

CSJ, SAILS & ILNU

Training of Trainers for Paralegals

Report

6th-9th March, 2017

Ahmedabad

Prepared By:

Centre for Social Justice

Ahmedabad

INDEX

- Introduction

- Day - One
 1. Introduction
 2. Difference between Teaching and Training
 3. Access to Justice Ecosystem
 4. Realising Legal Empowerment
 5. Evening Film and Work: *Thodasa Roomani Ho Jaayen*

- Day – Two
 1. Review of Previous Day and Evening Work
 2. Understanding Friere and the Banking System of Education
 3. Rating My Self as Trainer
 4. Effective Communication
 5. Evening Film and Work: *Ek Ruka Hua Faisla*

- Day – Three
 1. Review of Previous Day and Evening Work
 2. Who is a Paralegal
 3. Alternate Legal Education and Training Tools
 4. Evening Film and Work: *Jolly LLB*

- Day - Four
 1. Review of Previous Day and Evening Work
 2. Mapping my Group on Competence Grid
 3. Capacity Building Plan for My Organisation
 4. Conclusion

Introduction

A four day Training of Trainers programme for the capacity building of paralegals was jointly organized by South Asian Institute of Advanced Legal and Human Rights Studies (SAILS), Centre for Social Justice (CSJ) and Institute of Law Nirma University (ILNU) from 6th-9th March, 2017 in Ahmedabad. The training was attended by trainers, paralegals, community lawyers and grassroots development practitioners from all over Gujarat.

The training was essentially held with the objective:

- i. To create identity of participants as a legal capacity builder,
- ii. To empower participants as a legal capacity builder,
- iii. To develop Alternative Legal Education Tools, and

The training was designed to initiate the trainers to the principles of adult learning and alternate legal education and enable them to meaningfully engage with and build capacities of the paralegals and volunteers in their organisation and field areas. The training witnessed enthusiastic participation in a rich group learning environment. It is hoped that the training will in turn spur the creation of greater number of paralegals and thus lead to empowerment of the marginalised.

The present report seeks to document the activities and processes that were followed in the course of the training of trainer and add to the pool of training tool in alternate legal education.

Training Design of the ToT

Day	9:30 to 10:00	10:00 to 11:15	11.15 to 1:00	L	2:00 to 3:30	3.45 to 5:00	Night session
6 th Mar	Arrival and registration	<u>Introduction</u>	Difference between Teaching and Training	U	Exploring Access to Justice Ecosystem	Realising Legal Empowerment	<i>Thodas a Rooma ni Ho Jaayen</i>
7 th Mar	Review of the Previous Day	Understanding Friere : The Banking System of Education	<u>Exercise on competence of trainer</u>	N	Rating my own self as a trainer	<u>Exercise on Communication</u> Input on communication	<i>Ek Ruka Hua Faisla</i>
8 th Mar	Review of the Previous Day	<u>Who is a Paralegal</u>	Alternate Legal Education and Training Tools: <u>Input on role play—designing a role play on police</u> Input on case study Exercise on designing a case study Input on familiarizing with documents as an exercise Exercise on reading land records	C	<u>Input on small group work</u> Designing a session using small group work on comprehending SC ST PoA <u>Input on questions—exercise on questions on pwdva tyoes of remedies</u> Input on guided dialogues Exercise on contents of a complaint	<u>Input on simulation</u> Exercise on simulation on conducting legal awareness programme <u>Input on fgds</u> Exercise on conducting fgd on mgnrega	<i>Jolly LLB</i>
9 th Mar	Review of the Previous Day	Mapping my own group on competence grid	Capacity Building Plan for My Organisation	H	Cont.	Closure	

Day – One

Session I: Introduction

Preliminary: Participants were welcomed to the training and oriented on the objectives of the training. Learning norms for the training were discussed and agreed upon. Participants were divided into four reporting groups for documenting each day's experience along the following questions:

- i. Working of the participants as a group
- ii. Day's proceedings in terms of:
 - a. What was done?
 - b. Why was it done?
 - c. How was it done?
- iii. Learning & Insights of the Day

