

# Case Management Training Manual for Paralegals

**(Working for the rights of Women with Disabilities)**

**Blind Women Association, Nepal (BWAN)**

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## Contents

List of Abbreviations:.....	3
<b>Foreword:</b> .....	4
1. Introduction.....	5
2. Background.....	6
3. Users of this manual .....	6
4. Objectives of this manual.....	6
5. Structure of this manual: .....	7
Day One: .....	9
Session: Registration, Opening, Pre-evaluation, Introduction and expectation collection: .....	9
Module I: Disability Rights .....	11
Session1:InternationalLaws and Policies .....	12
Session 2: The Rights of Person with Disabilities .....	17
Session 3: Laws related to disability rights: .....	20
Module II: Gender Concept and Gender Based Violence .....	22
Day Two .....	23
Session 1:The concept of Gender and GBV in Nepal focusing on Women with Disabilities.....	23
Session2:Support Mechanism for GBV in Nepal: .....	28
Session3: The guideline principles and cycle of GBV management: .....	30
Module III. The Concept of Paralegal; Necessary Skills for Case Management.....	31
Session 1: The concept of Paralegals and Necessary Skills.....	32
Day Three:.....	36
Session 2: Mediation Skills.....	36
Session3: Case Story .....	38
Session 4: Record Keeping, Reporting, Case Documentation and Case Monitoring:.....	39
Posttest evaluation.....	40
Closing session: .....	41
<b>Annex I:PARALEGAL TRAINER</b> .....	42
<b>Annex II: List of References</b> .....	43

## List of Abbreviations:

ARPD	Act relating to the Rights of Persons with Disabilities
BWAN	Blind Women Association, Nepal
BVI	Blind and Visually Impaired
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
CBR	Community Based Rehabilitation
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CPED	Convention for the Protection of All Persons from Enforced Disappearance
CRC	Convention on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
GBV	Gender Based Violence
HR	Human Rights
ICCPR	International Covenant on Civil and Political Rights
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICMW	International Convention on the Protection of the Rights of all Migrant Workers and Members of Their Families
NGO	Non-government Organization
PWDs	Persons with Disabilities
SDGs	Sustainable development goals
UDHR	Universal Declaration of Human Rights

## **Foreword:**

Nepal has a short history of investment in the sector of education, health, employment, and social security targeting persons with disabilities. It was only in the 2011 census that we got disaggregated data on persons with disabilities which has shown that 1.94% of people have disabilities and among them, half are women. Women with disabilities are far behind to enjoy the rights compare to nondisabled counterpart. The various case stories and the research evidences have shown that the situation of women with profound and severe disabilities including blind women and women with intellectual disabilities are more vulnerable than others. Moreover, Women with disabilities have not been able to enjoy their property rights including the right to inherit parental property. Furthermore, these girls and women do not have access to information on the rights and services entitled to them. They are also facing problems in many issues, such as, marriage registration, birth registration of their child, and getting citizenship. The government and non-governmental organizations need to effectively work to address these intersectional issues for ensuring the rights of women with disabilities.

Blind Women Association Nepal, therefore, has formed paralegal committees at the local level to eliminate different forms of violence, gender inequality, and discrimination and to sensitize girls and women with disabilities on their constitutional and legal rights. Therefore, BWAN has felt necessary to develop this training manual for the capacity development of those paralegals to make their roles more effective and efficient. I am hopeful that the manual will be a good tool for the capacity development of human rights defenders who have been working in the promotion of access to justice.

I would like to extend my sincere gratitude to Open Society Foundation (OSF) for providing financial support for the development and publication of this manual. I also would like to thank Alliance for Social Dialogue (ASD) and its representative Ms. Nitu Pokharel for providing valuable support for the development of this manual. Moreover, I would like to express sincere thanks to Mr. Maheshwar Ghimire, development and disability rights expert, for his support in editing and finalizing the manual. Experts working in women and disability rights organizations who participated in the expert meetings and provided critical feedback for finalization of the manual are also the persons to be acknowledged. Similarly, I also would like to thank Ms. Neera Adhikari, the founder-president of the organization for providing valuable feedback to organize and develop this manual. Moreover, I also would like to acknowledge the contribution of Ms. Laxmi Nepal, the Program Officer and Ms. Anita Koirala, the Legal Aid Lawyer of the organization for assisting and playing a significant role in the development of the manual. I believe that the manual will play a crucial role and be a milestone in promoting access to justice of women with disabilities and will be good source material for skill and capacity development of paralegals and defenders working in the disability and human rights sector.

