can sit under a tree in the local haat and then go back and identify issues in the field and again meet and so on and so forth... Self-sustainability is an important part of their capacity building. The argument for a 'self-sufficient paralegal' is that there is life beyond the 'project'; it is a self-employment opportunity for youth which prevents dropouts and breaks hegemony. These paralegals are also accountable as they will not learn to exploit if their training is done well."*

Here, some participants added that the paralegal movement in Nepal was suffering because of sustainability challenges. They had found that even if projects end, the community is willing to pay for paralegals. However, the challenge was to increase the credibility of paralegals to make them accountable.

### ➤ **Input on Layered Competency Grid**

Competence is –

- i. The ability to do something successfully or efficiently.
- ii. A combination of required information, skills and attitude.
- iii. A cluster of related abilities, commitments, knowledge, and skills that enable a person (or an organization) to act effectively in a job or situation.

It indicates sufficiency of knowledge and skills that enable someone to act in a wide variety of situations.

Mixed groups were created by asking the participants to count from one to five and then making them sit with the individuals who got the same number.

For eg: All the ones together, twos, threes, etc.

Ms. Nupur asked the groups to do the following –

- Take any one organization.
- Imagine a paralegal group for training in the near future.
- Freeze the level of paralegal group to be trained.
- Develop a competency grid for the same.
- Assess the group's competency, information, perspective and skill as high, medium or low, as the case may be.

Ms. Nupur led the exercise by taking them through the steps in a demonstration of sorts.

➤ **Learning to Learn to Learn Exercise** [Materials Used: Colored cards, markers]

The participants were then asked to fill out a card similar to that of Day I with the same questions, but pertaining to Day II. They were to answer the following questions –

- One aha moment during the day...
- One thing that I learnt about myself...
- One thing that got reinforced...
- One thing that got challenged...

**Output from the Participants:** The content of the cards are summarized as follows –

<b>DAY II – 19<sup>th</sup> March, 2017</b>			
<b>One aha moment from the day</b>	<b>One thing that I learnt about myself</b>	<b>One thing that got reinforced</b>	<b>One thing that got challenged</b>
Honeybee presentation	Past learning affects the present and the future	I was on right track	Dalit rights movement (Gagan da's example) changed my concept about movement and entitlement
Metaphor – paralegal symbolized the parrot/bees	Without paralegals identity we cannot doing the work in access to justice. Paralegal is a pillar of our community	Paralegal is a barefoot lawyer	Paralegals identity security of paralegal
Analysis through the picture	There was more clarity when paralegal was analysed and interlinked in the discussion Word is world	Group work Paralegals	Presentation (Fast)
Paralegal is the flower of society and I liked the depiction of nature	Need to build an identity and animal could also be linked to the role of the paralegal	If there was a video document presentation, it would have been better	My health did not support me
Matchstick exercise (building a house of matchsticks)	One would be successful in case of independent work instead of working	-	If the resource person used one language out of Hindi or English, it would be

	under pressure		better
Making honeybee out of paralegal	Indian experience on paralegal	To establish paralegals in villages by constituting Committees	Difficult to sustain paralegal for a long time
It takes a long time to establish paralegals, it is not like getting a doctor degree	Improving my paralegal skill	Paralegals are defenders of human rights	-
Pigeon presentation	You need to use your heart, mind and hand, which has to come together to make an identity for paralegal Paralegal should be community-based	Paralegals are social activists	It is difficult to change mindset on what you've already been doing
Matchstick exercise 1 & 2	Definition of a paralegal	Access to justice is not possible without paralegals	Problem with the language
Describing the function of paralegals on the basis of different organs of birds	Learned to link paralegals with the help of metaphors	Best practices of paralegals from other countries can be used	Sustainability of paralegals
Learn to skill developed and useful for participatory training	Increase confident power	It is extra knowledge which I think	To make knowledge which any practice
Ecosystem exercise	Deep analysis work	Metaphor exercise	Exercises that talk about common issues
Paralegals' capacity	Issue identification Practical work	Requirement of presentations	Example
Morning exercise	Learning definition of paralegals	Fastly session	Principles of paralegal
Metaphor learning technique	Identity formation process	Building positivity during training delivery	No familiarization within the participants/ice-breaking
Honeybee presentation	Difficult to look outside the box	My understanding about the issue and content has been changed about paralegal	Paralegal ko recognition

Linking the body parts of creature with characteristics of paralegals	Expressing the ecosystem for metaphor	The practice of India highlighted the sustainability of paralegalism	Group presentation with consistency by presenter
Receiving the feedback and appreciation for the presentation	Confidence	Group works are interesting	-
Uniformity in the understanding of paralegal	Indian experiences with paralegals as an example	Training tools	Learning capacity more challenge
Presentation of parrot with picture	Paralegals as a identity	Definition of paralegals	Identity and security of paralegals
That we should listen to the words people use so that we can use the same words when teaching	That I cannot be discouraged by 'failing' – in fact, when I failed, I felt more free	The ides of the paralegal as a bridge between the community and the law	Understanding the role of paralegals when they act primarily as mediators instead of applying the law
Presentation on honey bee	We should try to think out of the box	Paralegals have their identity	-
Group discussion and presentation	Facilitation style	Meaning of paralegal	Language
Analysis of the body of birds as a paralegal	Paralegals have no identity but they are very valuable for the society (community) and the state	Important of the paralegals to provide access to justice for the survivors	To deliver the presentation in Hindi language
Ecosystem exercise very nice	Today learning time self work of the 6 mechanisms and methodology	Very good example and animal paralegals	Group discussion on the compelling work as one of are so very
Metaphors & ecosystem	Paralegal movement in India	Matchstick exercise and drawing	No change
Learning about importance of identification	Meaning of words make my world	Leaves of confidency	Not more relearn

## DAY III

20<sup>TH</sup> MARCH, 2017

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### MORNING SEMINAR

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The morning seminar took place outdoors. Mr. Gagan Sethi led the participants, who had turned up for the seminar, in a meditation of sorts called 'body work', to help them connect with the various parts of their body.

### REPORTING GROUP PRESENTATION

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The Reporting Group, consisting of Bimala, Poonam, Yam, Sabitra and Sanju presented their report about Day II.

**Output from the Reporting Group:** The Reporting Group made a power point presentation.

**Feedback from the Participants:** The participants felt that it was good that the Reporting Group had interacted with the others and gotten feedback by walking from table to table.

**Inputs from the Trainers:** Mr. Gagan emphasized how the recap is 'learning' in itself. He also felt that an account of the morning seminar should have ideally been part of the day's report as it was not isolated from the entire programme and the relationship between that seminar and the programme should have been highlighted.

*"Building a theory of learning, of our own, is important and makes a trainer more impactful."*

Ms. Nupur said that the presentation of the report was quite energetic. She suggested that in order for the recaps to be more precise as to the 'learnings' of the day, the Reporting Groups must think horizontally rather than vertically.

*"Vertical recaps are simply recaps. More than about recapping the previous day's activities, reporting, here, is about creating knowledge with our previous day's experiences through conceptualization."*

She went on to give examples of how the learning from doing the activities involving craft materials was a simulation of sorts and how each session was redefined.

*"For instance, in the ecosystem exercise, we went from the broader perspectives to the concrete objectives in an 'access to justice' ecosystem and further sharpened our focus on the paralegal and defining his or her identity within the organization etc. The sharper we are in articulating who this person is, the more clearly we can design trainings for him or her."*

## SESSION 1



Ms. Nupur continued the previous day's exercise of creating a competency grid. Freezing the focus was discussed after completing the competency grid and the group assessment. She gave examples for each pointer.

Mr. Gagan explained how designing is important in planning a training event.

*"Try to think in the design sense."*







Group 1's competency grid was displayed and discussed so that all the participants would be able to clarify doubts, if any.

Mr. Gagan also added that the competencies are not in a defined list.

*"You have to come up with a competency and define what information would be required, perspectives to be built, skills to be trained in, in order to achieve the said competence."*

### Tea Break

The participants were given Bhopal's competency grid for reference and asked to work on their own competency grid based on their learnings, for the rest of the day.

## DAY IV

21<sup>ST</sup> MARCH, 2017

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Ms. Nupur began by noting that the day's aim would be to –

- i. Create shared knowledge.
- ii. Learn what the 'Learn to Learn Group' had come up with as a 'Theory of Learning'.
- iii. Open up principles of Alternative Legal Education.

She went on to explain how, in the previous day 'who the paralegal is, what he or she does and what capacity of his or hers needs to be built' were some of the questions looked at. The persons to be trained, the competency to be addressed and where those persons would be placed in the 'access to justice' system were decided. She emphasized on how, in doing so, it was the 'operational' role of the paralegal that was decided and not the paralegal's 'personal' role.

*"It's not about who I am. It's about what's my role. A lawyer can be a level one paralegal, a head of organization can be a level zero paralegal..."*

### ➤ **Sharing of Morning Seminar Experiences**

The participants were then asked to share their experiences of the morning seminar 'body work' session.

*"It was about sensitivity. We could create situations and sense learning. We need to talk orally to victims. Without any sound how do we express ourselves? During meditation I felt a sense of joy.... The part where touching and pushing the different parts of the body was done.... we understood how it felt to give pain to others. We usually ask a victim, whether she's been beaten. We won't have the sense of victimization. But we learnt to gauge that sense in the morning session."*

*"You have to learn things about the community. The morning session is even more effective because we see it as a practical exercise. We should be able to understand suffering and pain. We should be able to intermingle with their (victims') feelings. We should be able to move forward only after understanding the victim."*

*"What was impressive to me was that the seminar was driven by the principles of equality because everyone had to do the exercises with their eyes closed." (Said by one of the participants who was also visually-impaired.)*

*"Every part of the body is inter-related. You should be able to sense and understand. That's my learning."*

## REPORTING GROUP PRESENTATION



The Reporting Group, consisting of Uma, Bijaya, Najbul, Sonia, Shyam and Laxmi presented their report about Day III.

**Output from the Reporting Group:** The Reporting Group began by first acknowledging that the day was the International Day for the Elimination of Racial Discrimination and led a pledge to end racial discrimination of all kinds. Then they introduced themselves and made a power point presentation. They also put forward the view that the translated example of the competency grid made in Bhopal's context was very useful for them to get ahead in their own exercise of creating a competency grid in their local context. They also observed that the sight-seeing break was much needed as it helped them relax in between the tasks at hand and also was effective in team-building among the participants.

**Feedback from the Participants:** One of the participants felt that the previous day's sight-seeing could have been linked with the training itself. Another participant also felt that the Reporting Group should have ideally mentioned the difficulties that the participants had faced while culling out competencies and how the trainers' insights had helped them understand and work on their outputs and was a major learning of the day.

