

Strategies for the Better Enforcement of Zanzibar Legal Aid Act No. 13 of 2018 and Provision of the Legal Aid Services in Zanzibar Prisons to Remands and Convicts.

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DOI: <https://dx.doi.org/10.47772/IJRISS.2025.908000477>

Received: 11 August 2025; Accepted: 20 August 2025; Published: 17 September 2025

ABSTRACT

This study explores the strategies for the better provision of Legal Aid services and enforcement of the legal Aid Act to remands and convicts in Zanzibar, Tanzania, using the case study design. The target was legal Aid Providers (Paralegals/ advocates), Staff from Department of Constitution and Legal Aid (LAD), Prisoners and Staff from Zanzibar Correctional Facilities. A total number of 30 participants were recruited, whereby 2 paralegals/advocates with 10 years experiences in law field, 3 staff from Legal Aid and Constitutional Department, 20 prisoners (serving between 5 to 30 years imprisonment) and 5 staff (2 legal officers and 3 staff serving at prisoners admission office) from Zanzibar Institute of Education for Offenders

The study employed such participants by considering their knowledge and experience in the field of the legal aid services, living environment in prison setting and legal Aid perspective in particular. The study employed semi structured interview and focal group discussion. The data was analyzed thematically.

The study found several strategies for better provision of the Legal Aid and enforcement of the legal Aid Act to remands and convicts including Sensitization on the legal Aid Act to prison officials and prisoners, the need to establish cooperation between Prison and Department of Legal Aid, enrollment of more prison staff with legal knowledge and Budget increasing to procure all materials necessary in delivering the legal aid and enhancement of community participation in provision of the legal Aid service in prisons.

The findings of the study concluded that the level of awareness on legal Aid Act is very low, government commitment regarding the recruitment of the sufficient and qualified staff with legal qualification is not yet met, budget constraints, poor cooperation between Prison Authority and legal Aid Department paucity to meet the intention of legal aid provisions as stipulated in Legal Aid Act and lack of community involvement and poorly commitment on executing the statutory roles as enshrined in the laws. To address these issues, the study recommended number of the initiatives that will enhance the enforcement of the Legal Aid Act and effective provisions of the legal aid services in prison settings to convicts and remands.

Flouting these findings and failure to comply with the recommendations made in this study may blight the intention of the legal Aid Act Enactment I Zanzibar for inmates as stipulated under section 34 and 35 of the Act and resulted to violation of the right to legal Aid as one of the key aspect in rule of law. By implementing all stated recommendations, endowment of the legal aid service and enforcement of the Legal Aid Act strengthen of the rule of law and led to service delivery satisfaction from ad hoc benefits into a sustainable, solidify institutional functionality on legal aid services in particular at closed settings.

Keywords: legal Aid, remands, convicts, legal aid providers' prison and legal Aid Department.

INTRODUCTION

Legal aid is assistance provided to individuals who cannot afford legal representation or advice in order for ensuring access to justice for those who might otherwise be excluded due to financial constraints. It can cover costs for legal advice, representation in court or tribunals, and sometimes even family mediation.

Access to justice is integral to the rule of law that enables people to have their voices heard, to exercise their rights, to challenge discrimination or to holding decision-makers accountable (Wenger, 2022).

Legal aid is a key element of access to justice. It is also at the heart of the equality requirement and of the overarching objective of the 2030 Agenda (SGD No. 16.3) the recognition and promotion of rule of law and protection of fundamental rights at international and national levels becomes the priority.

According to Global Pro-bono Survey (2025) legal advice is demonstrably useful at various junctures of a prisoner's sentence, and in general as a unique forms of enfranchisement provided at no cost to those who do not have the means to defend their rights in the criminal justice system whereby the individual (advocate or paralegal) or institution is contacting with inmates to provide legal advice, assisting inmates in preparing legal papers or helping in arranging for representation to ensure that access to the justice system is not barred by a person's financial status., have a fair chance in the legal system. and protecting vulnerable individuals by providing support to those who may be facing complex legal issues, such as those with mental health issues or laymen and promoting the rule of law and finally to contributes to a more just and equitable society. The importance of Legal Aid was stressed by the scholar Lord Denning, M. R who illustrated:

"It is not easy every man who has the ability to defend himself on his own. He may be tongue-tied or nervous, confused or wanting in intelligence. We see it every day, a magistrate says to a man "you can ask any question you like" whereupon the man immediately starts to make a speech, if justice is to be done, he ought to have the help of someone to speak for him."

This justifies the importance of legal aid as a way to ensure equality before the law and justice are done. Without the legal aid, there is every signal against the wall that an ordinary person may fumble with the process and ultimately lose his legal right just for technicalities in the process.

The best example of the importance of legal aid was given by the Supreme Court of India under Hon. Justice Bagwati when he found that the main problem which deprived the poor and disadvantaged of effective to access to justice was the traditional rule of standing (locus standi) which insists that only a person who has suffered a specific legal injury because of actual or threatened violation of his legal rights or legally protected interests can bring an action for judicial redress.

In *Benham vs The United Kingdom*. The applicant had been charged with non-payment of a debt and faced a maximum penalty of three (3) months in prison. The European Court held that this potential sentence was severe enough that the interests of justice demanded that the applicant ought to have benefited from legal aid.

In *Salduz vs. Turkey*, the same Court held that legal aid is crucial for people suspected of serious crimes.

In the matter of *Wilfred Onyango Nganyi & 9 Others vs. United Republic of Tanzania* Application 006/2013. Court was in the opinion that the Respondent was under an obligation to provide them with legal aid or inform the right to legal aid at all stages of the proceedings.

Suarez-Rosero v Ecuador. In this case the court held that the right of the accused to defend himself personally or to be assisted by legal counsel of his own choosing, and to communicate freely and privately with his counsel.

An overview about the legal aid

Globally, legal aid has become as priority to both developed and developing countries. The extent to which early access to legal aid in criminal proceedings is available varies considerably around the world. It is often difficult to establish an accurate picture, because in many countries statistics are not routinely collected and other evidence is limited. The differences may be accounted for by the relative wealth of nations or by the procedural tradition that informs a particular criminal justice system (UNODC, 2014). Numerous instruments were developed to elaborate the concept of the legal aid and its applicability at different levels including:-

United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems (2012) provided under article 21 and 22 of the Convention that made it an obligation for Member States to put in place accessible, effective, sustainable and credible legal aid systems, with specialized services for groups, particularly children and women. Also the States required to ensure that anyone who is detained, arrested, suspected of or charged with a criminal offence punishable by a term of imprisonment or the death penalty is entitled to legal aid at all stages of the criminal justice process (Article 21). Legal aid should also be provided, regardless of the person's means, if the interests of justice so require, for example, given the urgency or complexity of the case or the severity of the potential penalty (UNODC, 2014 under Article 22).

Universal Declaration of the Human rights of 1948 under article 2 and article 7, 9, 16 and 26 of the International Convention for Civil and political rights of 1966.

The Convention on the Elimination of all forms of Discrimination against Women (1979) as an international instrument for achieving equality between men and women in 2015 developed a General Recommendation on Women's Access to Justice which includes guidelines on strengthening access to legal aid services for women.

United Nations Convention on the Rights of the Child (1989) intended to promote the welfare of the children including those in conflict with the law by ensuring all supports by considering their worth and dignity including legal or other appropriate assistance in their cases.