Activity: Each participant was handed over four different coloured cards with instructions to answer the following questions:

- i. Your Name (Yellow Card)
- ii. In your experience who do you think was better teacher of your life – their Mother or Father. And why? (Blue Card)
- iii. Describe the most remarkable training that you have attended so far. Write any incidence as a trainer they remembered or incidence from which they learned? (Pink Card)
- iv. What would they suggest as the Do's and Don'ts for this training? (White Card)

Outcome: The activity served as an ice-breaker introducing the participants to each other, helped them in reflecting on their own story as well as clearly laid down their expectation from the training.

Session II: Bringing Difference between Teaching and Training.

Match Stick Exercise

Activity: In round one, each participant was provided with one card and 5 match sticks and asked them to make a copy of the house using given matchsticks. After completing this exercise, they were marked for accuracy in their performance.

In the second round, the participants had the freedom to take the cards of their choice and draw any figure that they wish using 5 match-sticks.

The participants were asked to share their experiences.

Outcome: Participants were a lot more creative in the second round and made different shapes like umbrella, arrow, ship etc. They realised that we are happier when we do work of our choice and that freedom and open work culture make us more productive. Further, that we should not impose our thinking on others.

Session III: Access to Justice Ecosystem

Activity: Participants were divided into four groups and handed over an outline sketch of one of the following natural ecosystem:

- i. Desert Ecosystem
- ii. Lake Ecosystem
- iii. Forest Ecosystem
- iv. Mountain Ecosystem

The group was asked to relate the natural ecosystem with ‘Access to Justice’ system and identify objects in the natural ecosystem that would symbolically stand for different actors in the Lego-judicial system.

Outcome: Participants were able to find interesting metaphorical links between natural and access to justice ecosystem, with various animals/objects being perceived as standing for judge, advocates, police, litigants and paralegals.

After presentations on all ecosystems the group was able to identify common features leading to access to justice in the society.

Session IV: Realising Legal Empowerment of Marginalised

This session carried forth the ideas emerging from the previous session and delved into the notion of justice and legal empowerment of marginalised communities. It explored the links between access to justice and empowerment and welfare of individuals. The session helped build understanding on how most social problems around us have a legal dimension to it and in what ways ensuring access to justice plays a key role in improving situation. There was discussion on role of paralegal in legal empowerment.

Session V: ‘Thodasa Roomani Ho Jaayen’

For evening work participants were given the task of watching hindi movie ‘Thodasa Roomani Ho Jaayen’ and identifying traits of a good trainer from the protagonist of the movie.

Day - Two

Session I: Review of the Previous Day and Evening Work

The 2nd day started with the presentation of the reporting group recalling the activities, experiences and learnings of their own selves and their group from the previous day. It stressed on the effectiveness of the ‘match-stick’ exercise and the exploring ‘access to justice ecosystem’ which helped them to experience the lesson. This was followed by other participants adding their own experiences of the last day and commenting on the presentation of the reporting group. Thereafter, trainers gave their input on the methodology and designs of the training which the participants had experienced in the last day.

Next, the participants began discussion on their learnings from last evening’s film ‘*Thodasa Roomani Ho Jaayen*’. The discussion centred on the key traits of the protagonist the ‘*Barishkaar*’ who makes believe people that he can cause rain and how he changes lives by his engaging with people around him.

Session II: Understanding Friere and the Banking System of Education

The session on ‘Understanding Friere’ started with the Trainer (Mr. Gagan Sethi) sharing with participants the personal story of migration of his family during Partition from erstwhile Pakistan and settling down in Delhi. He spoke about how the tragedy brought about fundamentally opposite shifts in the personality of his paternal-grandfather (a retired govt servant) who lost most of his assets in Pakistan and his maternal-grandfather (a lawyer) who made the most of opportunities in Delhi. He spoke of how his own understanding and sense of justice, injustice and resistance was shaped by his earliest experiences with a dominating mother.