**Inputs from the Trainers:** Ms. Nupur said that the presentation did not talk about the knowledge creation aspect of the previous day.

*"Understand what we are trying to do. In schools, we are used to being told to learn something by heart and then reproduce it exactly as is. We need to get out of this frame of mind."*

She went on to give a live demonstration of an ideal training day's reporting as follows –

WHAT WE DID	HOW WE DID	WHY WE DID	COMMENTS
Constructing knowledge	Group presentation followed by critique of how they presented	To enable the ability to conceptualize experiences To give opportunity to practice as trainers	Choice made to allow extra time. Led to not having the Group on Learning to Learn getting a chance to present their Theory of Learning

The improvements proposed to Reporting were –

- Thinking horizontally instead of vertically.
- Work on rows instead of columns.
- Seeing interconnectedness of one element with the other.
- Time management.
- Looking at this as knowledge creation instead of recap.

For eg: The report for Day III would be as follows –

WHAT WE DID	HOW WE DID	WHY WE DID	COMMENTS
Refining Output 1	Sharing one example in plenary, followed by helping each table by providing examples, identifying mistakes being made in approaching the task	Ensuring everyone is on the same track based on the interactions at each table	Choice made to do one in plenary. Other options could have been peer review or each group presenting.
Daily Review & A2J Ecosystem	Exercises involving materials and power point presentations	Reinforcing interconnected thinking	Was attempted in competency grid as well
Developing Output 2	Small group work with instructions and examples to support	Contributes to developing a good design and helps in	Clarity after each table interaction to enable progress

	each table and repeated clarifications	deciding appropriate emphasis needed	
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Ms. Nupur explained the importance of seeing this interconnectedness.

*"Are we beginning to think differently? Whether we change or not is not the problem. The option's availability is what matters. We shouldn't learn the Law of Evidence in third year, the Penal Code in the first year and Criminal Procedure in fifth year when studying a law course. If I'm working on violence against women, I should know all laws related to it now itself. We should develop the way to see this kind of interconnectedness in things."*

Improvements proposed to Outputs 1 and 2 were –

- Match the level with the competence.
- Look at the number of training days and design each day.
- Look holistically at the training and not as segments.
- Distinguish between competence and skill.
- One element of information, skill and perspective may be repeated in several competencies.
- It is fine, based on the approach you take, to have something listed as a competency in one design and as a skill in another design.

### ➤ **Input on Inductive & Deductive Learning**

Mr. Gagan observed that whenever one tries to teach law, it doesn't work, but when one looks at it from the problem-solving aspect, then law can be easily and effectively taught.

Through this session, the concept of how 'not' to teach law was put forward, there being two approaches to learning –

- A deductive approach to instruction is a more teacher-centered approach. This means that the teacher gives the students a new concept, explains it, and then has the students practice, using the concept.
- An inductive approach to instruction makes use of student 'noticing'. Instead of explaining a given concept and following this explanation with examples and practice.

The participants were asked to volunteer for conducting a plenary debate on *"In our trainings, law is only taught as a lecture with other activities to inter space it to make the day interesting."* One participant volunteered and conducted the debate.

**Output from the Participants:** During the debate, the following observations by made by the participants –

- *“Many people conduct trainings. We conduct our trainings based on the level of the people attending and have some discussions.”*
- *“We take training on laws related to the people and use role play to create awareness. We also talk about how to find solutions to problems, in the law.”*
- *“We use only lecture method. It’s quite boring. We develop case studies about the problem faced in that area and use it in training, which is quiet effective. We developed a methodology for it.”*
- *“We try to get the paralegals to share their experiences and with that experience-sharing we come up with stories for learning.”*
- *“80% of trainings in Nepal take place in lecture mode and only 20% make things interesting. There is very less contextual learning. Through successful case studies and group discussions, we use participatory techniques to make things more interesting.”*
- *“We make flyers and pamphlets, we try to simplify the laws and make it as easy as possible to understand.”*
- *“The important point is to make the student (or trainee) internalize the lectures.”*

**Feedback from the Participants:** The participants noted that many of them couldn’t give more inputs during the discussion. They felt that it could have been planned as to how many people would have a chance to talk about the topic, in plenary.

**Inputs from the Trainers:** Mr. Gagan noted that an alternate could have been to ask one question and to ask the participants to write the answer in a card, and another could have been to make a buzz group. He said the volunteer participant conducting the debate could have arrived at a decision as to how many people he would allow to talk about the issue in the plenary. Some techniques needed refining as to how to deal with a person who talks too long or insists on talking too long despite being told of the shortage of time. He also observed that the volunteer participant was shadowing i.e. moving around in only a marked space and how it is important for the trainer to understand staging so that he or she can get responses from the surroundings he or she was in. Mr. Gagan also appreciated the volunteer participant’s paraphrasing of what the other participants had spoken during the debate.

*“How better can we conduct group discussions? Across South Asia, law is taught in lecture mode. We are looking to break that.”*

➤ **‘Learning to Learn to Learn’ Group Presentation**

The 'Learning to Learn to Learn' Group consisting of Birendra, Meena, Shyam, Anita, Pashupati had studied the overall common factors of learning arrived at by different groups in the previous days' exercise and created the collective 'Theory of Learning' by themselves learning through empowering attitudes, motivation, accessibility and other such key terms mentioned in the different groups' presentations.

**Output from the 'Learning to Learn to Learn' Group:** They presented a 'Theory of Learning' as follows –

*"LEARNING THROUGH EQUAL PARTICIPATION, STRENGTHENING THE DETERMINATION AND EMPOWERMENT OF THE PERSON IN AN ACCESSIBLE ENVIRONMENT."*

**Inputs from the Trainers:** Mr. Gagan observed that this theory is just one among many. All such other theories need to be looked at as well and a mix-and-match can be done to find out what works.

➤ **Learning to Learn to Learn Exercise** [Materials Used: Colored cards, markers]

The participants were then asked to fill out a card similar to that of Days I and II but they were to answer the following questions –

- How do I feel at the end of three days?
- One insight from Day III...
- What will I do differently in my training?
- Where have I made shifts in my understanding about training?

**Outputs from the Participants:** The participants' responses are summarized as follows –

DAY III – 21 <sup>st</sup> March, 2017			
How do I feel at the end of three days?	One insight from Day III	What will I do differently in my training?	Where have I made shifts in my understanding about training?
I feel good about practical relationship between paralegal and ecosystem	I'm learning paralegal's level	Difference paralegal's definition	Learning to learn to learn method
More clear about the process of training	Planning of training session	Need assessment	Good presentation and good session planning
Wonderful for the training methods	I will use the knowledge from the participants	Participatory method is much powerful then the	Need to more preparation

		theory methods	
Empowered	Training planning to competency requirements	I would like do mapping exercise (need assessment) in plenary with participatory	Better preparation and planning
Paralegals are the real pillar of the society who lead for the access to justice of voiceless	Example with content	How to linkage paralegals with nature	I will want to connect by practical to link my theoretical knowledge to address tools of paralegals
Training must have ownership with the issue	More sensitive on planning for training	Elitment	As a trainer I must be sensitive for session, time, skill, information (need more assessment on it)
To practically learn paralegals TOT training method	To learn developed training lock form	-	New method of TOT training
Feeling knowledge enforcement on training designing (prioritizing topics and time)	Simulation method (Metaphor)	Use some innovative techniques to provide legal information during the upcoming training	What I have developed understanding about training is constantly different. Training is a way to embrace shortcomings of people knowledge, or understanding then existing ones
Build up confidence level and facilitation skill	How to equal participation of trainee	Trainee centralized methodology I will apply	My understanding about different issue-related laws and experiences
Sharpened my professionalism as a trainer	Competency grid with training plan was my best learning to exhibit in a matrix	Engage participants for planning their own task and presenting by themselves within the training scope	How a good trainer engage the participants to dig the core issue and bring them in the surface
I feel I have learned a lot of things that will help me in my future	Developing Outputs 1 and 2 was learning experience and wonderful	I will increase the participation of trainees and apply inductive learning methodology	My typical concept about training has been changed. Now, I feel I can learn and enjoy at the same time
Feel like I have enhanced skill of training focusing on paralegals	Differentiate between competency and skills	I will try to link with examples and case studies	Training is not only delivering but it is also to understand participants perspective as well
Differentiate between skill and competency	Time management Well prepared	Training is not only a lecture there must be	-



Enlightenment	Trainer must be clear in content and issue	participation Only owe train the animal not the mankind	
Understanding training method in differently	Well prepared content and issues and time	I use little use of lecture and most important in participatory approach	-
Understanding about competence and skills	Time management well prepare, clear about content and issues	We have to use different method while conducted training Minimize lectural method	Legal training through lectural method is not effective
Refreshed	Got to know different between competency and skill "Competency mapping"	I will review and revised my training methodology	Facilitation skill is important as knowledge about content
I feel stimulated but also concerned – I am more aware now of gaps in my knowledge	Elements from competency chart cannot all be transferred directly to event agenda – additional judgments is needed	Show or explain to participants how competencies are composed of attitudes, skills, information	I now understand the social processes that are part of training
Critically analysis of training (level, time, information, skill, attitude)	I will prepare power grid with managing the time	Powergrid I previously used for stakeholder's analysis now I am using this for paralegal training	To make proper powergrid according to the level, skill, attitude of the paralegal and time
Capacity enhancement – Could link up paralegal with animals	Should be able to use principle in practical skills	Understand skill to present in a very simple manner	-
Analysis of participants' skills prior to training leads to a good training	How can we take participatory method into the community: development of such thinking	Need to maximize participatory method	Earlier understanding was all methods should be included trainings – now that has changed
Knowledge enhanced through information on various issues	Formulated plan by segregating information, knowledge, skill	Participatory trainings can be conducted in the coming days	Time management can be undertaken while conducting trainings applying various issues
Very happy with the three days because as a trainer I could clearly identify my inner capacity and my weaknesses that I need to improve	I learned to prepare framework for training	I will now change lecture method approach to interactive method I will play special attention to reach the crux of participants' problems	To impart information in law is but training as paralegal
Learn always honest	Different group discussion	Speaking clearly, learning	Recognize paralegal to understand address

			needs of other people
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➤ **Input on Alternative Legal Education**

Mr. Gagan began by explaining the importance of mutual learning when conducting trainings.