The United Nations Standard Minimum Rules for the Treatment of Prisoners of 1957 which was revised in 2015 (Mandela Rules) provided that prisoners and remand should have access to effective legal aid without payment if they do not have sufficient means to pay and complemented specifically for women to be legally assisted upon their admission in Prison as enshrined and portrayed in Bangkok Rules (2011).

1990 Basic Principles on the Role of Lawyers of 1990 states that: "All persons are entitled to call upon the assistance of a lawyer of their choice to protect and establish their rights and to defend them in all stages of criminal proceedings. The Basic Principles further place responsibility upon the government and the legal profession to ensure that everyone has access to counsel regardless of means or background to protect the right to equality before the law.

Regionally, the African Charter on Human and Peoples Rights (1981) stipulates the right to defense and provides clear regional norms on the provision of legal aid in criminal cases. Similarly, the Principles and Guidelines on the Right to a Fair Trial and Legal Assistance in Africa call upon States to ensure that the accused person or party to a civil case has a right to have legal assistance assigned to him or her in any case where the interests of justice so require, and without payment if he or she does not have sufficient means to pay for it.

The Lilongwe Declaration on Accessing Legal Aid in the Criminal Justice System in Africa of 2004 is insisting that All governments have the primary responsibility to recognize and support basic human rights, including the provision of and access to legal aid for persons in the criminal justice system, encouraged the governments to adopt measures and allocate funding sufficient to ensure an effective and transparent method of delivering legal aid to the poor and vulnerable, ensure that the right to legal aid is fully implemented and allowed at prison and pre-trial detentions.

Experiences from other jurisdictions:

Nigeria, legal aid has existed for persons facing the death penalty since 1978. New Legal Aid Act of 2011 under section 8 (3) provides a room of a service to be known as the Civil Litigation Service for the purpose of assisting indigent persons to access such advice, assistance, and representation in court where the interest of justice demands.

The Ugandan Constitution (1995) in section 28(c) and (d) guarantees the right to legal representation before the court in person at that person's own expense, by a lawyer of his or her choice and for a person sentenced of death or imprisonment for life is entitled to legal representation at the expense of the State.

The 2006 Malawi Constitution provides the State funded legal assistance of all detained persons. Section 42(1) (c) provides that to consult confidentially with a legal practitioner of his or her choice be informed of this right promptly and where the interests of justice require. This means to say that the constitution paves the way to all indigent accused people to access the legal aid at any stage.

The South African Constitution of 1996 guarantees legal representation to all defendants. Section 35(3)(g)(f) provided that every accused person has a right to a fair trial which includes the right to choose, and be represented by a legal practitioner, and to be informed of this right promptly and to have a legal practitioner assigned to the accused person by the state and at state expense.

The study done by Tuna (2013) complemented the weak system of legal aid in Ethiopia by stressing that data collected from the courts, police stations, and prisons and the Office of Public Defenders, are not operating effectively and moreover, the public generally lacks with legal awareness and in turn contributed to a number of indigents accused being tried and convicted without the benefit of legal advice and representation at different stages of proceedings.

Due to historical turmoil and violence that were experienced during civil war, Sierra Leone works strongly to maintain the peace, rule of law and justice, by improving access to justice for the poor that was one of the major causes of the conflict by enjoying the constitutional provisions of article 17(2)(2) of 2022) but the prisons are not reached successfully due to bail condition and duration of serving sentences.

Also, the constitution emphasizes that when a person is arrested or detained shall be informed immediately at the time of his arrest of his right of access to a legal practitioner or any person of his choice, and shall be permitted at his own expense to instruct without delay a legal practitioner of his own choice and to communicate with him confidentially

In United Republic of Tanzania the issue of the legal Aid is guarantee under the article 13 of the constitution of 1977 which state that for the purposes of preserving the right or equality of human beings, human dignity shall be protected in all activities pertaining to criminal investigations and process, and in any other matters for which a person is restrained, or in the execution of a sentence.

The regulatory authority of legal aid in Tanzania Mainland is the Ministry of Constitutional and Legal Affairs through the Registrar for Legal Aid Provision as provided under the Legal Aid Act, No. 1 of 2017. The Act provides the conditions for the provision of legal aid services for indigents and practically any organizations or institutions claiming to provide legal aid services must comply with the Act.

In Tanzania, there is The Mama Samia Legal Aid Campaign, that is expected to cost a total of TZS 52,651,589,000.56 The proposed budget covers training and meetings, building partnership and community mobilization, awareness and public legal education, and coordination, monitoring and evaluation though prison is not priority.

In the case of Ally s/o Shamte and Two Others v. R. Samatta, This case justifies the importance of legal aid, keeping in mind that an ordinary person may mess up with the court process and likely to lose a case for legal technicalities involved in the case.

In the case of William s/o Brydges v. the Queen¹¹ the accused was not informed of the availability of free legal aid. It was held to be enough ground for the Supreme Court of Canada to quash the proceedings.

History, Policy, Institutional and Legal frameworks of the legal Aid in Zanzibar Context.

In Zanzibar the right to Access to justice for the people in custody was provided before the revolution of 1964. Civil Procedure Act of 1917 Order 37 Rule 10 recognizes the right to defendant (poor person) to be presented before court of law by advocate or another person at any stage during the hearing of the case.

The Revolutionary Government of Zanzibar has formulated the Zanzibar Strategy for Growth and Reduction of Poverty III (ZSGRP III), a multi-year strategy that outlines the country's ambitions to develop economically

and socially over the period 2016 - 2020. This strategy recommended that access to justice must be responsive, affordable, accessible and speedy in promoting sustainable economic development in Zanzibar.

Also, the Constitution of 1984 edition of 12th of 2016 (amendments) recognizes the right to access legal aid including to be presented before court of law by a person of his or her choice (section 12(f)).

In 2017 there was a policy developed to ensure the right to access. The rationale of the policy is the fact that the principle of rule of law demands that there should be equality before the law in the sense that every citizen enjoys equal access to justice. It has been explained that access to justice is crucial to ensure the principle of rule of law and the enjoyment of other rights including the right to a fair trial as well as being important safeguard for ensuring fundamental fairness and public trust in the judicial process (Legal Aid Policy, 2017)

One among the key strategic intervention laid down in Zanzibar Development Plan (ZADEP, 2021-2026) is the strengthen of civil and criminal justice system by developing policy and regulatory framework related to criminal justice; improving access to civil and criminal justice system including women's access to justice, improving case management system and. building capacity of legal and paralegal personnel;

The enactment of the children Act in 2011 came with provisions that insisted on the accessibility of the legal aid to children as emanated in Convention for the right of the Children and Beijing Rule of 2011.

Section 37(3) (b) insist on informing the child of his rights, including the right to obtain legal assistance if unable to do so, to be provided by Government with assistance in the preparation of his defense.

And section 43(1) (d) insists on the child's right to a legal representative in the preparation and presentation of his case and throughout the hearing, the child's parent, guardian or family may support the child and take part in the representation of the child, unless the court determines that this is not in the best interests of the child (Children Act, 2011),

Also, Children Court Rules of 2015 insisted on how the legal assisted should be considered in criminal case as:

In Rule 30.-(1) (2) (a) (b) and (3)(4)(5) before a first hearing takes place in criminal proceedings involving a child, the presiding magistrate shall ensure that the child is legally represented.