The key to the principles of adult learning was that the each adult carried with herself her own experiences of life where in each word assumes a meaning and a word of experiences of the individual. A trainer needs to be mindful of that while she engages with an adult learner.

Session III: Rating My Self as Trainer

Activity: Taking forward the discussions in the previous two sessions, participants were asked to think of and list down 10 essential qualities of an effective trainer. The individuals participants then shared their list with the group based on which a consensus list of indicators of a good trainer was reached. Participants were then asked to rate themselves on these indicators.

Outcome: Participants were able to consolidate and apply their understanding about a good trainer in the form of identifying traits of a trainer and share it with others. After discussing and reaching

consensus amongst themselves they were able to evolve their understanding to come up with some indicators. By rating their present selves on these set of indicators participants were able to do self-reflection and sharpen their own understanding about themselves.

Session IV: Effective Communication

Activity I (Perils of One Way Communication): Two participants were asked to volunteer for the activity. They were seated across each separated by a board in such a manner that while they could hear but not see each, all the while being visible to other participants. The task was to recreate a given pattern of cards on the other side by one participant effectively communicating it to the other participant. However, the limitation was that the other participant was not allowed to speak or ask any clarifying question.

In the second round the activity was repeated, this time with the second participant being allowed to speak and ask clarifying question.

Outcome: In the first round there was wide variation in the pattern recreated on the other side. But in the second round, not only was the recreated pattern closer to the original pattern, it was also achieved in lesser time. The activity helped participants experience the limitation of one-way communication and the utility of feedbacks in achieving more effective communication.

Activity II (Non-violent Communication): Each participant was provided with a worksheet containing five harshly worded sentences reprimanding /complaining about someone. They were asked to rephrase them into less hurtful sentences that conveyed the same meaning. Participants were then asked to share their rephrased sentences in a larger group and comment on the rephrased sentences of others.

Outcome: Participants were able to appreciate that communication is essentially a two way process. Listening to the re-phrased sentences of others, participants realised that non-violent communication is not just a matter of politeness but a more effective form of communication that is more likely to communicate and effectuate positive action among the listener.

Activity III (Non-verbal Communication): Participants were shown pictures of different body postures of human beings and asked to give their feedback on what was conveyed by the body language in different postures.

Trainer's Insight: Trainer explained to participants through visuals how the major part of human communication takes place through non-verbally through body language. They also shared tips on correct postures that would invoke openness, respect and receptivity amongst trainees.

Session V: '*Ek Ruka Hua Faisla*'

The film '*Ek Ruka Hua Faisla*' is a Hindi remake of English movie Twelve Angry Men which is set as a jury deliberation in a seemingly open and shut homicide case. Participants were asked to watch the movie and then hold discussion on using effective communication techniques to enable others to see contrary viewpoints.

Day - Three

Session I: Review of Previous Day and Evening Work

The day began with the reporting group making presentation on the past day. It recollected the learnings from each session and the sessions that influenced them the most. Thereafter the larger group commented on the presentation of the reporting group and shared their own experiences, with many participants commenting on the session on understanding Friere and non-verbal communication techniques. The trainers explained the design of the day and conceptual underpinning behind each of the session.

This was followed by discussion on last evening's film '*Ek Ruka Hua Faisla*,' with participants reflecting on their experiences in standing as a lone dissenting voice in a group and dissecting the approaches adopted by the protagonist in the film to convince different fellow juries to re-consider the case of the accused.

Session II: Who is a Paralegal

Activity: Participants were divided into four groups and asked to draw a real size human body contour. On this contour each group was to identify given number of human body parts that related to an attribute of paralegal.