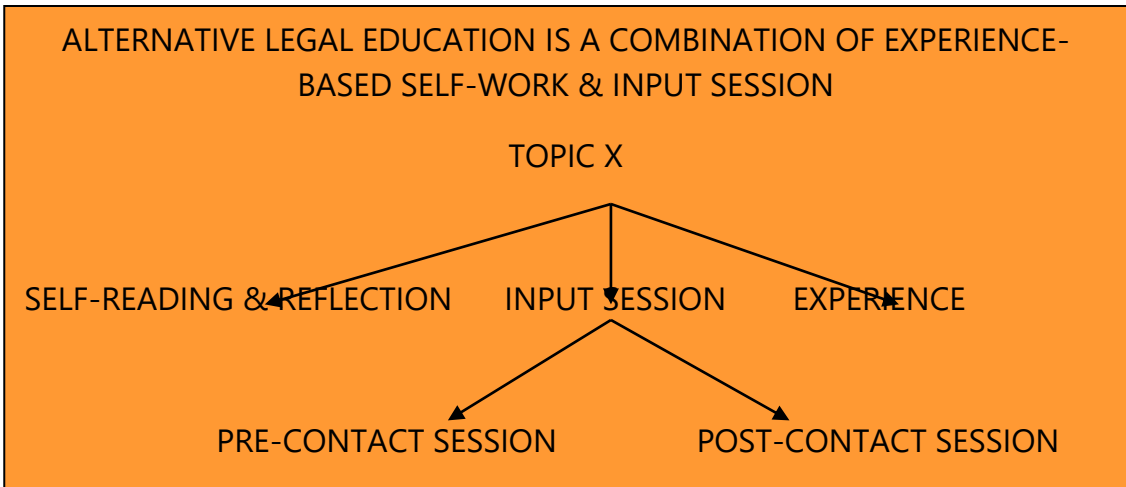
*"I might try to transfer information from my mind to yours. But that is information. It did not touch the heart. The body, the mind and the heart all need to be put together to learn... It's about how to learn and not about what to teach..."*

Ms. Nupur then took forward the session by talking about alternative legal education techniques.

*"Alternative law teaching focuses on relating facts and principles with feelings and expectations. It integrates attitude/perspective, information and skill in a holistic manner and focuses on 'HOW TO LEARN' rather than 'TEACH LAW'."*

She went on to explain how an ideal session, say on domestic violence in the Indian context, should cover the following –

- Information about which court will handle a domestic violence case.
- Identifying the nature of offence (bailable/non-bailable, cognizable/non-cognizable).
- Understanding of the issue being in public domain.
- Evidence-related aspects.
- Understanding the ingredients of Section 498-A – Including whether dowry demand is essential components.
- The politics of over-using Section 498-A.
- Conciliation and negotiation.
- Handling a victim.
- Skill of drafting an F.I.R.



Some principles of alternative legal education are as follows –

- Law is not a stand-alone subject. It operates in a context.
- Information is not enough.
- Accompaniment and mentoring is important.
- Need to build a person and her identity must be addressed.
- Training is contextual.
- Different people learn differently.
- Move from information to motivation –
  - Pain
  - Contradiction
  - Dreaming
- Facilitate learning without spoon-feeding.
- Ensure sufficient practice of basic skills.
- Create opportunity for experiential learning.

The role of the trainer is to –

- i. Facilitate learning without spoon-feeding.
- ii. To ensure sufficient practice of the basic skills.
- iii. To initiate and guide discussions on various areas with the objective of sensitization.
- iv. To provide reading material.

Ms. Nupur then guided the participants through a simulation by giving examples of how trainings may be conducted on different topics of law.

<b>COMPONENTS OF A TRAINING PROGRAMME</b>		
<b>Self</b>	<b>Exposure to Different Contexts</b>	<b>Content</b>
<ul style="list-style-type: none"> <li>- Working on self/identity is important.</li> <li>- Ask the question "Who am I and where do I want to go?"</li> <li>- Get in touch with the historicity.</li> <li>- Break the 'I' into</li> </ul>	<ul style="list-style-type: none"> <li>- Context-building emerges from a process of developing perspectives and placing self in the context.</li> <li>- Exposure has to lead to transformation of identity and</li> </ul>	<ul style="list-style-type: none"> <li>- One learns when there is a problem.</li> <li>- Is not segmented – every session must be a combination of information, perspective and skill.</li> <li>- Information is to be relayed through self-work.</li> <li>- The heart-mind-</li> </ul>

<p>different fragments of the new 'I'. - Mentors are crucial in breaking the shackles of deficit that inhibit capacity building.</p>	<p>creating a new 'I'.</p>	<p>body balance must be optimized.</p>
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*“The role of mentors in a training programme is very important as they exist for guiding, steering, inspiring. Mutual trust supervisors need not be mentors and the dependence-co-dependence-interdependence shift should be planned.”*

Before moving on to the next exercise Ms. Nupur asked the participants to take a look at what they had written on their blue and pink cards on Day I as answers to the questions “What must happen here?” and “What must not happen here?” respectively and to reflect on whether there were any deviations. The participants themselves identified that many of the pointers that they had repeatedly said ‘must not happen’ during the sessions were happening and reminded themselves to not let such things happen. For eg: Many participants had written that no ‘side talk’ should happen during the sessions. However, many of them were talking while the trainers were conducting the sessions. They acknowledged this and tried not to do the same after this reflection.

**Tea Break**

## SESSION 2

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### ➤ 'Understanding Forms of Domestic Violence' Exercise

Ms. Nupur asked the participants to do the following –

- Identify three women that you are close to (individually).
- Look at the definition of domestic violence as per the local Act.
- Which of these provisions apply to those three women?
- Share your findings with your group members.

**Output from the Groups:** The Groups followed the given instructions and completed the exercise in the given 10 minutes.

**Inputs from the Trainers:** Ms. Nupur asked the participants how the exercise made them feel. Many of them said they felt depressed, unhappy that women, even around them, were facing violence. She then noted how such good questions could be posed to derive the learnings on domestic violence-related laws.

*"One can ask 'What similarities did you see?' or 'What is your realization after this exercise?' or 'Do you think a law like this is important?'. Here, the skills trained in were reading, listening, analysis and application of the law. The information given involved the definition of 'domestic violence' and the perspective shown was the heart-mind connection in the context of violence against women and being non-defensive."*

### ➤ Freeze Frame 'Jhalki' Exercise [Camera, computer, various props]

The participants were divided into six groups and they were to enact a freeze frame depicting the themes assigned to each group.

Group	Theme
1	Domestic Violence
2	Women Contract Labor
3	Custodial Violence
4	Witch Hunting
5	Sexual Violence
6	Commercial Sex Work

### **Outputs from the Groups:**

Group	Theme	Output
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1

Domestic Violence



2

Women Contract Labor



3

Custodial Violence



4

Witch Hunting



5 Sexual Violence



6 Commercial Sex Work



**Inputs from the Trainers:** Mr. Gagan said that the 'freeze frame' can be followed by questions such as –

- What feeling does this evoke in you?
- Have you seen this in your area?
- Has anyone tried to stop it?
- Who should act to stop this?

*"The sharper your question is, the sharper the answer. If you get vague or even bad answers, then your question was bad."*



Mr. Gagan then demonstrated this by displaying these photos on the screen and asking the participants to ask 'good' questions. He guided the process and helped the participants to ask sharp questions. He also noted how Group 6's freeze frame had been so immensely powerful and a lot of good questions can be asked and people made aware through such powerful depictions of social issues.

Ms. Nupur asked the participants to identify and note what human rights violations they could identify from each of the freeze frames and what provisions of the Universal Declaration on Human Rights, the Constitution of Nepal and other international conventions (like CEDAW) were seen as violated.

**\_\_\_\_\_ Lunch Break \_\_\_\_\_**

### SESSION 3

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The exercise was resumed and Ms. Nupur asked one participant to come forward and conduct a group discussion on what the various groups had identified.

**Outputs from the Groups:** One group said that they noted there was 'inequality' portrayed in each frame and that Article 23 (2) of UDHR, Article 11 of CEDAW, Article 18 (4) of Nepal Constitution were the provisions that dealt with the concept of 'inequality'. When one of the participants asked whether it was a fundamental right or a human right in the Constitution, another replied saying that it was a fundamental right.

*"Fundamental rights address the vulnerability, while human rights are broad-based. All human rights or not fundamental rights but the vice versa is true. Fundamental rights are legal rights. Implementing human rights involves a long process. Fundamental rights are implemented through the Constitution, which is a strong instrument for the same and laws are created to support it."*

**Feedback from the Participants:** The participants enjoyed the exercise and said that it was very interactive and helped to draw conclusions and focus on the core issues.

**Inputs from the Trainers:** Ms. Nupur noted how the task was about understanding different kinds of violence from the different 'jhalkis' and using that, to explain the difference between human rights and fundamental rights. The frames were powerful representations.

Mr. Gagan added that it was yet again all about asking the right questions.

*"The more convoluted a question, the more confusing the answer."*

#### ➤ **'Simulation on Conducting Village Awareness Programme' Exercise**

Ms. Nupur asked one of the participants to volunteer to conduct a village awareness programme for 15 minutes where the remaining participants would role play as villagers particularly men of the village.

**Output from the Participants:** One woman participant came forward to do the simulation. She began by introducing herself and talked about what she was there to do. She began by speaking about domestic violence when the participants (as 'men of the village') interrupted her by asking questions. She used the jhalki's first photo and talked about the different types of violence talked about in the law and explained these to them.

**Feedback from Participants:** The participants felt that there was too much of a lecture given on the subject matter (domestic violence) during the simulation. They appreciated the information given but also felt that the process could have been more engaging and participatory. One participant also noted how important it was for the person conducting the programme to not miss out on the key information regarding the relevant law because such an error would also keep the village people unaware about that particular piece of information.

**Inputs from the Trainers:** Ms. Nupur noted that the volunteer participant did not address many of the questions that were asked by the other participants (village men).

*"We had to make a heart to heart connect. How do we do that with a room full of men? We can talk about their personal life, their daughter, mother, sister etc. You should co-opt the person in the group you're addressing who talks on your lines. We are saying that a paralegal has to simplify laws to folk songs and other accessible mediums to move away from lecture mode. We can give examples, stories, real-life case studies discussion etc. We have shown you three examples of how we can teach law without lecturing. You just have to prepare yourselves for the same."*

➤ **Input on Questions**

Ms. Nupur said that as a trainer, one should teach how to learn law and not teach law itself.

*"If you ask the right questions, you are ensuring that the person learns well."*

## Task 5

**What are the characteristics of a good question?**



### ➤ 'Types of Questions' Exercise

Ms. Nupur spoke about the different types of questions that can be asked, which are as follows –

- i. Direct – Where the answer is found directly in the text itself.
- ii. Indirect – Where you need to go to more than one portion in the text to be able to find the answer.
- iii. Application – Where you need to match facts to the text to be able to arrive at an answer.
- iv. Extension – where you need to refer to more than one law to be able to find the answer/questions that help you develop analytical ability, clarity, perspectives etc.

Then the five groups were asked to work on asking these types of questions on a common theme – domestic violence.