In 2018 the Criminal Procedure Act No 7 of 2004 was amended and come with the Act No. 7 of 2018 that consider the issue of defending the accused person charged with serious offence and stipulated that such person entitle to have the right for to be defended at the state expenses as:

“Where in any trial involving a capital punishment, the accused is not represented by an advocate, and where it appears to the High Court that the accused has not sufficient means to engage an advocate, the court may assign an advocate for his or her defence at the expense of the State” (CPA, section 199)

The same year, the Legal Aid Act No. 13 was enacted, that law came with the specific provisions that insisted on the facilitation of the legal Aid in Prison and other closed setting in the following provisions as:-

Section 34 provides:

“When a person is charged with the duty of supervising the welfare of the child in the execution of his duties deals with child who comes in to conflict with the law, he shall cause a child to obtain a legal aid immediately”.

Section 35(1) provides:

“The Police Officer, Offender's Education Center or remand home for children shall designate mechanism for facilitating the provision of the legal aid services by legal aid providers to accused person or convicts in custody”.

Section 35(2) states:

The Officer in Charge of the Offender's Education Center, Police Station, Remand Home for children or other place of the lawful custody shall ensure that a person held in custody is informed in a language that a person understand of the availability of the legal aid or being admitted to custody and is asked whether he desires to seek legal aid.

In 2019, the Legal Aid Department established under the section 3 of the Act to coordinate and supervises all legal aid activities implemented by the stakeholders and legal aid providers whereby the same year the legal Aid Regulation was developed to facilitate the provision and coordination of the legal aid activities.

According to section 19(1) of the Legal Aid Act No. 13 of 2018 mentions number of the services such as legal advice, legal assistance, legal representations, legal education and awareness. Section 19(2) mentions the areas that legal aid may be provided including civil matters, criminal matters, matters relating, constitutional matters on fundamental individual rights, social action litigations and any other matters provided in other laws.

In 2022, the guideline for the legal aid in prison was developed by the Zanzibar Ministry of justice and Constitutional Affairs with the aim to assist the remands and convicts in custody to access legal aid. Also, the guideline intended to translate the legal provisions by creating the awareness to higher level official as in-charge of the custody to understand their roles in the provision of the legal Aid in Prison.

In 2023, the guide for legal education in prison was developed with the purpose of enabling the Prison Authority to provide direct legal assistance through special classes of legal education. The guideline gives more understanding on the international standards, declaration and some laws that are relevant to prison context and criminal justice in generally. The guideline illustrated number of the key issues with some examples on how to prepare the legal documents like memorandum of appeal, notices and their requisites (Guideline for Prisoners' Legal Education 2023).

Despite the efforts made in the enactment of the legal Aid legislation and Advocate Act No 1 of 2020, in Zanzibar with increasing Number of the enrolled Advocates by Chief Justice, establishment of the Legal Aid Department and development of the guideline for the legal aid provision in prison still the legal aid service met with some difficult to be accessed.

Also, looking the issue of the lack of representation and other legal services providers have their source sometimes in inadvertent contentment, and sometimes in an entirely unsympathetic attitude on the part of responsible authorities and sometime it is not in their priority. This situation resulted to the curtailment of such right despite being emphasized by the International regional or national laws and other instruments.

In Zanzibar Institute of Education for Offenders Strategic Plan (2022-2026) nothing mentioned in the strategy no in implementation plan of the strategy. The situation is translating the legal aid as myth to prisoners and remands in generally. And this made a call for special strategies for the implementation of the Act and better provision of the legal aid in closed settings in Zanzibar to suspects and convicts.

Research Objective

To evaluate the strategies for the better provision of the legal aid for remands and convicts in Zanzibar.

Research question

What the strategies are for the better provision of the legal Aid Services and better implementations of the Legal Aid Act in Zanzibar Prisons to remand and convicts?

RESEARCH METHODOLOGY

Research Design

This study used a legal aid as single case study which was explored in multiple sources of evidence. Since the study establishes strategies for better provision of legal aid and implementation of the legal aid Act for remands and convict in Zanzibar. The legal aid services to convicts and remand was the case to focus on.

Sampling Procedures and Sample Size.

The study used a purposive sampling to select the study participants based on their knowledge, participation and experiences. A total number of 30 participants were recruited, whereby 2 paralegals/advocates with 10 years experiences in law field, 3 staff from Legal Aid and Constitutional Department, 20 prisoners (serving between 5 to 30 years imprisonment) and 5 staff (2 legal officers and 3 staff serving at prisoners admission office) from Zanzibar Institute of Education for Offenders. The study employed semi structured interview and focal group discussion. The participants diversity did not aim at the generalizability of findings. It provided a comprehensive synthesized and holistic view of the strategies used in legal aid services in Zanzibar. The data obtained was analyzed thematically looking for subjective information of experiences and opinions of the participant of this study using data interview as tool of data collection embodied in the qualitative method of data analysis.

Sample sites.

The study focused on strategies on the provision of the legal aid services and implantation of the Legal Aid. The sample site including prison centre, legal Aid Providers(Paralegal Office) and Legal Aid Department of Zanzibar which will be selected by purposive techniques for the fulfilling the research goals.

Data Collection Methods

The study was conducted in Zanzibar, Tanzania. The study used interviews for data collection. The interview was conducted orally to 2 paralegals/advocates with 10 years experiences in law field, 3 staff from Legal Aid and Constitutional Department, 20 prisoners (serving between 5 to 30 years imprisonment) and 5 staff (2 legal officers and 3 staff serving at prisoners admission office) from Zanzibar Institute of Education for Offenders and all collected information were recorded electronically during the interview, the interviewees were interrogated using Kiswahili language and their responses were taken into English to meet the required goal. The interviewees were involved in the study in order to get their view based on their experience in legal aid and beneficiaries of such services. Data were analysed following a thematic analysis framework and presented using the participant's quotes.

Eethical considerations

The study complied with the ethical issues in conducting research. The issues adhered including obtaining clearance letters from the relevant authorities, Obtaining the consent from the participants, maintaining the confidentiality to all collected information during data collection, analysis and presentation and during the process of data collection, there was transparent to all steps in the manner seem appropriate and all laws and protocols pertain to prison and prisoners are observed.

RESEARCH FINDINGS AND DISCUSSION

Effective strategies for legal aid provision and the better implementation provision of the legal Aid Act in Zanzibar Prisons to remands and Convicts.

The study explored the effective strategies for strengthening the provision of legal aid services to remands and convicts and implementation of the legal aid Act in Zanzibar Prisons. During the analysis, the results were grouped in to sub themes as described below:-

Sensitization on the legal Aid Act to prison officials and prisoners.

This is the first subtheme that emerged from the data analysis in this section on improving the legal aid services. It was reported by the study participants that most of the official including the Prison lawyers did not understand the Aid Act and they did their job as business as usual. This statement was made clear by the Prison Lawyer who said that:

“I don’t understand deeply the Legal Aid Act. I am doing my work daily to draft the legal papers such as notice, memorandum of appeal and provide the legal education to prisoners. I am doing as part of my work but I only know the Act superficially.”

Also, the statement was concurred by the Head of Law and Correctional Department of Zanzibar Institute of Education for Offenders who said that:

“We need special training on the Legal Aid Act because my understanding is only in two provisions thus 34 and 35 that mandate Officer In-charge of the prisons to ensure the facilitation of the legal Aid”. Currently, we are reviewing our Prison Act; I think it is good time to incorporate legal Aid issue in the law and developing the Prison Policy, so as to simplify the situation and strengthening the mandate therein.”

During the interview, it was found that even the inmates did not understand the legal Aid Act and their rights to get the legal aid. 20 inmates were interviewed and only 4 confirmed that they heard about the Act but did not see the Act it. The situation that justified the prison officials and prisoners do not have knowledge of Legal Aid Act in Zanzibar Institute of Education For Offenders need to sensitize on the Legal Aid Act to Prison Officials and Prisoners including those who are waiting for trials.

