Thank you for the opportunity to share the contributions of the Commonwealth of Learning to enhance access to justice.

The Commonwealth of Learning is an intergovernmental organisation established by Heads of Commonwealth Governments when they met for CHOGM in 1987. Our headquarters are in Metro Vancouver, Canada with a regional office in New Delhi. COL’s mandate is to help governments and institutions expand access to quality education, and training through the use of technologies.

COL believes that education is a fundamental human right and opening up access to education for all is a generic way of opening up access to justice.

More specifically, let me share examples of three key COL interventions that empower stakeholders to access justice: these are COL’s legislative drafting programme, the GirlsInspire project and addressing the issue of gender-based violence.

First, the Legislative Drafting programme developed with COL support is designed for the novice as well as the seasoned drafter to learn practical skills in translating government policies into clear and effective laws that can be understood and applied by a variety of stakeholders. Offered by the School of Law at the University of the South Pacific, the postgraduate diploma in legislative drafting is delivered through a combination of distance, online and in person approaches. Learners from across eight countries in the region participate with over 66% of being women.

Edward Eterika, from Fiji who completed the diploma in legislative drafting, reports that within a year of program completion, he was re-writing three legislative acts in his country. As Joycelyn Sikalu, assistant Crown Counsel in the Attorney General’s Office, Kingdom of Tonga, said the programme: ‘...has assisted me in... legal drafting and legal analysis work, allowing me to interpret and analyze the laws differently and in a manner that I never did before.’ Another graduate, Shaheen Ali commented, “As an online student, the programme allowed me to work, spend time with family and complete assignments at my own pace’.

Distance and online learning can open up access to quality legal education at a fraction of the costs of campus provision.

Second, COL is empowering grassroots communities to access justice. Working with partners in ten countries, COL is skilling girls for livelihoods so that child early and forced marriage can be
prevented. Over 110,000 girls have been trained and more than 1,200 child early and forced marriages averted.

Girls receive training in technical skills as well as their social and legal rights. This helps them understand their choices and boosts their confidence for decision-making. This would not be possible without enlisting the support of fathers, brothers and spouses.

Community engagement is a key strategy. Local government officials and key influencers in the community are consulted and members of the family empowered — through self-growth sessions for mothers and advocacy meetings for the community.

Fatima, a 14 year old girl in Mozambique, experienced much abuse from her step mother so when her father received a marriage proposal from his colleague, he readily agreed. The community facilitator sought the support of the community leader to stop this. Initially, the father was reluctant to listen, but ultimately he agreed to put a stop to the marriage. Since then, Fatima has been supported by the GirlsInspire project to return to school.

Empowering communities leads to improved access to justice.

Third, working with the National Council for Women, in The Solomon Islands, COL has developed a Mobile App to improve access to and awareness of Social Safety Nets in consultation with communities and the police. The App provides information regarding various services related to education, health and violence.

COL built the capacity of 5000 rural women in legal literacy using basic mobile phones. Topics included property rights, domestic violence and divorce. The state High Court authorized the establishment of a Legal Conciliation Centre, where women could seek online advice and guidance.

Social capital helped marginalized women to reinforce their rights.

In conclusion, we know that well written laws are important, but COL’s experience shows that capacity building and legal literacy by themselves are not enough. Social capital and networking are crucial for accessing legal and judicial institutions. Support from peers is particularly helpful in translating skills and knowledge into concrete action.