Group	Type of Question
1	Direct
2	Indirect
3	Application
4	Extension
5	Application

**Outputs from the Groups:** The questions the groups asked were as follows –

Group 1	Group 2	Group 3	Group 4	Group 5
What is the definition of domestic violence? When it happens, where does one go? What do you know about the law relating to domestic violence?	What are the kinds of instances of domestic violence?	What is the type domestic violence where a person is attacked by throwing acid?	What is the procedure for getting out of a marriage where the husband is violent towards his wife?	Where can you file a complaint alleging domestic violence?

**Inputs from the Trainers:** The trainers gave the following inputs to the questions that the groups came up with –

Group 1	Group 2	Group 3	Group 4	Group 5
The question 'Where has' has many answers, so it's not a direct question. The knowledge of law is not a direct question.	What kind of questions will you ask for which they will have to read the different laws? For eg: According to the provisions of law, what is the definition of domestic violence?	Not indirect. For eg: For domestic violence, what law would be applied?	Can be refined a bit.	Fine.

➤ **Counseling Exercise**



Ms. Nupur asked the participants to volunteer to conduct a counseling simulation. One participant volunteered to be the wife, another participant the husband and another, the counselor.

**Feedback from the Participants:** The participants felt that the participant who played the part of the counselor did not welcome the parties and make an effort to build rapport and make them feel comfortable. They also noted that the participant who played the part of the husband was too quiet while the participant playing the part of the wife was quite fiery.

*"The counselor should listen more and talk less and should be non-judgmental, pre-conceived notions should not be placed forward. This was lacking in the counselor. The counselor was finding it difficult to handle the parties especially the overactive wife. She could have interviewed them separately to avoid the loud reactions. She could have given good examples as well."*

**Inputs from the Trainers:** Ms. Nupur explained how, now that the participants could analyze whether the conciliation was happening in the different stages or not and the different types of questions could be asked, they could do better. She appreciated the efforts made by the participants who had volunteered to role play as husband, wife and counselor for this exercise.

Mr. Gagan talked about his own experience.

*"We train a lot of women to keep the family together in counseling. When a paralegal counsels, it doesn't mean he or she is breaking up the family by suggesting recourse through the law. He or she will have to give a good understanding of the law itself. The social worker is the one who tries to conciliate and make the couple get back together at all costs, more often than not. Paralegal counseling involves understanding the problem at hand, explaining what the law says about it and its implications upon the wife and the husband."*

The participant who played the part of the counselor reflected that she could be a good activist but not a good counselor. Mr. Gagan responded to this saying that the input was not a judgment on counseling or mediation skills but rather to help them see how counseling is a major arena to train paralegals in.

The participants were then asked to reflect on reconstructing the day by asking themselves the following questions –

- What have been the methods that you have used thus far?
- What have been the elements from your competence grid that you see addressed here?
- Has your initial stand on 'law can only be taught as a lecture' changed?

\_\_\_\_ **Tea Break** \_\_\_\_

## SESSION 4

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### ➤ 'Demo Theme-based Training' Exercise

Five groups were formed and assigned one theme each, on the basis of which they had to conduct a 20-minute long demo training session in the assigned method, assuming the other participants were paralegals (of a level of the performing group's choice).

Group	Group Leader	Theme for Training	Method Assigned
1	Birendra	Disability Rights	Demo Method
2	Renu	Practice of Untouchability against Dalits	Role Play Method
3	Sanju	Labor Rights	Case Study Method
4	Manisha	Right to Information	Question Method
5	Sabin	Fundamental Rights	Drawing Method

The demo presentations and inputs were then scheduled for the next day.

### ➤ Learning to Learn to Learn Exercise [Materials Used: Colored cards, markers]

The participants were then asked to fill out a card similar to that of Days I, II and III but they were to answer the following questions –

- What did I enjoy the most?
- One insight about me as a trainer.
- One understanding that got deeper about the paralegal.
- Something about a method that I did not know earlier.

**Outputs of the Participants:** The content of the cards are summarized as follows –

DAY IV – 21 <sup>st</sup> March, 2017			
What did I enjoy the most?	One insight about me as a trainer	One understanding that got deeper about the paralegal	Something about a method that I did not know earlier
I enjoyed different methods that has used today like freezing frame, role play etc.	Linking up different domestic violence cases with laws	Paralegals are the bridge between community people and laws	Different types of questions like application and extension
Freeze frame	Method	Assessment	Demonstration



Freezing frame exercise	Methodology to practice constructing knowledge	Understanding better paralegal	Roll of training
Role play	Role of trainer	Mind. hard, body balance	Types question
Role play	Type of question	Advocacy met by pews by the law	Café round method
I enjoyed role play method intertant and learning	Many new learning methods	Importance of role play method	-
Demo and role play	Mind-heart connection	Deeper understanding about the paralegal	Freezing
Crosscutting issues of different themes	Facilitator proper skill and different method	Trainer should link body, mind and heart	Freezing frame method
To role play of disabled demonstration	To developed extra skill from paralegals	How to converse and motivation of community	All act of disabled, violence
Jhalki	Open to sharing from participants	Paralegals helps in maintaining peace along with justice	Question answers pattern
Freeze moment	Method of application question	Counseling in cases of violence	Pattern of questions that need to be asked as a training
Frozen framework	Questioning techniques (direct, indirect, application, extension)	Law can be taught also through participatory method to paralegals	Extension method
Mind-heart connection	Trainer should conduct training through mind heart connection	We can teach law through different methods not only lecture method	Freeze frame method
Counseling through drama	Analytical skill	Mentor's skill	Law can be taught without lecture method
Frame	Good presenting	They need skill They recognition	Freeze Methodology
Campaign was interesting of all	You can learn from others' campaign and activities	Remember paralegal everyday	How to implement paralegal in all areas
The sharper the question, the smarter the answer	In order to do sahajikaran, a lot of skill is required	Paralegals should know how to see themselves through others' feelings	Sometimes competency and skill can be the same but it is important to know the circumstances
Freezing frame work Role play	Paralegals can be informed of law through various methods	Method – Question and answer Group work – Pair discussion	-
I enjoyed the different types of questions	Trainers should be link brain, body , mind and	Legal aid can be provided by minimizing	Freezing frame method

	heart	lectures as well	
Role play	Knowledge	There are other methods even beyond lecture as well	Freezing
Freezing method was really touch my heart	Need to provide clear information on paralegal	Statute role play was new for me	None
I enjoyed different methods	Trainer should link body, mind and heart	Legal issues can be taught even without lecture	Freezing frame method

## DAY V

22<sup>ND</sup> MARCH, 2017

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### REPORTING GROUP PRESENTATION

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The Reporting Group, consisting of Pashupati, Subin, Bishnu, Manisha and Geeta presented their report about Day IV.

**Output of the Reporting Group:** The Reporting Group made a power point presentation about the previous day.

**Feedback from the Participants:** One participant added to the learnings saying that at the end of the previous day's training, they had been assigned the task of conducting a demo training session and there was a communication gap because of which they could not conduct the demos.

*"The learning in this was that in training, communication must be very clear between the trainers and the participants. After careful articulation we can work on our objectives."*

Another participant noted that they as participants, they should also pay full attention to the instructions given while another participant said that they had also discussed about how to relate laws to problems etc., which was missed out in this presentation by the Reporting Group.

**Inputs from the Trainers:** Mr. Gagan said that the presentation had utilized the principles of learning that had so far been talked about. Ms. Nupur said they had followed peer-exchange method where one participant had stayed with the group and

another had gone to the rest of the participants for engaging them (Also known as Open café or Café round method). She also said that some elements of the previous day were left out like how several demos on how to work with paralegals (counseling, village meeting etc.) were done etc.

*"It's a demonstration of a training programme which you should ideally conduct for your paralegals. We also demonstrated how the competency grid is interconnected with the demos and related it with what happened throughout the day. You have played the roles of both paralegal trainees as well as that of trainers."*

Ms. Nupur also noted that introduction, need assessment and demonstration of methods was also done the previous day and should have been highlighted as a learning in this Reporting Group's presentation.

Mr. Gagan spoke about the different ways in which people learn.

*"Single loop learning is about 'I learnt and I taught', Double loop learning is about 'I learnt and I learnt the way' and Triple loop learning is about 'I learnt, I learnt the way and I learnt how to teach what I've learnt'. You are not caught up with subjects if you derive these learnings. We are often using single loop teaching method but it is actually triple loop method that needs to be designed."*

## SESSIONS 1 & 2

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### ➤ 'Demo Theme-based Training' Exercise (contd. From Day IV)

Ms. Nupur asked the participants to resume the exercise assigned on the previous day.

#### ***Outputs from the Groups:***

<b>Group</b>	<b>Theme for Training</b>	<b>Method Assigned</b>
1	Disability Rights	Demo Method
2	Fundamental Rights	Drawing Method
3	Labor Rights	Case Study Method
4	Right to Information	Question Method
5	Practice of Untouchability against Dalits	Role Play Method

#### ***Feedback from the Participants:***

- Group 1 – The participants said that they learnt some basic stuff about disability rights and appreciated the Group's usage of four methods of which they found the key message as well as the video quite interesting. However, they had found it difficult to understand which level of paralegals the Group had chosen as its target audience. One participant noted that it was quite confusing when the Group had asked them to write their answers on a colored card and then also asked them to read it aloud.
- Group 2 – The participants felt like they had been treated like students during the demo since a lot of lecturing was going on. They appreciated the use of pictures but said that they could not understand the concept of fundamental rights clearly, from this Group's demo. They suggested that the Group could have shown some definitions since some details were not clear.
- Group 3 – The participants said that they had learnt about 'equal pay for equal work' and got a lot of information through the case study presented by the Group. But they also observed that such information would be apt for a higher level of paralegals (This Group too had not made its audience aware of what level paralegals they were supposed to role play as). One participant even said that the case study had been quite confusing since it was more about organizational incentives than anything else.
- Group 4 – The participants said that they had learnt about the right to information, how to receive information from the related office, the process of

taking such information etc. through this Group's demo. They acknowledged the new information exchanged. They felt that the case study used was good as the Group had spoken about their rights.

- Group 5 – The participants felt that this Group made them feel many emotions such as pity, love etc. through their demo and appreciated the use of various methods and coordination among the Group's members. However, they also noted that while the Group had good command over their content, no skill was covered where information was given and perspectives formed. They also said that the Group could have talked less and in a normal speed so that the participants could follow them. The participants also felt that where the Group's confidence was good, there also was a lot of confusion regarding what they were talking about.

**Inputs from the Trainers:** The demo of each group was recorded on video and replayed then and there so that Mr. Gagan could give his inputs.