A study done by the Canada Department of Justice (2022) said that Key informants reported a number of structural/technical obstacles to the provision of legal services related the correctional system naturally restricts communication and the passage of information, There is a lack of information/legal materials for inmates and some individual-level factors that can act as obstacles to provision of legal services to federal prison inmates. These included matters of competency such as language and/or literacy barriers and mental health issues.

Almost a decade since the enactment of the Legal Aid Law, conditions on the ground show that access to justice is still one of the main problems for many people dealing with the law. Legal Aid Clinic guide suggested on the creating awareness to prison staff on legal procedure and awareness to prisoners on knowing their rights. This implied that it is necessary to sensitize the staff and prisoners on the legal aid that clearly stipulates on the need to provide legal aid and responsibility to the Authority on the provision of the quality legal aid, establishment of the legal Aid post.

A guide for Legal Education (2022) insisted on the importance of capacity building to staff to work professionally in order to serve the inmate in accordance to their need in order to comply with the Legal Aid Policy (2017) which requires that legal Aid should be effective accessible and timely.

A study done by Mushi, et al (2021) concluded that employee training and appraisal system have a significant relationship with employee performance employee training and development serves as the tool that not only enhances the competencies required to perform a job, but it also provides the means to assist individuals in feeling more satisfied with the results of their performance in offering legal services.

According to legal Aid Ontario (2019) mentioned the strategies in the improvement of the legal aid including increasing awareness of legal rights and available services, expanding and improving the quality of legal aid delivery, and addressing the specific needs of incarcerated individuals through advocacy and collaboration.

Legal Aid Act of 2018 under section 4(m) provides one among the function of the department of the legal aid to take appropriate measures for promoting legal literacy and legal awareness among the public and, in particular, educate vulnerable groups about the availability of legal aid.

The need to establish cooperation between Prison and Department of Legal Aid

Findings show that cooperation between Prison and Department of Legal Aid is the key component to the improvement of the Legal Aid in Prison settings. This is because may increase the accessibility of legal aid services in prison by ensuring the paralegals and other legal aid provides access the prison since the department is the one issuing the registration to legal aid providers to provide the legal aid and also responsible to coordinate the services in Zanzibar. The lack of cooperation between these two entities results to the poor services available, poor feedback to those legal aid clinics organizes by legal Aid Department in prisons, lack of advocates/paralegals readiness to offer free services in prisons (pro-bono services) despite the big number we have in registry at legal Aid Department and no enforcement mechanism for follow-up to those advocates and other legal aid providers who failed to represent their clients even though were paid. UNODC (2011) mentioned that Governments across the continent have also taken important steps towards achieving more responsive, efficient and effective criminal justice systems. So, there is a need to enjoin Governments to pay more attention to the delivery of legal aid services across the justice system, and particularly in the criminal justice system. Specific areas of focus are the legal, policy and regulatory frameworks, planning and budgets, and special protection for disadvantaged groups.

This finding implies that the need to establish cooperation is unavoidable for better improvement of legal aid in prison. In this regard, the director of Legal Aid Department said:

“One of the key issues we have is the lack of a unclear collaboration with the Prison department. This situation led to the lacking of the proper mechanism for the follow-up of the programs we have in prison especial to the advocates accompanied with us during our visits in prisons. We are normal visiting the prison in during the commemoration of Legal Aid Week. I think there is a need to establish a formal collaboration by having Memorandum of Understanding that will define clearly our scope and area of cooperation vividly. Also, for this moment we are closely working with the Zanzibar Law Society to find the way how advocate may volunteer to offer pro bono services that would be very useful to prisoners. We have 285 d paralegals and 18 organizations registered to deliver the legal Aid in Zanzibar but they only scoped in community despite the guideline specifically developed for legal Aid in closed setting. This situation is very worse.”

(Interview with Director of Legal Aid Department of Zanzibar, July 2025)

On other hand during the interview with Prison Legal office stressed the importance of the legal aid department to work closely with the Prison in strengthening the legal aid services by providing the feedback to the visits done by the department in order to bring back the trust that was breached by the organization offering the legal aid in prison. The officer said that:

“The prisoners do not trust any organization which visits them. I remember in 2023 During the legal Aid Week, we had the visitors who came to do legal clinic with the plan to attends 50 inmates out of 400 hundred, only 20 were listened and no feedback at all. We asked them and replied that wanatafuta hela na sisi wanatupotezea muda tu sisi, tumechoka kufanywa chombo cha kutafutia miradi(they only seek money and waste our time, we are tired of being used as tool to generate the income using their project write up).”

(Interview with Kiinua Miguu Prison legal Officer, July 2025)

This situation results to violation of human rights as justified by Justice Reform Initiative Report (2004) that:

“Accused persons who cannot consult with a lawyer in timely fashion are more vulnerable to serious abuse—torture, coerced confessions, reliance upon legally inadmissible evidence for conviction. Also, the absence of counsel not only engenders rights violations; it also distorts the truth-seeking function, renders less reliable the outcomes of criminal proceedings, and ultimately undermines public trust in the legal system.”

The statement made by the Prison legal officer was concurred by the In-charge of the Prison Female Section who said that:

“We have Zanzibar Female Lawyers Association in Zanzibar which only visits female prisoners during the commemoration of world female day offered some gift life sanitary towels and soap and nothing happens though they promise to help them on their cases”.

(Interview with In-charge of the Prison Female, July 2025)

During the interview with prisoners and remand 18 out 20, they mentioned that they their advocates once paid turn back and nothing happened to them and no disciplinary action taken at all. This is justified as:

“We are tired with our advocates, we paid then huge monies as fees during our first introduction with our advocates, they took our proceedings, we do not have contact with them some never turn back, and some only come during the court sessions and not at prison”.

(Interview with Prisoner, July 2025)

This made a call for strengthening the collaboration between Prison and legal Aid Department as an entity mandated to coordinate legal aid through legal aid providers as stipulates in Legal Aid Act under section 4(i) provides that:

“.....coordinate, monitor and evaluate the functions of legal aid providers and give general directives for the proper implementation of legal aid programs according to the set standards and quality of legal aid services.....”

The legal aid activities need the collaborative efforts and effective coordinating mechanisms. This is crucial for ensuring that inmates have access to legal representation, which is essential for protecting their rights, promoting fair legal processes, and contributing to a more just and effective criminal justice system.

The study done by Samuel(2024) stated some of the crucial barriers to effective service delivery on the part of the inmates in Nigeria's correctional centers include institutional issues like bureaucratic delays, lack of coordination between stakeholders in the justice sector, and lapses in infrastructure, which are to blame for inefficiency.

According to Sein (2025) said that each state legal service authority will have a legal assistance establishment manned by professionals who can connect with prisons within the state and reach out to poor and needy prisoners who require legal assistance. He mentioned on the importance of having an effective coordinating mechanism between the legal services authorizes, court, police, prison and prisoners to eliminate delay in identification of a person in need of legal aid clinics are constituted and make operational in all central, district and sub-jails. So the study concludes that there is a need to have cooperation and collaboration between the legal aid department and prison authority in order to have a proper mechanism for the implementation of mandates given to Prison Officials and for better provision of the legal aid services

The collaboration between the Legal Aid Department with Prison may led to the development of the Standard Operating Procedure on access to legal aid services to prisoners and functioning of the prison legal aid clinics. Such instrument will define clearly the roles, objectives and aims of the Prison Legal Aid Clinics to all stake legal aid actors visiting the prisons for delivering the legal aid services in prison.