## **1. Introduction**

Blind Women Association-Nepal (BWAN) is a non-political and nonprofit social organization led by blind and visually impaired (BVI) women. Working as a self-help group, the organization aims to engage in holistic development and empowerment of women with disabilities in general and BVI girls and women in particular, by creating equal access to justice, education, employment, and social activities that would eventually lead to their fuller inclusion in all spectrums of social, economic, and political development. The organization has been engaged as a strong wing of Nepal Association of the Blind (NAB) since 1998 and registered officially in 2011 intending to protect and promote the rights and interests of women with disabilities. The organization is determined to minimize and eradicate all the possible mental and physical harassment/ mistreatment and violence against all girls/women with disabilities across the country.

Blind Women Association-Nepal envisages educated, safe, and economically reliant women with disabilities who are living dignified lives with political participation in their communities. Its mission is to empower women with disabilities in Nepal by creating equitable environments in economic opportunity, education, and health through political, social, and cultural participation. With the motto of fostering rights of the grassroots Women with disabilities, The organization has formed district level woman's committees in 14 districts and is in the process of forming provincial level committees. Capacity building of Women with disabilities, promotion of Access to Justice, legal literacy training for grassroots Women with disabilities, and education support for girls/women of the remote part of the country are major components of the BWAN's activities.

Enhancement of access to justice is one of the major programs of BWAN. We have been providing financial, legal and moral support to Women with disabilities to get justice from the court along with other relevant agencies. Further, we have been working collaboratively to modify and improve the existing discriminatory policies, laws, and legislation. BWAN also provides Capacity Building Training on various aspects for improvement of life and professional skills to Women with disabilities I.E organizational development training, leadership training, gender facilitation training which boosts their abilities to make personal decisions and enables them to speak for their rights.

Support in the Education of blind girls and young women is it's another important component. For this, our association provides educational assistive equipment to school and college girls with disabilities and provides scholarships to marginalized BVI girls and young women. Similarly, BWAN has established an endowment fund under the name of late Kamala Shrestha, the first president of this group with the contribution of a large number of individual donors. With this fund, BWAN has been able to provide monthly scholarships to the marginalized female students. Furthermore, our association does collaboration and coordination to provide additional scholarships to blind girls in need of support, especially for their higher education.

## **2. Background**

Since the establishment of this association, BWAN has been extending services and raising voice to ensure the rights of women with disabilities following national and international policies. After the partnership with The Open Society Foundation (OSF), BWAN has been working for promoting Access to Justice of women with disabilities for combatting against discrimination, torture, and violence. We have been working for ensuring property rights, reproductive rights, and employment rights to advance gender equality within disability and across other sections of the society. To achieve this, we have been working collaboratively to improve the existing discriminatory policies, legislations, and the overall justice mechanism. We provide paralegal service and legal assistance to women with disabilities who are victims of violence, especially at the grassroots level. For this, this organization has already formed paralegal committees in Gulmi and Rupandehi districts of Province 5 and plans to expand the paralegal support to other provinces to enhance access to justice of girls and women with disabilities in the community level. Moreover, BWAN is also working to build up the capabilities of girls and women with disabilities for strengthening self-help movements.

This case management training manual has been developed by the association to train paralegals on skills required, existing laws, and policies aiming to make them familiar with human rights alongside women and disability rights. The manual has been prepared under the project "Empowering Visually impaired women and strengthening the Case management for evidence-based advocacy justice" supported by OSF. In specific, BWAN has developed this manual aiming to build the capability of Women with disabilities particularly to train its' existing paralegals in the project districts. The manual will be used by the organization during and beyond the project timeline for training the paralegals and women rights defenders who are working in disability rights especially for the rights of Women with Disabilities. Therefore, the manual aims to train its paralegals on various aspects of paralegal service, human rights, gender-based violence, and support mechanism to enhance access to justice for girls and women with disabilities. The manual will be made available publicly in hard copy as well as an accessible soft copy format.

## **3. Users of this manual**

This manual is for paralegals working in the disability rights, especially for the rights of women with disabilities in a wider coverage. In specific, BWAN develop this manual to use particularly to train its' own paralegal batches to roll out in the project districts and Palikas(municipals) to work with target group/members.

## **4. Objectives of this manual**

This manual will:

- Thoroughly guide trainers to conduct three days training sessions for the paralegals.