- Group 1 – Mr. Gagan began by asking which session of a training programme the Group had demonstrated. They said it was the first session. He then asked them that as a first session, why they had not introduced themselves to the people and interacted with them. He suggested that based on the design, the Group could have chosen to demonstrate the third session in the programme so that they could have logically saved time, without needing introduction and such.

*"This was a design error which needed to be acknowledged in order to learn."*

He also noted that the cards on which the responses had been written could be made into a collage using a board for display but this could not have been done in the 20 minutes that were assigned to the Group. He also mentioned how the video could have led to an interesting session if good questions had been asked.

*"The first principle is to ask a good question. You could have saved time by dividing the questions among the groups and built a framework for the session as such. It's also about how you asked the question. Never use only one question and one card."*

Mr. Gagan appreciated the distribution of roles among the members of the Group and the way the main trainer was able to articulate loud enough without too much strain. He suggested that they could have edited the video to showcase key points, keeping the time given in mind.

*"A co-trainer can help and can put so much energy into the session by moving around. That is very infectious. However, design-wise, this was apt for the second session in the second day of a training programme."*

- Group 2 – Mr. Gagan felt that the Group had worked brilliantly as a team as they had a good session plan, proper and clear division of roles among the team members along with good use of the method of pictorial representations for teaching. However, he felt that they could have interacted more with the participants. He also noted that they too had not told the audience beforehand what level of paralegals' roles they were supposed to play.

*"It was an effective teaching session but not a training session. What is the maximum of participation in it? People ask you questions and you answer. They did not do anything themselves. They were only recipients of information. They did not construct knowledge... Also, how do you handle staging? People wanted to see the pictures presented in the Power Point presentation. If you are using visuals, it should be central, and you should place yourself in such a position."*

Mr. Gagan emphasized how the Group's style of asking questions had made the participants feel like children.

*"They asked 'What do you see?' and not 'How did you feel when you saw the picture?'. The latter question would have resulted in effective learning. Even though the pictures were good, the meaning and context got lost because of the bad questions asked."*

He noted that although the first three pictures had been displayed to build perspectives, thrusting the Constitution immediately after was confusing.

*"As trainers, how could you have used the pictures to build perspectives?... Also, you did not plan anything regarding skill training. In my experience, we have sometimes made paralegals write postcards to judges or officials using Constitutional provisions so that they get a better understanding of how the provisions work."*

He stressed on the need for balance between the paralegals and the trainer since the Group's lead trainer had not answered the participants' questions and brushed them off due to lack of time.

*"That is a teacher's technique. There has to be a balance. Neither can you let the group just be, nor can you as a trainer keep going on your own. You cannot say to the paralegals 'Quiet down your instrument and listen to me play mine.' It has to be a balance, a jugalbandi."*

- Group 3 – Mr. Gagan noted that the Group had given no skill, some perspective and very minimal information on the assigned topic and the Group had conducted the demo in such a manner that the only information that was obvious from it was that the organization was doing good work and the method followed was also that of lecturing the paralegals.

*"What could they have done better? Time was not properly used. First, they asked the participants to read the case study and then they also read it out aloud. There was repetition. It did not enhance knowledge. If they had presented the relevant part of the story and discussed just that, it would have been effective."*

He also suggested that the material could have been edited to be brief and distributed and read together instead of the repetition and could have been made more visually appealing.

*"Case studies are problem-posing not solution-giving. Ask the good question. 'If you were so-and-so, what would you do?' The question should be like a bullet, precise and sharp. Case studies are usually used with people having a certain level of education and inductive learning methods are used to cull out the important learnings from them."*

Mr. Gagan noted that the Group had not appealed to the emotions of the participants.

*"You could have asked whether what happened to the woman in the case study was justice or injustice according to the participants. Then, time could have been given to process the answer. You taught in the garb of participatory method because you were ready with what you wanted to say. Case studies are the best mode of learning. However, this Group's high-level method achieved a low-level outcome. You spent the maximum amount of time reading than discussing so time management could have been better."*

- Group 4 – Mr. Gagan said that the questions asked by the Group were for level one paralegals but they had stated before that the audience was supposed to be level two paralegals for this demo. But he acknowledged that the practice of asking the participants for their expectations from the training was a good technique.

*"The Group took the information about the participants' expectations but they kept it to themselves. The owner of the card has the first right to read it. When they took the card it was extractive. You recognize the input of the people and cluster it on a board and find out the types of information that the audience wants."*

He said that the use of the case study was good but they could also have established an emotional link by asking the paralegals to try to gain information about paralegals themselves. He also mentioned that the Group's practice of having the audience ask questions and give answers could have been planned better and appreciated the general staging of the demo.

- Group 5 – Mr. Gagan talked about the core feeling that motivates one when talking about discrimination.



*"When I objectify the discrimination, what's it that I am feeling? What do you feel? You feel anger. If you feel sad or pity for the discriminated, then there is no movement possible. Movements are when there is also anger and therefore, to be able to handle anger and use it as positive energy is very important. If you don't think about it then it's like a bottle of Coca-Cola with no fizz. As a trainer, when talking about discrimination, we must focus on the anger. Let the anger come out. The best people who can express the anger are those who have been discriminated."*

He also noted that the Group needed to work on handling rowdy participant groups and for that they would have to develop a style of their own as trainers. He acknowledged that the role play was very effectively done but questions could have been asked instead of just limiting it to acting it out.

*"You can get the participants themselves to be the actors. We would often use a technique where we used to tie up a woman and throw her in the middle of the group, sit down and see how the others would react. Shock people! Be creative in teaching about discrimination. Did you utilize your role play to the fullest? A good trainer is one who watches carefully in such a situation and sees who among the participants is reacting and how."*

**Lunch Break**

### SESSION 3

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Mr. Gagan asked the participants to critique his and Ms. Nupur's training style especially from the previous day till the present.

*"What do you think was our agenda?"*

One participant said that it was to bring the inner trainer out. Another said that it was to train the trainers in skills and methodology, so that they could develop good session plans, divide roles efficiently etc.

Mr. Gagan then pointed out to them that from the previous day, up till the present time, he had made the participants look at five different laws without teaching.

One participant also said that Mr. Gagan and Ms. Nupur were also somewhere evaluating the participants' skills on the field while another participant observed that they were also seeing how groups of trainers could conduct a session on different laws within 20 minutes. One participant even noted that they were also seeing whether the participants were able to deliver the methodologies learnt thus far, in the demo trainings.

Mr. Gagan appreciated the observations of the participants.

*"We were giving you an opportunity to demonstrate, to see where things were going wrong among you etc. and to help you learn now so that later you can get ready to fly and do this on your own as well."*

Ms. Nupur observed that she and Mr. Gagan had ensured that at least one person in each group should be knowledgeable about the assigned law.

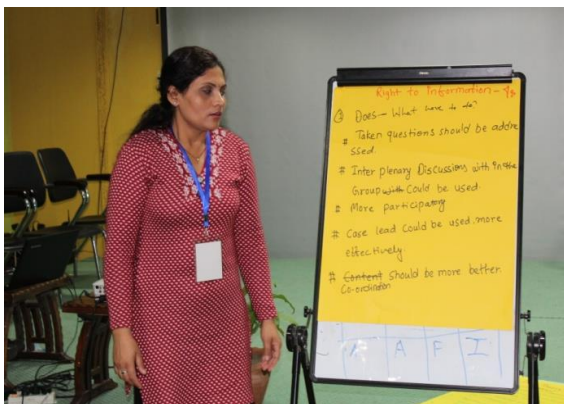
*"You have conducted sessions on five different laws without the use of lecturing method, but instead, by giving information, forming perspectives and training in skills to build a competency of the paralegal."*

- **'Principles for Paralegal Training' Exercise** [Materials used: Colored chart papers, sketch pens, markers]



Ms. Nupur asked the groups to come up with 5 Dos and Don'ts as Principles for training paralegals, based on the feedback that she and Mr. Gagan had given them for their demo sessions and write them down on chart papers provided to each group.

**Outputs from the Groups:**





The content of the charts are summarized as follows –

Group	Dos	Don'ts
1	<ul style="list-style-type: none"> <li>- Appropriate demonstration creates feeling among participants (Touch the emotion of participants)</li> <li>- Proper session planning add value for achieving training</li> <li>- Appropriate role division and execution is means for achieving objective</li> <li>- Seeking a good answer requires asking a good question (key driving question for session)</li> <li>- Voice of the trainer add value to the learning of participants)</li> </ul>	<ul style="list-style-type: none"> <li>- Application of too much methodology kills time in one session</li> <li>- Compacting the contents harms understanding of deliberation</li> <li>- Same contents to every table kills time</li> <li>- Shorten the video clipping strengthen the contents</li> <li>- Less preparation of the technology is always challenging</li> </ul>
2	<ul style="list-style-type: none"> <li>- Time management</li> <li>- Role division</li> <li>- Mind, heart and body touch</li> <li>- Proper utilization of giving method</li> <li>- Clarity of the concept/content</li> </ul>	<ul style="list-style-type: none"> <li>- Proper coordination</li> <li>- Freezing on time and discussion</li> <li>- Attention of the participant</li> <li>- Utilization of specific method</li> </ul>
3	<ul style="list-style-type: none"> <li>- Preparation</li> <li>- Role division</li> <li>- Proper information dissemination</li> <li>- Confidence</li> </ul>	<ul style="list-style-type: none"> <li>- Time management</li> <li>- Arriving at learnings</li> <li>- Question-answer planning</li> <li>- Information</li> <li>- Place for training</li> </ul>
4	<ul style="list-style-type: none"> <li>- Taken questions should be addressed</li> <li>- Inter-plenary discussions within the group could be used</li> </ul>	<ul style="list-style-type: none"> <li>- Meta card should not be collected without giving opportunity to express</li> <li>- Session plan must be done in</li> </ul>

	<ul style="list-style-type: none"> <li>- More participatory</li> <li>- Case lead could be used more effectively</li> <li>- Should be more better coordination</li> </ul>	<p>depth</p> <ul style="list-style-type: none"> <li>- Language sensitivity</li> <li>- Proper coordination within teams</li> <li>- Content must be strong</li> </ul>
5	<ul style="list-style-type: none"> <li>- Proper time management</li> <li>- Increase engagement of participants</li> <li>- Floor discussion in problems and solutions of case</li> <li>- Evoke the feelings of participants</li> <li>- Smart approach/specific</li> </ul>	<ul style="list-style-type: none"> <li>- Repetition of tools</li> <li>- Do not divert from the plan</li> <li>- Confusion in questions</li> <li>- Discussion of policy at vague level</li> </ul>

***Inputs from the Trainers:*** The trainers felt that the pointers were good. Mr. Gagan suggested that the bullet points could be let go off and the participants could try to articulate them as their own theories of learning.

    **Tea Break**

## SESSION 4

### ➤ Input on Training Styles

Mr. Gagan spoke about an inventory of trainer interventions.