Enrollment of more prison staff with legal knowledge

During the interview with the prison officials, It was found that there was inadequate number of the staff with legal knowledge compared to the need and demand of the legal aid in prison settings. In central prison (study site) has 400 prisoners who served legally by one staff with legal knowledge and three staff with low experience in legal issues. Participants narrated that in prison the legal aid services are ineffective because of

the main power they have due to scarcity of the legal professionals and led some other legal drafts done by the prisoners. One of the staff working at prison reception office was quoted saying that:

“I have been working in prison at reception office for more than 15 years. We normally have one lawyer most of the time. Our department recruits one or two out of 100-200 recruited staff with legal knowledge and only one staff is located in prison and even some prisoners are lacking with such staff. Due to lack of staff led some prisoners to request their fellows to draft the documents for them. I think the effective legal aid needs sufficient number of staff. Our technical capacity is not enough to meet serve the number we have in our prison. We recommend our department to recruit more staff with legal Knowledge and even build or capacity in legal sufficiently in order to overcome the challenge rather than security issues in order to comply with International standards that emphasizing on professionalism in correctional activities.”

(Interview with Prison Official at Kiinua Miguu, July 2025)

From the above quotes, it can be said the legal aid are not effective delivered due to the staffing priority not focused to legal professionals rather than security issues. There is no in job training and work is done based on staff individual experience. The staffing should focus on the professionalism that reflects the real needs of the prisoners in correctional facilities. According to European Committee on Crime Problem (2019) developed a recruitment guide that insisting on Staffing levels of prison services and probation agencies that should be sufficient, especially of staff in daily contact with suspects and offenders. Staff should have a professional status and adequate training which allows them to have a sound understanding of their duties and the ethical requirements of their work. This will enable them to fulfill their everyday tasks and the overall purpose of the services they belong to. Staff should function within the context of high professional ethics based on treating suspects and offenders humanely and with respect for their human dignity.

Ricciardelli et, al (2025) said recruitment is key to any thriving correctional service, however, knowledge of the recruitment processes, which also includes onboarding training, is still limited to administrators, instructors, and recruits despite the importance of recruitment for the well-being of prison staff and prisoners. Recruitment determines the composition of the correctional workforce, and the orientations of those entering the field, specifically, their values, morals, ethics, and knowledge base. In this regard, for the better service delivery in the legal aid perspective, recruitment of the people with sophisticated knowledge in that field is very crucial for the betterment of the legal services in prison context and this may result to the effective criminal justice system that considers the need and demand of the incarcerated people.

Budget increasing to procure all materials necessary in delivering the legal aid.

The findings show that having good working environment in prison is one of the strategies to improve the quality and timely and effective legal aid in a just manner in Zanzibar prisons. The study noted that if the budget sufficiently is allocated to procure all needed materials like computers, printers, resource materials likes Journals, books and pieces of legislations and installation of the internet services as a key source of legal materials, the legal aid service delivered will be improved. Currently, it was detected during the study that at Kiinua Miguu, there was only one computer, one printer and with few working paper (white papers for printing) while the prison accommodate more than 400 inmate at a time. The following quote from Prison staff justifies this challenge:

“We are working at very difficult time, in our office we have one computer and one printer, no sufficient papers for printing, when the prisoners want to photocopy their proceeding, and they have to pay outside stationary. Our budget focuses mainly on other key issues like meal and clothing. The budget should be increased; there is a need to invite more stakeholders like UNDP, UNODC, UNICEF to extend their support in prison and even Legal Aid Department. Our Zanzibar strategic Plan of five years does not prioritize legal issues and we miss the plans for legal aids. We have many people who want to appeal but we cannot afford to help them at all in considering the time limit set for their proceedings procedurally under the law of limitations.”

(Interview with Prison Staff, July 2025)

On other hand the prisoners talked about the difficult faced on their case because of the lack of the facilities to use in drafting or preparing their appeal in prison as enunciated that:

“We are tired with this difficulty we are facing. Our cases are time barred due to lack of the facilities in preparing defenses before courts. We depend on written submission because of illiteracy of the prisoners and lack of the legal knowledge we have. Most of the prisoners do not have advocates. There are few reading materials and only few pieces of legislation. Currently, we do not have Drugs legislation of 2024 in prison while most of the prisoners were convicted with the offence of drugs trafficking and possession of illicit drugs, this is very weird.”

(Interview with Prisoner, July 2025)

The best example is referred in the Office of the Legal Aid Commission of Ghana that allocated a total of GH¢15,658,159.89, GH¢20,362,000.00 and GH¢21,402,070.00 for the 2021, 2022 and 2023 fiscal year respectively for legal services including procurement of good and materials. The trends show how the budget is increasing to implement the activities of the commission. This situation is contrary to the Legal Aid department of Zanzibar which to large extends its budget supplemented by the development partners like UNDP, legal Services Facility and other stakeholders to finance the implementations of the legal aid activities as illustrated by the Director of the legal Aid Department as follows:

“We are implementing the legal Aid activities but no Other Charges (OC) since September 2024. We are much depending on the stakeholders to finance our activities. Our budget did not have any portion on prison services. Currently, we have Mama Samia legal Aid campaign in 5 regions for Zanzibar but prisons did not reach because of the budget and time and we expect for the second phase.”

(Interview with Director of Legal Aid Department of Zanzibar, July 2025)

The sustainability of the legal aid depends much on the fund to finance some of the activities like small tips to paralegals, means of transports and working tools which are very essential to conducive working environment. During the interview with the paralegals incited as follows:

“Though we are facing some challenges in our work as paralegals, we appreciate the government commitment to paralegals by contributing the working tools for us to concede our input to the community”.

Global initiatives Article (2025) states that providing grants for legal aid programs are vital for enhancing the capacity and reach of these services. These initiatives often focus on addressing systemic barriers that prevent individuals from accessing justice. By offering financial support, they enable local organizations to expand their services, develop innovative solutions, and implement best practices in legal aid delivery. The importance of these grants cannot be overstated; they serve as a lifeline for many organizations that operate on limited budgets and rely heavily on external funding to sustain their operations.

According to World Prison Brief data states that there are approximately 398,206 persons in prisons across the SADC region, with about 40% in South African prisons. It is, therefore, critical to ensure that prisons have adequate budgets to pay staff, maintain infrastructure, feed inmates, and provide adequate medical, educational, recreational, rehabilitation and reintegration services. The report stated that many are imprisoned even though they ought to have been eligible for diversion or a non-custodial sentence due to the lack of funding to support diversion, legal aid and parole. This should not be a once-off process, and parliaments must be ready to respond to urgent needs.

The Legal Aid South Africa Strategic Plan (2020-2025) observed that in the implementation of the national development plans there should be the budget prioritization framework for making the national decision on the budget priorities using limited resources and also the frameworks will guide allocation of budget towards the achievement of government priorities such as good governance including the issue of legal aid as stipulated National Development Plans such as Zanzibar Development Plan of 2021-2026 and other legal instruments.

PRI (2007) stated that undoubtedly the provision of legal aid can be an expensive undertaking for government. Many countries do not have adequate numbers of lawyers to service the legal needs of the population² and the overwhelming majority of the lawyers are city-based as against the overwhelming majority of the population which is rural-based.

The study found that budget increase and prioritization of the activities using prioritization frameworks may enhance the legal aid service delivery and implementation of the Legal Aid Act in Zanzibar.

Enhancing community participation in provision of the legal Aid service in prisons.