- Help to deliver disability rights, legal rights regarding persons with disabilities and women with disabilities in an organized way.
- Help to develop practical skills required to perform paralegals' job.

### 5. Structure of this manual:

First part of the training has formal sessions (Formal beginning of training including registration, opening, pre-evaluation, introduction and expectation collection). Thereafter, training manual has been divided into three main modules;

- I. Disability Rights (its interrelationship with international human rights instruments and national laws and policies)
- II. Gender concept, Gender Based Violence (GBV) against women with disabilities and supportive mechanism
- III. The Concept of Paralegal; necessary skills for case management

**Tabular presentation of the modules are as follows:**

Day	Module	Session	Topics to be covered
Day One	<b>Module I: Disability Rights</b>	Session 1: International laws and policies (Human Rights Instruments focusing on CIDAW, CRPD and SDGs	<ul style="list-style-type: none"> <li>• The concept and history of 'Human Rights' and Universal Declaration of Human Rights (UDHR)</li> <li>• United Nation's Convention on the rights of Persons with Disabilities (UNCRPD): in specific to rights of women with disabilities</li> <li>• Convention on the elimination of all forms of discrimination against women (CEDAW)</li> <li>• SDGs in relation to rights of women with disabilities</li> </ul>
		Session 2: The constitutional rights of persons with disabilities and the Act relating to the rights of persons with disabilities:	<ul style="list-style-type: none"> <li>• The constitutional rights of persons with disabilities</li> <li>• Constitutional rights of women with disabilities in specific</li> <li>• Concept on fundamental rights stated under the Nepal's Constitution</li> <li>• The Act Relating to the Rights of Persons with Disabilities, 2017 and its provisions.</li> </ul>
		Session 3: Laws related to disability rights:	<ul style="list-style-type: none"> <li>• Disability (Rights) related Provisions in other Laws</li> <li>• Civil code</li> <li>• Criminal code</li> <li>• Education act and Education Policy</li> <li>• Disability Specific National Guidelines</li> </ul>

Day	Module	Session	Topics to be covered
	<b>Module II: Gender concept and Gender based violence(GVB)</b>	Session-1 The concept of Gender and GBV in Nepal focusing on women with disabilities	<ul style="list-style-type: none"> <li>• Gender and Gender role</li> <li>• Situation of GBV focusing on women with disabilities in Nepal</li> <li>• current status of GBV in Nepal</li> <li>• GBV types</li> <li>• Sexual and Reproductive Health Rights (SRHR) in the context of women with disabilities</li> <li>• Story telling for evidence based advocacy</li> </ul>
<b>Day Two</b>		Session-2 Support mechanism for GBV in Nepal:	<ul style="list-style-type: none"> <li>• Mapping institutional mechanisms for addressing GBV</li> <li>• Mapping local mechanism for addressing GBV</li> <li>• GBV mechanisms in context of Women with disabilities</li> </ul>
		Session-3: The guideline principles and cycle of GBV management:	<ul style="list-style-type: none"> <li>• Principle of GBV management</li> <li>• Cycle of GBV management</li> <li>• Case evidence</li> </ul>
	<b>Module III. The Concept of paralegal; necessary skills for case management</b>	Session 1: The concept of paralegals and necessary skills	<ul style="list-style-type: none"> <li>• Concept of paralegals; their roles and responsibilities</li> <li>• Communication skills for paralegals</li> <li>• Importance of effective communication</li> <li>• Interviewing skills</li> </ul>
<b>Day Three</b>		Session 2: Mediation skills	<ul style="list-style-type: none"> <li>• Introduction to mediation and its phases</li> <li>• Cases to mediate or not to mediate</li> <li>• Essential skills for mediation</li> </ul>
		Session 3: Case story analysis	<ul style="list-style-type: none"> <li>• Case story presentation and analysis</li> </ul>
		Session 4: Record keeping, reporting, case documentation and case monitoring:	<ul style="list-style-type: none"> <li>• Preparing case report</li> <li>• Case documentation</li> <li>• Monitoring and follow up with the cases</li> </ul>

## Day One:

### Session: Registration, Opening, Pre-evaluation, Introduction and expectation collection:

Time allocation: 90 minutes

#### Session Objectives:

1. To inform the participants about training objectives
2. To familiarize participants with each other.
3. To make an understanding of the profile and background of participants.
4. To know the training expectation of the participants.
5. To know the understanding level of participants in the contents to be covered in the training

**Methodology:** Peer group and Brainstorming.

#### Activity 1: Registration

Step 1: The registration sheets shall be prepared prior conducting the registration. Refer Annex I for the format.