<b>AN INVENTORY OF TRAINER INTERVENTIONS</b>		
Content Focus	Sharing research data, opinions, expert comment, information etc.	<i>"You always say that this is 'how I feel' and not 'how it is'. As a teacher you can say that 'this is it'. But as a facilitator, you have to help the person get the perspective instead of dictating it."</i>
Process Focus	Focus on what is happening in the group	<i>"How to get the participant group back from diversions of any kind. The trainer has the weapon of process focus question."</i>
Asking for Feelings	Asking for feelings	<i>"Most powerful tool the trainer has for intervention. Only when you relate things to yourself, you will be able to learn. In a group, there is always a power struggle. Sometimes the group gets diverted. There you ask if exclusion is happening in your group."</i>
Direction-giving	Guiding the group towards its task	<i>"'Do this like this, in these steps.' Only when clear directions are given, there is no deviation from the objectives."</i>
Feedback	Direct and indirect feedback on behavior, skill etc.	<i>"'This you did very well' (Not saying 'You are good'. I'm saying 'What you said here, or did here was impactful either positively or negatively'). Feedback is something a person can subsequently change."</i>
Cognitive Orientation	Providing relevant theory	<i>"See, Nupur and I do training in partnership. I know about the philosophy of law and she is a master of law. When I go to teach law, I don't have orientation in it. Whatever orientation a person has, you should intervene there. It could be a resource person also but never a guest. Resource person is someone who comes with you and goes with the flow of the training. A guest is a guest. He or she just comes on being invited and speaks on the given topic. That breaks the training design."</i>
Performing Group Functions	Seeking opinion, conflict resolution	<i>"How is a group formed? The person put into a group goes through a process of norming, forming, storming, performing and adjourning."</i>

By explaining the inventory, Mr. Gagan spoke about the entire process of training paralegals by giving examples from this training itself.

He then spoke about how to get the participants' full attention.

*"What is paying attention? It is having the ability to selectively use multiple modes of perceptions when being confronted with a situation. It is about understanding the usage of the left and right parts of the brain. People are conditioned to be right or left-brained"*

*based on how they were schooled. We try to awaken your left brain with creativity. A trainer understands both types in a group and knows how to make interventions with both types of people. It is also about seeing both sides that exist simultaneously. You can't say that you see anything only in one way. Do you train yourself to see from both sides? Asking powerful questions will help the group work as powerfully."*

➤ **Designing an Event based on Frozen Outputs of Previous Exercises**

Ms. Nupur then asked the Groups to work on the created Outputs 1 and 2 in order to create Output 3 i.e. the final event design involving the previous two. She also asked them to add a row in Output 3 where the Groups would also fix 'What must happen here' and 'A method that helps you to make that happen'.

## DAY VI

23<sup>RD</sup> MARCH, 2017

### REPORTING GROUP PRESENTATION



The Reporting Group, consisting of Meena, Tek Raj, Bindu, Suman and Birendra presented their report about Day V.

**Output from the Reporting Group:** The Reporting Group presented their report for the previous day.

**Feedback from the Participants:** The participants had nothing to add to the Reporting Group's presentation as they felt it captured the previous day's learnings perfectly.

**Inputs from the Trainers:** Mr. Gagan said that the Reporting Group's presentation was very comprehensive and reflected output.

*"You went far beyond just what happened and subtly brought in how it happened and focused on what was the learning. You have learnt from all the feedbacks given in the previous days' mistakes and gaps. The fact that you have learnt is appreciable. What you conclude is the crux of the whole thing. Capacity is more than knowledge, skill. It is the ability to practice. I think that's the difference between training and capacity. No capacity building can happen in one event in one shot. It has to be a capacity building process. It is contributing to the larger role of capacity building."*



➤ **Learning to Learn to Learn Exercise** [Materials Used: Colored cards, markers]

The participants were then asked to fill out a card similar to that of Days I, II, III and IV but they were to answer the following questions –

- Key insight...
- I am confident about...
- My challenge that I will overcome...
- My support system...

**Outputs from the Participants:** The content of the cards are summarized as follows –

<b>DAY V – 22<sup>nd</sup> March, 2017</b>			
<b>Key insight</b>	<b>I am confident about</b>	<b>My challenge that I will overcome</b>	<b>My support system</b>
Enhance the training design and facilitation skill	Professional training skill	Professional training design	Who is more idea from the knowledge able participant of this training and different electric media
To learn advance method of TOT training	Insure to clearly facilitate group by facilitation	To facilitation group but I not confidence to facilitation English medium	Yas my office have support this system and contact training
Facilitation skill	I can teach law without lecture method	Competency mapping and session planning	Internet, other trainer
Think as a paralegal not as professional	Answer of short, sharp and smart question will be depend on your skill	Determinational of different between competency and skill	The session is going on practical based rather than theoretical approach
Role play and case study should focus the problem and situation can be given by participants	Confident on using different methods at training I can facilitate the session without lecture	Time management and content development using information, perspective and skill is challenging and will be overcome in coming days	I will give support from program coordinator
A trainer is always facilitator and time management is core of achieving training objectives	I am confident about to used the participatory methods for effective trainings programs	Content development with information, perspective and skills and choose the appropriate training methods but I will be overcome	I am not confident in psychological skill (counseling) but I support in my office colleagues (psychologist/psychosocial counseling)

Group has to go through different stages to be formed	I am confident about the different methodology	I am confident on facilitation	My organization network group will support me in my problems
Methodology how to apply	Communication skills	Skill how to insert information, perspective, skill in training development	I will support to the team how to make a combination of skills, competence, methodology and attitude in module design.
I can learn capacity is much more powerful than knowledge, skills and others	I can confidently transfer the knowledge to the others by different ways	I am little bit confusing about proper lesson plan	I will take support from internet, self-studied and closer friends
Skill new method and learning to learn	I am confidence about concept of paralegals	My challenge language but I will practice English language	Woman network (personal level), my husband, friend and my leaders
Training session designing including information, perspective and skill	I am confident about delivering training, facilitation in which I am familiar or worked with	How to link skills on conceptual part of the training I will try to overcome it simplify the context	Friends, technical experts, partner organizations, issue-based experts
Learnt from past	Challenge for me that's legal part I will give more time and learn more document	Confident on session plan clarity	From friends and usually the internet, my kids
Methods and outcome should be balance and we should not use many more methods in one small session	I can conduct training on law without lecture method	Power grid for session design	One of the participant of the training is from my organization We can discuss together and also discuss with our chairperson of my organization and can prepare proper session plan
Professional training design linking competency, information, perspective and skill both vertically and horizontally	Professional training planning	Access the information in accessible format	I need accessible format both in digital form or I need human support because of my visual impairment
To include all in a discussion and listen carefully	Expressing myself clearly	To make people listen to me attentively (grabbing attention) To professionally design a training	My father and Mr. Pokharel from my office
Learnt one could use	Training can be	Problem with language	Through practice and

various other methods other than lecture	conducted by differentiability skill, perspective and information		study
Proper session plan is very important to meet the objective of the training	I am confident about dos and don'ts principles for conducting session	To develop session plan as per instructed by the TOT training for the capacity building of paralegals in Nepal	As my organization is mobilizing paralegals, so, definitely any organization especially program unit is my support system
There are more ways other than lecture to learn law	In training methods	Session designing was challenging for me Even now I am not so confident with this	I will seek support from senior sisters
Can link up man and animal roles	Can depict legal issues through roleplay and jhalki	In case of any legal issue I can resolve them through the legal advisor in my office	Session on law
Need to be well-versed with subject matter Need to stipulate the standard of the participants	Need to employ methods for training through planning	Set time for training	People from my organization will support me
Systematic Linking paralegal with Nepali law	Hopeful that I can conduct training differently than I used to	Can file case based on dialogue, conciliation and empathy	I am the lawyer, chairperson and mediation counselor in my organization and I have my program officer, staff and working committee
Systematic equality rural system	Can move forward by mixing up Nepali laws, policies and paralegal system	Being works undertaken in my organization can regularize them	All with support from other human resource in my office I can work as chairperson, advocate, paralegal and counselor (psycho-social)
Can utilize this to impart training	Best learning for me	Can utilize things learnt in training	There are people in my organization who can support
Acquired skill that for a trainer content, objective, process system is necessary	Acquired skills to confidently run trainings Various training methods	I need to improve my poor language	Organization friends Self-effort
Lecture from guest lectures has less information and more rubbish	I'm confident about using different training methodologies and time management	-	My support system will be my senior trainer on organization and google search
Learning happens mutually	I can teach about any subject	Facilitator skill Speaking clearly	All research

Competency level analysis	I am confident about different method use of law teach	Power grid is somewhat challenging for us	Our women's group, with whose help I can make session plan, power grid and find solutions to problems
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## SESSION 1

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### ➤ Arriving at a Training Design



Ms. Nupur went over the steps for arriving at a training event's design, which had been followed over the previous days –

- Step 1 – Prepare the competency grid and mark the level of paralegals you wish to train.
- Step 2 – Freeze the number of days, events and total hours to be dedicated for training.
- Step 3 – Allocate time to each element in the competency grid based on the emphasis that you want to give to each element.
- Step 4 – Tick each element from Output 1 (Competency grid) and ensure it is covered in the Output 2 (Freezing of focus).
- Step 5 – Decide which element you would like to be covered in which event.
- Step 6 – Tick every element in Output 2 (Freezing of focus) to ensure everything is addressed.
- Step 7 – Design Output 3 (Event design) with the sessions for the assigned number of days.

Mr. Gagan also said that another way to look at it is to design the event and learn on the go, while at it.

\_\_\_\_ **Tea Break** \_\_\_\_

## SESSION 2

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### ➤ Input on Advocacy

Ms. Nupur said that since the need assessment of the participant group had thrown up queries regarding how to do advocacy, that topic would be dealt with. She then asked the participants to write down challenges they faced in management and advocacy on the chart put on a board, which would be worked upon and discussed.

*"There was a discussion on Skype that other than training of trainers some of the issues should be addressed on how to take forward the 'paralegalism' movement in Nepal. And no matter what social movements made access to justice become Goal 16 of the Sustainable Development Goals, we have to ensure its achievement in our own countries. If we have to talk about the idea behind 'paralegalism', we have to make the space for it and bring it closer to the people. We have found a goal but to make the goal happen, many groups have to do advocacy from different perspectives."*

**"IF AT FIRST, THE IDEA IS NOT  
ABSURD, THEN THERE IS NO  
SCOPE FOR IT."**

**- Albert Einstein**

Mr. Gagan shared a story which changed his life and through that, explained how advocacy happens and how he understood advocacy.