The findings show that having good networking with the legal Aid providers and all key actors in legal aid is one of the strategies to improve the quality, timely and effective legal aid in a just manner in Zanzibar prisons. The study noted that if the prison law is reviewed to allow the pro-bono services from legal aid actors will enhance the legal aid mechanism and sustainability in prisons. Currently, advocates and paralegals are not coming in prisons except those engaged financially by the convicts or remands because of the lack of the networking system under pro-bono scheme. The study is reminding the duty enshrined in Legal Aid Act of Zanzibar for the Officer In-charge of the closed settings including prisons to facilitate on the availability of the legal Aid service to prisoners, so permitting legal aid actors may pave the way for improving the services in prisons as concurred by Sarbini (2016) who further added that:

“we provides an alternative program like paralegal assistance.”

Also, the Supreme Court decision in *Lewis v. Casey*, 518 U.S. 343 (1996), in Arizona, decided that paralegal assistance to inmates was indeed permissible and became the first to use paralegals and legal assistants for inmate assistance. According to Wirya (et al, 2020) stated that paralegals help their clients to obtain alternative sentences besides imprisonment. This marked the importance of the paralegals in prisons settings.

According to Tanzania Mainland Legal Aid Act under section 24 provides that legal aid shall be provided by an advocate, a lawyer or a paralegal on behalf of the legal aid provider. This section earmarks the importance of paralegals and other key legal aid providers. Legal aid institutions, as key stakeholders in executing legal aid activities have specific roles may defer from one institution to another depending on law but the major role in legal aid remain the same (Evastius, 2019).

On other hand, community role and involvement in legal aid provision in closed setting is much stressed in Zanzibar legal Aid Guideline in closed settings (2022) including prisoners by insisting that there should be the collaboration with other non-government institutions to offer legal Aid in closed setting as insisted under section 4(2) of Zanzibar legal Aid Act. The office of Director of the Prosecution Act, No. 7 of 2010, Prison Act No. 1 of 1980, section 20 together with Human Rights Commission Act No. 7 of 2001 collectively insisted on the role of the legal aid provision such as provision of legal education, legal counseling to people in closed setting, make follow-up on the incidents amount to violation of human rights and finally to communicate with prison authority to know the prisoners who are in need of legal aid.

The study found that enhancing community role and participation in provision of the legal Aid service in prisons may strengthen the legal aid service delivery and implementation of the Legal Aid Act in Zanzibar once the prison law is reviewed and incorporate those essential provision to pay the way for the legal aid by directly allowing the individual, organization registered to provide the legal aid services in equitable manner based on the needs and demand of the prisoners and convicts.

Enhancing sustainable legal aid services.

The findings show for the sustainable services in prisons depends on how services are organized by the respective legal aid institution in Zanzibar. The study vividly observed that numbers of the efforts are taken in the legal aid provision in prison settings and Zanzibar in generally, the services are not of high quality and sustainable due to financially and institutional strength compared to its successes made in dealing vulnerable group and Zanzibaris in generally. So, having the programs and highly government commitments are key

strategies for the sustainability of the services. The study found that the staff and institutional capacity at Legal Aid Department as established in 2019 has less than 10 staff serving nearly 1,889,773 residents in Zanzibar, no legal representation at all despite the number of the paralegals (285) and 18 paralegal organization registered. No pro bono services organized by the Legal Aid Department in prisons except those conducted during Legal Aid Week which happens once a year. The Department strictly committed to legal education which provided using legal aid clinics, and few session legal Aid at Department office compared to Sierra Leone Legal Aid Board as established in 2015 has 58 paid by government, 33 funded by external donors and 18 volunteer, successfully presented 18,555 before court of law, 49,282 advised and 45,004 received legal education with a total budget \$1.5 million financed the activities (Community Justice Services – Policy Brief, 2025). The main power and financial commitment of Sierra Leone government justifies on how the legal aid game is succeeded. And this situation ensures the quality, timely and effective legal aid in a just manner. Taking example of Canada under the Legal Aid Ontario on Prison Law Strategy (2019) intends to increase knowledge by helping incarcerated people to become more aware of prison services and their rights, improve and expand legal aid services for incarcerated people and make legal aid accessible within prisons and streamlining the certificate application process, address needs through advocacy, partnerships, outreach and collaboration.

CONCLUSION AND RECOMMENDATION

Conclusion

The findings concluded that the level of awareness on legal Aid Act, government commitment regarding the recruitment of the sufficient and qualified staff with legal qualification is not yet met, budget constraints, poor cooperation between Prison Authority and legal Aid Department paucity to meet the intention of legal aid provisions as stipulated in Legal Aid Act and budget constraints. This situation resulted to poor legal aid provisions in prisons settings. The findings of the study also show that presence of the Prison Policy is one of the key elements that enhance the legal aid services and compliance of the Legal Aid Act. This is noted in the study that due to the absence of Prison policy hinders the efforts for legal aid understandings. So, without a well-coordinated programs and activities of the legal Aid in prisons in effective and satisfactory formulae, the legal Aid to prisoners becomes a myth.

Recommendation

Strengthening awareness to Prison higher level officials on legal Aid Act is essential. Department of the legal Aid should properly coordinate all legal aid activities and support the paralegals activities in prisons. There is a need to develop Prison Policy to address legal aid as policy statement advocated by the Prison Authority, Prison Act should be amended to address the issue of legal aid as one among the legal right enshrined therein as stipulated in International, regional and National Law including the recognition of the paralegal contribution in prison. Government should support Prison Authority financially to curb all challenges facing legal aid provision; the Mama Samia Legal Aid Campaign should be extended to prisons using outreach programs by Legal Aid Department and other relevant stakeholders, prison should affiliate with legal aid providers to pave the way for the pro-bono and legal representation in court and strengthening legal aid desk in prison settings and engaging the public advocates where necessary to assist prisoners in legal issues using case managements forums or visits. All registered advocates via Zanzibar Lawyers Association should arrange sensitization programs within prison to provide legal education, counselling and enhance understanding of different aspects of the legal aid and law in generally.. Formal initiatives of having quarterly visits for legal education to prisoners should be encouraged by the Legal Aid Department. The judiciary using the disciplinary committee for Advocates should take prompt action to all advocates who misuse their license or breach the contract with their clients or case a unreasonably delay to the cases or in way violate the advocate's code of conducts. The legal Aid Act should also be amended to include all people charged with financial crimes as beneficiary of the legal aid services. Additionally it is right time now for the government to establish Public Defense Department to defend the accused on courts and financing all activities of the Legal Aid Department suitably as laid down in Annual work plan.