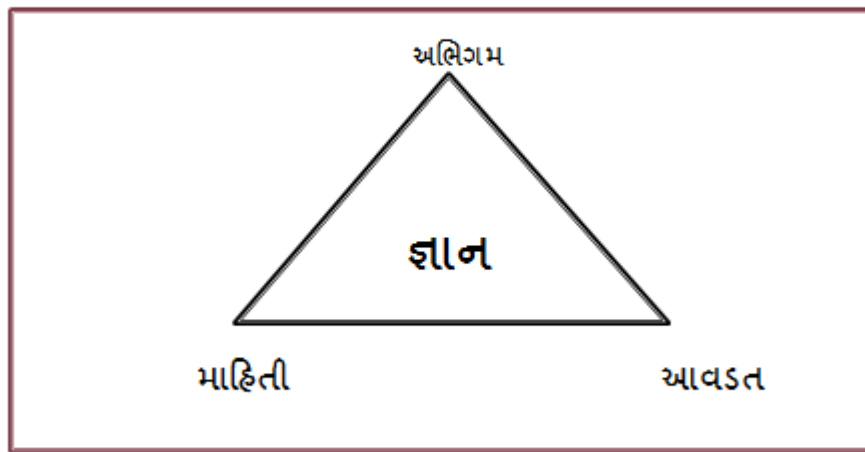


Outcome: The exercise furthered the understanding of the group on essential attributes and strengths of a good paralegal. By locating these attributes in human body the participants were able to apply and project integrate their knowledge into their understanding.

Session III: Alternate Legal Education (ALE) and Training Tools

Trainer Input: Trainer discussed the principles of adult learning and its application in legal domain in the form of alternative legal education. The underlying focus is on relating knowledge with feelings and experiences of the learners to facilitate their learning process. This was followed by dividing the participants in different groups with each group given a particular training tool for training on a particular theme of law.

વૈકલ્પિક કાયદાકીય શિક્ષણ એ માહિતી, આવડત અને અભિગમનો સંપૂર્ણ સંકલન છે



Activity I: Role-play on Police Powers: The first group of participants did training on police powers and rights of arrested persons through the means of a roleplay. The participants played the roles of complainant, police, accused, family members of accused, judge and paralegal to bring out different aspects of law relating to FIR, arrest guidelines, bail, etc.

Activity II: Simulating Legal Awareness Camp: Next group of participants was tasked with simulating holding of a legal awareness camp in the village. The group treated the other participants as villagers and held a demo legal awareness camp in village setting. The activity brought out many aspects of holding an awareness camp in village including its organisation and reach out to people, effective communication, seeking feedback and follow-ups on issues that come up.



Activity III: Conducting Focused Group Discussion: Another group of participants went about its training by holding a Focused Group Discussion on Women's Property Rights. The group demonstrated initiating and steering conversation on a given theme in a group of individuals and how it leads to learning of the entire group.

Activity IV: Familiarizing with Legal Documents: Next group was tasked with conducting training on land rights and transfer and mutation process. The group made their training effective through the use of village land record documents.

Activity V: Guided Dialogue on Complaint: Writing down of a complaint or application is an important activity as it involves interplay of facts and law. The group conducting guided dialogue on a criminal complaint demonstrated how to ask right questions to the complainant in order that all relevant facts get reflected in the complaint.

Outcome: The series of activities on different training tools of alternate legal education broke the learner/trainer barrier and simultaneously involved the participants in both the roles.

Session V: '*Jolly LLB*'

The evening work involved watching the movie '*Jolly LLB*', a sarcastic take on the working of the Indian judicial system where the rich manage to circumvent the law by exploiting tardy legal processes. The participants were to then hold discussion on the nature of justice that is being dispensed by courts today and what it takes to realise equality before law in the real sense of the word.

Day - Four

Session I: Review of Previous Day and Evening Work

The reporting group started the day with its presentation about the previous day. The group reflected on the key sessions of yesterday and shared the learnings and skills derived from each session. Other participants too shared their experience and reflected on their progress of the last three days. Participants expressed an increased self-confidence in holding more effective paralegal trainings in their areas by utilizing tools of alternate legal education.

The discussion on evening work centred on the divide between laws as it exist in books and as it is actually practiced by lawyers and courts. Many participants recounted their own experiences to show how access to justice is still a dream to the poor. They also noted newer initiatives that had enhanced access to justice in their areas.