Step 2: The responsible staff or volunteer will assist in filling out the registration form by the participants, facilitators, volunteers and relevant staffs.

#### Activity 2: Opening session

Step1: The organizer will conduct brief opening. For this, president/program staff will deliver the welcome speech highlighting to the program objectives.

#### Activity 3: Introduction of the participants

Step 1: Follow the word matching along with peer introduction as described below:

#### Word Matching:

- a. Make few pairs of word cutting and fold it.
- b. Ask participants to pick one each or hand it to them
- c. Ask them to match other part of the word with friends.
- d. Ask the participants to share their brief story and intro within 2 to 4 minutes as a pair.

e.g. Human Rights, CRPD, Rights of women with disabilities, violence against women, discrimination, reasonable accommodation, accessibility, name of renown women leader/s.... So on).

#### Note to facilitator:

Please make sure that;

- Cards or pieces of paper are disability sensitive such as if you are running training in a

mixed group make them with Braille dots.

- Ensure to include topic related words, jargon or sentences
- Ensure participants are comfortable enough to have this model of introduction before you start
- Note all the word /sentences have meaning for later discussion; provide introduction and brief explanation of the words from your side at the end of this activity.

#### **Activity 4: Expectation collection**

Step1. The participants are provided with Meta Card and 3 minutes time to write what they expect from the training.

Step2. Their expectations are posted on the wall.

Step3. Arrange the discussion for the clarification on which topics/expectations are in range to be addressed during the sessions.

#### **Activity 5: Pretest**

Step 1: The pretest (pre-evaluation) form needs to be prepared based on the major topics to be delivered within the training session.

Step2: The pre-posttest comprises close-ended questions with multiple choice answers. Refer Annex II for the pre-test questionnaire guideline).

Step 3: The pre-test can be conducted filling up the printed questionnaire. For the visually impaired participants, for their independent expression, the questions can be prepared in computer where the questions are played back in audio by the computer and the BVI participants can mark or write the answer in braille. If conducting this is difficult due to local circumstance, for the visually impaired participants, printed questionnaire can be filled with the help of sighted volunteers.

#### **Note to facilitator:**

- Ensure participants understand all questions
- Allow appropriate choice of means to individuals to answer.
- Make sure participants are comfortable enough to mark or write answers
- The pre-test form need to be collected and entered in the excel sheet.

## Module I: Disability Rights

<b>Subject Area</b>	<b>Learning Objectives</b>
<p>Disability Rights (This module will cover the overarching Disability Rights term explaining its interrelationship with international human rights instruments and national laws and policies.)</p>	<p>By the end of the delivery of this subject area, participants will be able to explain disability rights, and its interrelationship with international human rights instruments and national laws, and policies:</p> <ul style="list-style-type: none"><li>- To make participant understand disability rights</li><li>- To enhance the knowledge of participants on national and international instruments of human rights;</li><li>- To highlight the interrelation of these laws and policies to promote the rights of women with disabilities;</li><li>- To inform participants about the rights of women with disabilities to enhance their access to justice.</li></ul>

## **Session1:InternationalLaws and Policies**

(Human Rights Instruments focusing on CIDAW, CRPD and SDGs)

Time allocation:140 minutes (Including break).

### **Session Objectives:**

1. To build knowledge among participants regarding human rights and existing human rights documents
2. To build knowledge of participants on rights to women with disabilities mentioned in CRPD and CEDAW
3. To make participants aware of SDGs and rights of women with disabilities under it

### **Suggested methods for this session;**

Method 1. Brainstorming,

Method 2. Lecture,

Method 3. Group work.

Method 4. Daisy audio presentation

Method 5. Quiz

#### **1.1. The history of ‘Human Rights and Universal Declaration of Human Rights (UDHR):**

The facilitator provides brief explanation on historical development of the concept of human rights (HR) and adoption of UDHR.

Activity1: Understanding of human rights (Brain storming)

Step 1. Ask participants to write a sentence describing human rights,

Step 2. Ask them to share the points they prepared next to the friend and make new sentence.

Step 3. Ask them to write down the final point in the meta card in ink or Braille.

Step 4. Post these points in the white board or charts in the wall.

Step 5. Read points and make comment on those points.