REFERENCES

1. Advocate Act No. 1 of 2020.
2. African Charter on human and Peoples' Rights, 1981.
3. American Convention on Human Rights, 1997
4. Bangkok Rules, 2011.
5. Basic Principles on the Role of Advocates 1990.
6. Civil Procedure Act of 1917 Order 37 Rule 10
7. Constitution of United Republic of Tanzania, 1977.
8. Constitution of Zanzibar, 1984.
9. Convention for the Rights of the Child, 1989
10. Convention on the Rights of the People with Disabilities, 2007.
11. Children Act No. 6 of 2011.
12. Children's Court Rules (2015). Legal Supplement (Part II) to the Zanzibar Government Gazette Vol. CXXIV No. 6574 of 10th July, 2015
13. Constitution of Republic of Uganda Constitution of 1995.
14. The Judicature (Legal Representation at the Expense of the State) Rules No. 55 of 2022 Rule 2 and 4 (Made Under section 41 of the Judicature Act, Cap.13) Available at: [https://judiciary.go.ug/files/downloads/Judicature%20\(Legal%20Representation%20at%20the%20Expense%20of%20the%20State\)%20Rules,%202022.pdf](https://judiciary.go.ug/files/downloads/Judicature%20(Legal%20Representation%20at%20the%20Expense%20of%20the%20State)%20Rules,%202022.pdf). Accessed on 25th July 2025
15. Constitution of Republic of Malawi of 2006. Available at: https://www.academia.edu/7271611/Constitution_Malawi_EN. Accessed on 25th July 2025
16. Constitution of the Republic of South Africa. Available (Online) at: <https://www.gov.za/documents/constitution/chapter-2-bill-rights>. Accessed on 25th July 2025.
17. Commission on Crime Prevention and Criminal Justice (CCPCJ), adopted resolution 25/2 on 27 May 2016.
18. Convention on Elimination of All Discrimination against Women, 1979.
19. Criminal Procedure Act No, 7 of 2018.
20. Department of Justice (2022). Study of the Legal Services Provided to Penitentiary Inmates by Legal Aid Plans and Clinics in Canada. Available at: https://www.justice.gc.ca/eng/rp-pr/csj-sjc/ccs-ajc/rr03_la10-rr03_aj10/index.html. Accessed on 10th July 2025.
21. Community Justice Services – Policy Brief / Case: Sierra Leone Legal Aid Board(2025) Available at: <https://dashboard.hiil.org/publications/community-justice-services-policy-brief/case-study-sierra-leone-legal-aid-board/>. Accessed on 14th August 2025.
22. European Committee on Crime Problem (2019). Guidelines Regarding Recruitment, Selection, Education, Training And Professional Development Of Prison And Probation Staff p. 2 Available at: <https://rm.coe.int/guidelines-training-staff/1680943aad#:~:text=Entry%20assessment%20procedures&text=Human%20resources%20staff%20should%20screen,oral%20presentation%20and%20interview%20skills>. Accessed on 11th July 2025.
23. Ethiopia Legal and Judicial Assessment Report (2004) published by International Bank for Construction and Development. Washington, United States of America p. 43 Available at: https://constitutionnet.org/sites/default/files/Ethiopia%20Legal%20and%20Judicial%20Sector%20Assessment_0.pdf#:~:text=Public%20Defender%20and%20Legal%20Aid%20Services.%20Indigent,to%20legal%20representation%20at%20the%20state's%20expense.69. Accessed on 25th July 2025.
24. Evastius, M(2019). Basic Principles of the Legal Aid Legislation and their incorporation in The Tanzania Legal Aid Act, 2017. Tanzania Legal Aid Journal, Volume 1, p. 24, 2019.
25. Fajriando, H and Sujatmiko, S (2021). Improving Access to Legal Assistance Services for Prisoners Advances in Social Science, Education and Humanities Research, volume 592
26. Proceedings of the 2nd International Conference on Law and Human Rights 2021 (ICLHR 2021/
27. Federal Democratic Republic of Ethiopia of 1995 Available (online) at: <https://www.ethiopianembassy.be/wp-content/uploads/Constitution-of-the-FDRE.pdf>. Accessed on 25th July 2025.

28. Global Initiative Article (2025) Available at: <https://www2.fundsforngos.org/articles-searching-grants-and-donors/top-10-global-initiatives-providing-grants-for-legal-aid-programs/>. Accessed on 7th July 2025.
29. <http://www.lawcrossing.com/article/972/Behind-Bars-Paralegals-Provide-Valuable-Legal-Assistance-to-Inmates>, by Ursula Furi-Perry
30. Institute of Crime Justice Policy Research (2025). Budgeting transparency for correctional services in SADC: <https://africanlii.org/articles/2025-03-07/SALC/budgeting-transparency-for-correctional-services-in-sadc>.
31. Justice Reform Initiatives (2004). A publication of the Open Society Justice Initiative, February 2004. p. 3. Available at: justiceinitiative.org/uploads/e3a9bc4d-f5ba-4496-89aa-1a32ad9387ef/justice_initiatives_20040225_2.pdf. Accessed on 2th August 2025.
32. Latham and Watkins (2025). A Survey of Pro Bono Practices and Opportunities in 84 Jurisdictions Available at
33. <https://www.lw.com/en/global-pro-bono-survey>. Accessed on 20th July 2025. Legal Clarity Team(2025). what-is-legal-aid-and-how-does-it-work Published Jul 2, 2025. Available at <https://legalclarity.org/what-is-legal-aid-and-how-does-it-work/> Accessed on 20th July 2025.
34. Legal Aid Education Guideline in Prison, 2023.
35. Legal Aid Ontario Prison Law Strategy (2019) at pp. 51-53. Available at: <https://www.legalaid.on.ca/wp-content/uploads/LAO-prison-law-strategy-2019-09-EN.pdf>. Accessed on 15th August 2025.
36. Legal Service Cooperation (2025): What is Legal Aid? Available at: <https://www.lsc.gov/about-lsc/what-legal-aid>. Accessed on 20th July 2025.
37. Legal Aid Board Sierra Leone (2016). Access to Justice Leaving no one behind Campaign, by the A.G of Sierra Leone Presentation by the Executive Director Sierra Leone Legal Aid Board. Available at: www.https:internationallegalAid. Accessed on 9th July 2025.
38. Legal aid Clinic in Prison: A guide book for laws (2025) https://humanrightsinitiative.org/publications/prisons/LAC%20Phamplet6_%2025March%202015%20curved-F.pdf. Accessed on 5th August 2025.
39. Legal Aid Ontario (2025). Prison Law Strategy. Available at: <https://www.legalaid.on.ca/more/corporate/core-client-strategies/prison-law-strategy/#:~:text=Increase%20knowledge%20by%20helping%20incarcerated,the%20number%20of%20re%2Doffenders>. Accessed on 5th August 2025.
40. Legal Aid South Africa Strategic Plan (2020) p. 23. Available at <https://legal-aid.co.za/wp-content/uploads/2022/09/Legal-Aid-SA-Strategic-Plan-2020-2025.pdf>.
41. Lilongwe Declaration on Accessing Legal Aid in the Criminal Justice System in Africa of 2004
42. Medium Term Expenditure Framework (2027) Republic of Ghana, Office of the Legal Aid Commission. Available at: https://mofep.gov.gh/sites/default/files/pbb-estimates/2024/2024-PBB-OLC_.pdf. Accessed on 20th July 2025./
43. Mushi et al (2021). Role of Human Resource Training And Performance Appraisal in Offering Legal Services in Kilimanjaro Courts Tanzania International Journal of Social Science and Humanities Research ISSN 2348-3164 (online) Vol. 9, Issue 3, pp: (358-368), Month: July - September 2021, Available at: <https://www.researchpublish.com/upload/book/paperpdf-1629365801.pdf> p. 360.
44. Legal Aid Ontario's Prison Law Strategy (PLS) Paper / September 2019
45. Nigerian Legal Aid Act No. 2011 Available at: <https://legalaidcouncil.gov.ng/historical-profile-of-the-council/#:~:text=THE%20LEGAL%20EVOLUTION%20OF%20THE,other%20proceedings%20not%20so%20specified.&text=Assault%20occasioning%20actual%20bodily%20harm>. Accessed on 9th July 2025.
46. National legal Aid Service Authority(2022). Hand Book on Legal Services Authorities Act with Regulations & Schemes of NALSA and other Standard Operating Procedures on Access to Legal Aid Services to Prisoners and Functioning of the Prison Legal Aid Clinics, p. 331.
47. Okon, E. E and Ekepeuwah, S. (2024). Legal Aid and Access to justice for inmates in Nigeria: Challenges and Solutions. International Journal of Research innovation in social Science p. 533. Available at:

- https://www.researchgate.net/signup.SignUp.html?_tp=eyJjb250ZXh0Ijp7ImZpcnN0UGFnZSI6InB1YmxpY2F0aW9uIiwicGFnZSI6InB1YmxpY2F0aW9uIn19. Accessed 5th July 2025.
48. Prison Reform Institute (2006). Index of Good Practices in Providing Legal Aid Services in the Criminal Justice System. p.4. Available at: https://cdn.penalreform.org/wp-content/uploads/2013/06/man-2006-index-legal-aid-v2-en_0.pdf. Accessed on 15th July 2025.
 49. Ricciardelli et. al (2025). Correctional Officer Recruitment in Canada's Federal Prison System: An Analysis from the Perspective of the Correctional Officer. A Prison Service Journal Available at <https://www.crimeandjustice.org.uk/sites/default/files/PSJ%20267%2C%20Correctional%20Officer%20Recruitment.pdf>. Accessed on 10th July 2025.
 50. Sarbini, C (2016). Paralegals in Prison: Careers in Corrections. Available at: <https://www.nals.org/blogpost/1359892/263868/Paralegals-in-Prison--Careers-in-Corrections>. Accessed on 14th August 2025.
 51. Sein, Y. H (2025). Executive Summary in the Plan of Action for Prison Legal Aid. Available at: <https://scribd.com>. Accessed on 11th July 2025.
 52. Sood, K and Grayson, B. N Solicitors (2014). What is Justice? Working Papers 11/2014 pg 2. Available at https://howardleague.org/wp-content/uploads/2016/04/HLWP_11_2014.pdf. Accessed on 20th July 2025.
 53. Sustainable Development Goals No. 16.3
 54. Universal Declaration of Human Rights, 1948.
 55. United Nations Principles and Guideline on Access to Legal Aid in Criminal Justice System, 2012.
 56. UPSC (2025). Legal Aid Available at: <https://unacademy.com/content/upsc/study-material/law/legalaid/#:~:text=A%20person%20belonging%20to%20Scheduled,custody%20in%20a%20protective%20home>.
 57. UNODC (2014). Early access to legal aid in criminal justice processes: a handbook for policymakers and practitioners p. 3 Available at: https://www.unodc.org/documents/justice-and-prison-reform/eBook-early_access_to_legal_aid.pdf. Accessed on 10th June 2025.
 58. UNODC (2025). Access to Legal Aid-Decade of Action: Available at <https://www.unodc.org/unodc/en/justice-and-prison-reform/legal-aid.html>. Accessed on 15th July 2025.
 59. UNODC (2025). Principles And Guidelines On Access To Legal Aid: Available: https://www.unodc.org/documents/justice-and-prison-reform/UN_principles_and_guidelines_on_access_to_legal_aid.pdf. United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems. Accessed on 5th July 2025.
 60. UNODC (2016). Global Study on Legal Aid Global Report https://www.unodc.org/documents/justice-and-prison-reform/LegalAid/Global_Study_on_Legal_Aid_-_FINAL.pdf pg 6.
 61. Relevant instruments in the field of justice for children United Nations Rules for the Protection of Juveniles Deprived of their Liberty (The Havana Rules) Adopted by General Assembly resolution 45/113 of 14 December 1990. Available at: http://www.ipjj.org/fileadmin/data/documents/UN_documents/UN_HavanaRulesProtectionJuvenilesDeprivedLiberty_1990_EN.pdf. Accessed on 1st August 2025.
 62. UNODC (2011). Handbook on improving access to legal aid in Africa criminal justice handbook series p.8.
 63. United Nations Rules for the Protection of Juveniles Deprived of their Liberty (The Havana Rules) Adopted By GeneralAssemblyresolution45/113of14 December 1990.
 64. The United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) of 2015.
 65. Tanzania Legal Aid Report (2023). Legal Aid Report. Available at: <https://clp.law.harvard.edu/wp-content/uploads/2023/05/Tanzania-National-Report-ILAG-Conference-2023.pdf> pg 2. Accessed on 7th July 2025.
 66. The Daily News (2025). Samia Legal Aid Campaign implementation soon. Available at: <https://dailynews.co.tz/samia-legal-aid-campaign-implementation-soon>. Accessed on 5th July 2025.
 67. The Office of Director of Public Prosecution Act No 7, 2010.
 68. The Human Right Commission Act No. 7, 2001.
 69. The Offenders Education Act No. 1, 1980.

70. Tura, H. A (2013). Indigent's Right to State Funded Legal Aid in Ethiopia (June 4, 2013). International Human Rights Law Review, Vol 2 (1), (2013), Pp. 120-150, Available at SSRN: <https://ssrn.com/abstract=2274188> or <http://dx.doi.org/10.2139/ssrn.2274188>. Accessed on 5th July 2025.
71. Warya et, al (2020). Expanding the role of paralegals: supporting realization of the right to health for vulnerable communities
72. Research article Published: 30 March 2020, Volume 20, article No. 8 Available at: <https://link.springer.com/article/10.1186/s12914-020-00226-y>. Accessed on 14th August 2025.
73. Wenger, J. M (2022). The role of the prison lawyer in balancing the scales of justice. Available at: <https://iall.org/legal-aid-a-global-component-of-access-to-justice/>. Accessed on 10th July 2025.
74. Zanzibar Legal Aid Baseline Assessment Report 2020 p 10-25.
75. Zanzibar Strategy for Growth and Reduction of Poverty III (MKUZA III), 2016–2020 p. 41. Available at: <https://faolex.fao.org/docs/pdf/tan219788.pdf>. Accessed on 11th July 2025.
76. Zanzibar Development Plan (ZADEP) 2021– 2026 Blue Economy for Inclusive Growth and Sustainable Development Zanzibar planning commission (ZPC) MARCH, 2022 p. 78. Available at <https://tanzaniagoaltrack.nbs.go.tz/content/platform/tanzania/five-year-plan-zanzibar.pdf>. Accessed on 5th July 2025.
77. Zanzibar Legal Aid Policy, 2017.
78. Zanzibar Legal Aid Act No. 13 of 2018
79. Zanzibar Legal Aid Regulations, 2019.
80. Zanzibar Institute of Education Strategic Plans. 2022.
81. Zanzibar legal Aid Guideline for the People in Closed Settings, 2022.
82. Zanzibar Strategy for Growth and Poverty Reduction III of 2016.

Case cited

1. Ally s/o Shamte and Two Others, High Court of Tanzania at Dodoma, (DC) Criminal Appeal No. 11 of 1980 (unreported).
2. Benham vs The United Kingdom Application 19380/92, Judgment of 10 June 1996 (Grand Chamber).
3. Lewis v. Casey, 518 U.S. 343 (1996), in Arizona
4. Saduz v Turkey, Judgment of 27 November 2008 (Grand Chamber) paragraph 54. Application No. 36391102.
5. Petty v. Greyhound Racing Association Ltd [1969] 1 Q.B. 125.
6. Wilfred Onyango Nganyi & 9 Others vs. United Republic of Tanzania Application 006/2013.
7. William s/o Brydges v. the Queen, Supreme Court Case no. 20583 of 1990 and Volume 16 No. 3 Commonwealth Law Bulletin, July, 1990, pg. 789.