MOVEMENT FROM INCIDENT TO RIGHT,  
FROM FACT-FINDING TO ADVOCACY

- Occurrence/Incidence
- Event
- Problem
- Issue
- Entitlement
- Right

➤ **Advocacy Exercise**

*“Every paralegal should be part of a larger advocacy process. Whatever point he or she is attached to, a good paralegal will look at the incident’s bigger learning and fight.”*

Ms. Nupur asked the participants to stay in their assigned issue’s groups and to work on naming and framing the issue as follows –

Name / Frame the Issue		
Step	Quality	Prepare For
Statement	The central idea	Non-acceptance
Evidence	Not hear-say Research / documentation	Counter-evidence
Example	Live today not in the past	Individual/exception to the rule
Action desired	Who should stop or start doing what to whom at what increased/decreased cost	Consequence management

She asked them to note down their observations in their own notebooks since presentations would not be needed for this exercise. Mr. Gagan asked one group to articulate their arriving at naming and framing an issue. They named their issue as ‘No strong laws on inter-caste marriages.’

An example was then given by Mr. Gagan of how to articulate the issue, named and framed, as follows –

- The phenomenal increase in Gujarat GDP by 41% in 5 years ending 2010 is accompanied by lowering of HDI by 20% and increase in domestic violence cases by 65% and less girl children going to school by 9% in the same period.
- Advocacy initiative – We demand that the health sector spending at District Panchayat level goes up by 10% and appointment of Domestic Violence Committees at districts immediately.

*“We often take up issues and either only complain about the problem or only ask for external solutions. You should have a lot of research done on the issue you’ve culled out, backed by solid data etc. and only then make your demands. Then alone are solutions to the issue possible. We have a number of stories. But in order to convert the stories into advocacy, research is important.”*

Mr. Gagan then spoke about the characteristics of an advocate (a person working on advocacy for an issue) –

### CHARACTERISTICS OF AN ADVOCATE

- i. Articulates the issue to bring attention.
- ii. Collects primary information.
- iii. Focuses on impact and outcome.
- iv. Finds common spaces.
- v. Is unreasonable when necessary.
- vi. Draws attention to larger goals.
- vii. Balances processed with product.
- viii. Focuses on small successes to keep energy.
- ix. Does not allow distortion.
- x. Constantly communicates.
- xi. Uses all ways to communicate.

He asked the participants to read 'Rules for Radicals' by Saul Alinsky to learn more about principles which can be explored by such advocates.

- **'Legitimization of Paralegals' Exercise** [Materials used: Colored chart papers, markers]

***Rationale behind the Exercise:*** *Creating spaces for legitimizing paralegals.*

Mr. Gagan divided the participants into the following groups –

GROUP	ROLE
1	Any Government Department
2	District Panchayat
3	High Court
4	Research Institution

He asked the groups to brainstorm issues from the point of view of their assigned roles, and frame demands related to those issues and present these demands on chart papers.

***Outputs from the Groups:***





The content of the charts are summarized as follows –

GROUP	ROLE	DEMANDS
1	Education Department	Did not understand and follow the instructions of the exercise properly.
2	District Panchayat	Did not understand and follow the instructions of the exercise properly.
3	High Court	Legal Aid Act – Objectives – Access to justice to poor, marginalized, disadvantaged groups of people. Major role – Paralegal. Problem/Challenge – No provision mentioned about paralegals. Case can be filed in the Court for the recognition of paralegals.
4	Research Institution	Desegregated data of disability should be established in national population census. There should be inclusion of paralegals in the National Population Census Committee. Engage paralegals to supervise the census.

**Inputs from the Trainers:** The inputs from the trainers for the demands made by the different groups are summarized as follows –

<b>GROUP</b>	<b>ROLE</b>	<b>INPUT FROM THE TRAINERS</b>
1	Education Department	<i>"They did not listen properly to the task and did not make a space for a paralegal."</i>
2	District Panchayat	<i>"They did not listen properly to the task and did not make a space for a paralegal."</i>
3	High Court	<i>"What you need to do is make a better compelling argument. Everything was perfect. Perfect space. You have to throw data to make the public argument has to be strong. You chose paralegals in legal aid so it was perfect."</i>
4	Research Institution	<i>"What you have done is craftily said that disaggregated data does not exist which is perfect. You can also ask them to keep a disability trained paralegal as part of the survey."</i>

\_\_\_\_ **Lunch Break** \_\_\_\_

## SEASON 3

### ➤ Input on Season & Circle

Ms. Nupur spoke about her experiences involving seasonal trends of legal issues and most effective legal awareness strategies that are applied accordingly.

#### **CASE TRENDS BASED ON CROPPING SEASON**

In most areas of Gujarat, farming takes place twice a year:

- 1) July – October : During the South-West monsoon, known as the Kharif period.
- 2) November – February : Post-Diwali, when cash crops are sown. Eg.: Vegetables, groundnuts etc.

Intra-state migration of laborers takes place during this season. We have seen an increase in the number of legal issues during and post this season.

Legal issues include:

- Cases related to payment of wages (non-payment of minimum wages, non-payment of wages by middlemen/contractors);
- Cases of extra-marital affairs, adultery;
- Cases of accidental death of laborers;
- Matrimonial issues when people return to their homes.

Case numbers after this period (in the months of March-May) tend to increase because people have time to look into their legal affairs. Hence, cases of property and land disputes also get registered.

#### **CASE TRENDS BASED ON CLIMATE IN THE COASTAL REGION**

The following are the seasons of Gujarat:

1. Summers: April-June
2. Monsoons: July-September (the only wet season)
3. Autumn: October-November
4. Winter: December-January
5. Spring: February-March

In the Coastal belt, cases of people dependent on fishing, find free time only during the monsoon season when they do not go into the seas. It is during this time that they tend to their legal affairs, including cases of accidental death in the sea.

#### **CASES TRENDS BASED ON FESTIVALS**

In Dang, in March, the festival of Holi takes place, which is a big festival in the local area.

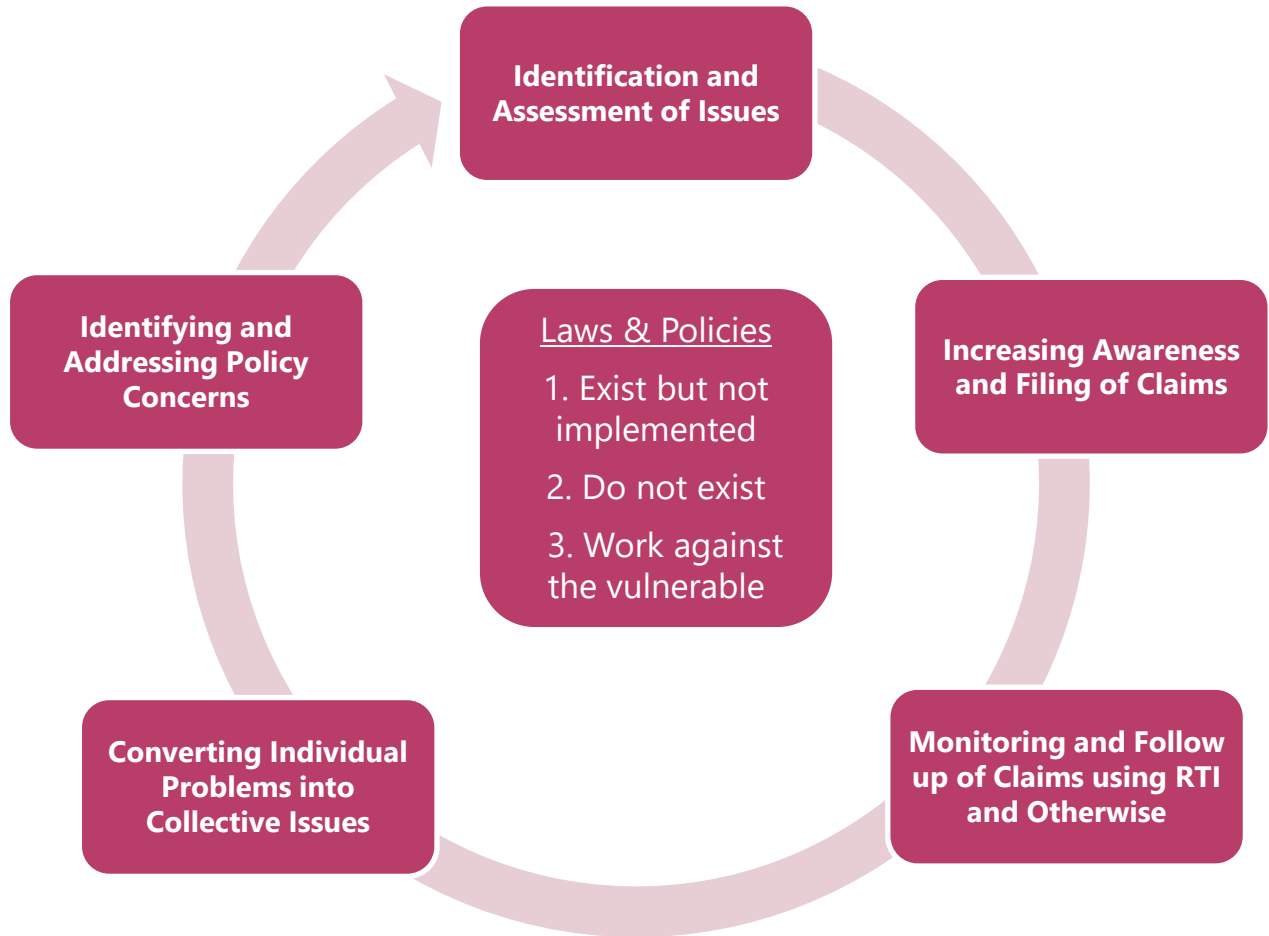
Miscellaneous criminal cases, such as cases of voluntarily causing hurt and criminal intimidation increase during this time. The wedding season in Dang also starts from March. Cases of marriage registration increase during this time. Most cases of witch-hunting in Dang take place during the months of November and December, the time of the year when the men are free from other work.

#### **MOST EFFECTIVE LEGAL AWARENESS STRATEGIES**

1. Targeting religious fairs for legal awareness – by setting up stalls etc. for legal awareness.
  - Shamlaji Temple Fair in Modasa – outreach to about 10,000 people.
  - Urs – Festival of Muslims – Outreach to about 5000 people.
2. Targeting village weekly markets – People from about 15 villages congregate for the daily use purchases.
3. Village awareness programmes are avoided in season of sowing and harvesting because people

- are busy with their work and may not be interested.
4. Targeting days of religious importance – Fridays at Mosques, days of full moon days, no moon days at temples, etc.
  5. Targeting State-sponsored agricultural fairs for awareness of legal issues related to farmers.