Session II: Mapping my Group on Competence Grid

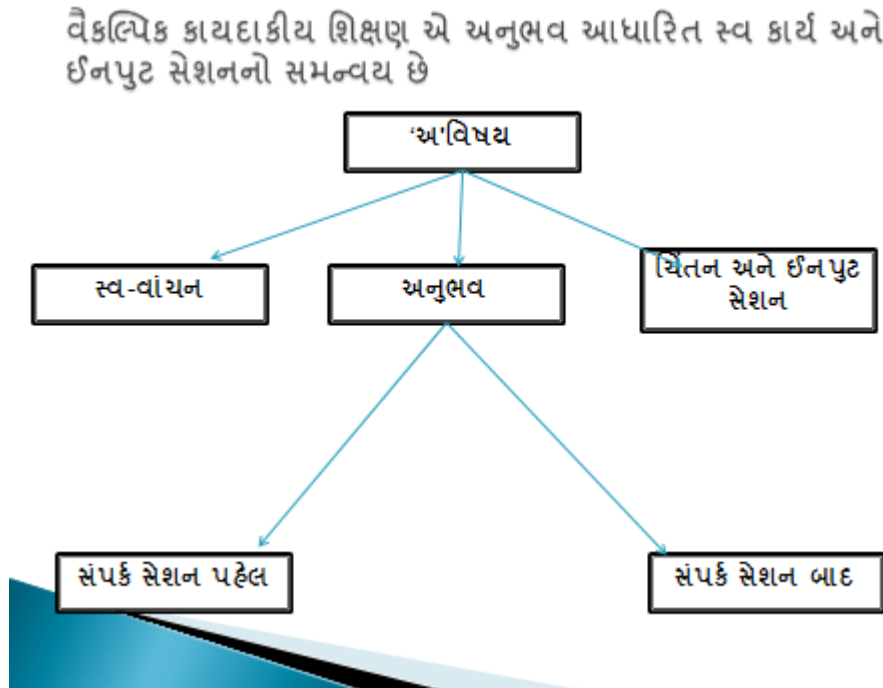
Trainer's Input: The first step towards an effective capacity building plan is to arrive at the competencies that are to be instilled in the trainee paralegals. This shall serve as a curriculum or rather the desired outcome of trainings. For the sake of understanding the relative competencies of paralegal, they may be classified as follows:–

- i. Level 0: has general information on law, is a community leader and helps in organizing meetings and fact-finding.
- ii. Level 1: has the ability to identify violations, refer victims to lawyers.
- iii. Level 2: has the ability to address violations, give first-level support.
- iv. Level 3: has all abilities of a good lawyer except for practising in courts.

Activity: Participants were asked to prepare competence grid for different levels of paralegal that specify the competency, information, skill and value orientations of the trainees and assess their own groups in these abilities.

Paralegal Level	Competency	Information/ Knowledge	Skill	Value Orientation/ Perspective
Level 0				
Level 1				
Level 2				

- iii. Allocating time for each element in the competency grid and incorporating this in the training design
- iv. Deciding the elements to be covered in which event.
- v. Checking if each element in the Competency grid is covered in the training designs
- vi. Event design with the sessions for the assigned number of days.



Activity: Participants were instructed to prepare capacity building plans for their organisation for the next one year based on the aforesaid considerations.

Outcome: Participants were able to consolidate their learnings and take it to the meta level by seeing individual training events as part of an overall capacity building programme of an organisation. Individual capacity building plans were shared before the participants and commented and reviewed upon by other participants and trainers.

Session IV: Conclusion

Trainer thanked everyone for their active engagement over the course of last four days. They asked each participant to reflect on a major change that each participant shall make in his or her organisation based on their learning from this training. For the purpose of seeking feedback participants were asked to respond to the following questions in writing:

- i. What are your key learnings from the training?
- ii. What changes are you going to bring in your organisation?
- iii. On a scale of 0-10 how would you rate this training?
- iv. Any suggestions for the training?