### FRAME OF INTERVENTION



\_\_\_ **Tea Break** \_\_\_

## SESSION 4

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### ➤ 'MIS as a Learning Tool' Exercise

A handout on 'Dream MIS was handed out to the participants. Ms. Nupur asked the participants to read the same and to compare their own organization's MIS with it and answer the following questions –

- What can be added to your own MIS system?
- What, from your own experience, can you add to the note given to you?
- What change must be made to your base formats to ensure this analysis?

An hour's time was given for this.

**Outputs from the Participants:** The participants' responses are summarized as follows

What can be added to your own MIS system?	What, from your own experience, can you add to the note given to you?	What change must be made to your base formats to ensure this analysis?
<ul style="list-style-type: none"> <li>- Proper documentation of issues/ cases collection</li> <li>- Improvement or practice of recording of external coordination report</li> <li>- Practicing of social audit</li> <li>- MIS with field offices is quite useful and commendable and should be replicated</li> <li>- Exposure visits for paralegals and facilitation of sharing of stories among them</li> </ul>	<ul style="list-style-type: none"> <li>- Weekly meeting with office team</li> <li>- System of internal feedback</li> <li>- Monthly mentoring, coaching and monitoring of paralegals by focal person in the district</li> <li>- Database system is strong</li> </ul>	<ul style="list-style-type: none"> <li>- Establishing strong tracking system</li> <li>- Develop web-based data system</li> <li>- Need for implementation of MIS system</li> </ul>

**Inputs from the Trainers:** Mr. Gagan spoke about paralegals and forming an identity for them and stressed on the fact that for establishing a paralegal's identity, a lot needs to be done.

*"A paralegal's work should become visible and its quality increases when there are more learnings. The MIS shows visibly whether a paralegal has done qualitative work or not. The system is an institutional process which every institution and whoever wants to legitimize paralegals must undertake. Later, when the outer system legitimizes them, the paralegals become accountable. This is why MIS is a learning tool."*

Mr. Gagan went on to talk about identity. He asked the participants where their sense of identity comes from.

*"What makes my identity? Is it my physical 'me' or my inside as well? What values do I believe in? If I ask you to give me a proof of the fact that you are Nepali, you will give me an identity card or passport. But is that really what makes you Nepali? Being Nepali is an inner feeling. Where does that come from? The heart, the mind... It comes from my values. You can take my passport but I will still remain a Nepali. I can give you a passport but you may still not feel Nepali. I can also say I am a World citizen... Does a doctor become a doctor only because of his MIS? How does he feel inside about the fact that he is a doctor? He prefixes 'Dr.' to his name... How does the feeling come inside him or her that he or she is a doctor?"*

A copy of the Hippocratic Oath was then handed out to the participants. Mr. Gagan explained that medical students took this oath on the day they graduate as doctors. He then had the participants read the oath aloud. He spoke about his own experience of about 5000 paralegals coming together to build such an oath for themselves and said that no matter where they are today, that oath reinforces values based on their identity.

*"If you look as trainers, this is what you should see. You should look at who you are as a trainer. Many civil society organizations have to come together to create such a cadre and legitimize paralegals by giving them identity cards etc., but soon the cadre will take itself forward whether there is a project or not, whether there is funding or not..."*

Then Ms. Shaveta Sharma spoke about the work of paralegals in the Indian context. She explained that in the past few years, creating an understanding on the 'paralegalism' movement has been attempted and that the idea was not only to conduct trainings such as this one but triggering a consequent national process within the country where the training happens. She noted that through the Kathmandu consultation, many advocacy and managerial issues had come up and the need for understanding the 'paralegalism' movement was evidently great, all of which were aimed to be addressed through this training of trainers. She stressed on the fact that after this training, what is needed is for

the participants to take forward the movement in Nepal and ensure facilitation of a long-term process.

➤ **Learning to Learn to Learn Exercise** [Materials Used: Colored cards, markers]

The participants were then asked to fill out a card similar to that of Days I through V but they were to answer the following questions –

- My key learning for today...
- One confusion...
- I look forward to \_\_\_\_ [fill in the blanks].
- I leave behind \_\_\_\_ [fill in the blanks].

**Outputs of the Participants:** The content of the cards are summarized as follows –

<b>DAY VI – 23<sup>rd</sup> March, 2017</b>			
<b>My key learning for today</b>	<b>One confusion</b>	<b>I look forward to ____</b>	<b>I leave behind ____</b>
Value makes people's identity so, building identity of paralegal is external and internal process	To legitimize the paralegal and establish their identity	Conduct training on paralegal to our members of paralegal	Lecture method and time mismanagement
Paralegal is about law, law of social, cultural, civil or relevant issues Advocacy is about to change where is to and what should be to develop peace and perspective	How could be paralegals are recognized by whom? Particular method of MIS as paralegals of our own organization	National workshop with Government and Non-Government stakeholders on the necessity and identity of paralegals in Nepal with the attendance of Gagan Sir and Nupur madam as well as ASD once	My lack of knowledge of week thought on paralegals and role as paralegals My feeling
Building identity of paralegals external and internal process Institutional strengthening is important for establishing paralegal	How to get paralegals recognized	Have master TOT to strengthen my capacity so that will be able to capacity enhancement to others	Lecture method I left here and will be used different methods in future
MIS	Professional training plan	To be a good trainer	My traditional concept of training
Advocacy brings	-	The learning of training	Lecture method and take

change not in individual but it change system, structure and process		as well as cross-learning from different organization about paralegals	heart-mind connection
Convenient MIS for strengthening the organization	-	Facilitate to produce more paralegals and build their capacity	Traditional way of training plan
MIS system	No confusion	Advocacy system are very challenge	Values of the identity
Organization as smart system	My confusion paralegal level	Advocacy issues	Value of the identity
Identification and situation analysis	Time management skill	Issue identification	Advocacy skill
MIS system	To develop MIS template	Facilitation to different sectors for producing paralegal support	Changing of traditional facilitation training plan
Leadership in advocacy In order to bring change through advocacy, the institute also needs to change its approach	Session design	Apply this new learning training skill to my organization and to myself as well	I leave my old training methods and understanding
How to legitimize paralegals into the works of institutions/actors	Session design (need more practice)	Deliver paralegal trainings to paralegals in near future	Sweet memories/experiences during paralegal TOT at Pokhara
Identity is most important	I have not any confusing about session	My commitment to the society as a paralegal	I will deliver the skilled to the other stake holder
Name and frame the advocacy issues	Today I have no confusion	Deliver the training and implementation of this training tools	Sweet good memories of paralegal training and friends and missed the trainers
I know about of practically of new method of TOT method	How to change the community's legal issues by paralegals	How to increase paralegal's movement	My old memory of paralegals
How to include skill, attitude, information in developing training methodology	Event preparation I am confused little bit	Run the paralegal movement in Nepal and next meeting with you	The confusion on developing training module and I learn the various training methodologies
Building identity is external and internal process The value system makes the identity Every paralegal can be a part of every	How to legitimize paralegals and how to work for their sustainability	I have master TOT to strengthen my capacity so that I and my organization can enhance capacity of paralegals	Traditional training method/lecture method



movement			
Never give up in life, implement things learnt from Gagan bhai and Nupur di	Not only proposal but can as well move forward through education	Empower society and people through the medium of paralegal	From today, use my energy only in the right directions Not waste time for nothing Need to achieve a lot in life
Identity how can established	We have some MIS system and some of lack so as a paralegal how can build similarity for MIS system	Master TOT to strengthen our capacity	Our old learning
Will establish MIS in my organization	How can I analyse like Gagan da	Taking forward paralegal Facilitate applying TOT method	I will change my training methods that I was applying so far
Learnt much on identity	Little confusion on session plan	I learnt here and will share that in my organization	Faulty skills in my training
How to take forward skill, capability and different methods	Steps ka confusion	I will implement all things learnt here	I will take up different methodology
Learnt monitoring information system and realized MIS is weak in my organization	Confusion persists in session designing	Will implement all things learnt here as a trainer	Thanking organizers and trainers for good training, I am taking leave from the participants
Definition of advocacy and its 10 steps	Frame the issue	As far as possible will implement things learnt here	Using many other methods in conduct training
Building their (paralegals) own worth Institutional strengthening is must necessary (important) for establishing paralegals	I still confused on how can we strongly legitimate the paralegals identity	Have this TOT strengthening my capacity of the well conducted the trainings and used the different methods	Lecture method for taught the law of paralegal

## DAY VII

24<sup>TH</sup> MARCH, 2017

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The participants gave a feedback of the previous day, noting that learning advocacy techniques and the importance of the role of a paralegal was very effective. Many acknowledged that advocacy being an important component of their respective organizations, the input on advocacy, delivering the techniques on the field etc., were impressive learnings and they looked forward to applying these techniques on the field.

### ➤ **Input on Envisioning Sustainable Models for Legal Empowerment of the Poor**

Mr. Gagan spoke about his experience in setting up Nyayika, a sustainable model for legal empowerment of the poor, in Gujarat, India.

*"Everything is about the marketplace.... New questions have come up especially in today's world like 'What to do if the donors go away, and take their money with them?' If we talk about the sustainability of people you work for, we can think about whether they themselves can contribute to the model... There was once a barber who would come to a village during the sowing and reaping seasons. He used to take 10 kgs of grains for his work and it was food for his whole year. He used to work in several villages. No other barber could get into his space. If a village can sustain a barber, can it not sustain a paralegal?"*

Mr. Gagan also gave the example of being invited to work on prisoners' rights in Gujarat's jails and how he had found ten jail personnel doing the job of twenty personnel and not being able to facilitate something as simple as a postcard (prisoners have a right to write to anyone while in jail) for the convicts, because of which the convicts used to obtain such postcards in the black market.

*"Several things have to be in place to make rights enforceable. When there is a systemic error, we have to find creative ways out. Upendra Baxi broke the problem of 'access to justice' and said that there are two problems in actuality, one of access and one of justice; and so, talking about both simultaneously would create more problems. We broke the two and saw if people would pay for the access and the state would pay for the justice. And that led to Nyayika..."*

He explained about the integrated ecosystem for legal empowerment that is Nyayika today and noted how the franchise model has worked thus far. He noted how, marketing plays an important role, citing an example of villages where one can find Pepsi but not proper food to eat. He also spoke about the importance of empowered architecture, in this model, as opposed to empire-building and stressed on the fact that simply having a lawyer in one's court system does not make that system itself sustainable.

### Tea Break

The participants had been given feedback forms to fill and asked to share their collective views, which they did. Then the programme was concluded with a distribution of certificates and group photo opportunity.

## ANNEXURES

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The annexures to this report may be accessed through the following link:

<https://drive.google.com/drive/folders/0B5xnXxj9MzRKUS1KTnZOX19Lb1k?usp=sharing>