### **Key points on the Universal Declaration of Human Rights (UDHR)<sup>1</sup>**

The UDHR contains 30 articles, and covers the most fundamental rights and freedom of people (collectively and individually) everywhere in the world. The articles can be divided into 6 groups.

<sup>1</sup><https://www.un.org/en/universal-declaration-human-rights/>

- **Articles 1 and 2 are the foundation blocks** on which the UDHR is built. They reaffirm human dignity, equality and brotherhood.
- **Articles 3-11 are the house's first column.** They are the **rights of the individual**: the right to life, outlawing of slavery or torture, equality before the law, the right to a fair trial etc.
- **Articles 12-17 are the second column.** These are the **rights of individuals within civil and political society.** They include freedom of movement, the right to a nationality, the right to marry and found a family, as well as the right to own property.
- **Articles 18-21 are column number three.** They are the **spiritual and religious rights** of individuals, such as freedom of thought and conscience (i.e. religion), the right to opinion, the right to peaceful assembly and association, and the right to vote and take part in government.
- **Articles 22-27 are the final column** to the UDHR house. They are the **social, economic and cultural rights of the individual.** They include the right to work, the right to rest and leisure, the right to a decent standard of living, and the right to education.
- **The final three articles, 28-30, are the pediment** that binds these four columns together. They remind us that **rights come with obligations, and that none of the rights mentioned in the UDHR can be used to violate the spirit of the United Nations.**

**Note that there is “twin-track approach” for advancing the rights of women with disabilities. Track one involves using the UNCRPD; track two involves using other United Nations human rights instruments such as CEDAW, CRC which also protect and promote the rights of women/children with disabilities.**

## **1.2. United Nation's Convention on the rights of Persons with Disabilities (UNCRPD):**

Explain in detail about UNCRPD. Describe the convention briefly emphasizing the following articles:

Article 5: Equality and non-discrimination,

Article 6: Women with disabilities,

Article 7: Children with disabilities,

Article 12: Equal recognition before the law,

Article 13: Access to justice,

Article 16: Freedom from exploitation, violence and abuse and

Article 23: Respect for home and the family.

Also provide brief explanation on other articles as well.

### **Activity 2: Familiarizing with CRPD articles**

Step 1. Prepare the above mentioned articles in the daisy format before the training.

Step 2. Play the DAISY record to draw the attention of participants.

Step 3. Ask the participants individually the explanation specifying those articles.

Step 4. Elaborate the articles with examples and its importance to safeguard the rights of women with disabilities.

### **Activity 3: quiz context.**

Step 1. Divide the participants into groups for quiz regarding the convention.

Step 2. Ask the questions and provide marking as per the correct answer.

Step 3. Declare the winner and encourage them by providing small reward.

#### **General Principles of UNCRPD<sup>2</sup> ....,**

- a. Respect for inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of persons;
- b. Non-discrimination;
- c. Full and effective participation and inclusion in society;
- d. Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity;
- e. Equality of opportunity;
- f. Accessibility;
- g. Equality between men and women;
- h. Respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities.

#### **Uniqueness of CRPD<sup>3</sup>:**

- 'Nothing about us, without us' - a forceful call from persons with disabilities around the world to have their human rights respected, protected and fulfilled on an equal basis with others

<sup>2</sup><https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html>

<sup>3</sup>The UN CRPD: key features; The European Disability Forum

- A policy instrument which is cross-disability and cross-sectorial: includes all persons with disabilities, including persons with intellectual and psychosocial disabilities, and all areas of life
- Legally binding, both for public authorities and private entities
- The Convention marks a 'paradigm shift' in attitudes and approaches to persons with disabilities.
- Persons with disabilities are not viewed as "objects" of charity, medical treatment and social protection
- Rather as "subjects" with rights, who are capable of claiming those rights and making decisions for their lives based on their free and informed consent as well as being active members of society
- The Convention gives universal recognition to the dignity of persons with disabilities
- The concept of Reasonable Accommodation is established by the international treaty for the first time
- Emphasis on universal design

### **1.3. Convention on the Elimination of all forms of Discrimination Against Women (CEDAW)**

Provide the brief introduction of this convention to the participants focusing on Principle of substantive equality and article 4 on special temporary measures. Similarly, provide the knowledge to the participants on why this convention was adopted by UN, its history and the context relating to our country.

#### **Activity 4: Familiarizing Participants with CEDAW**

Step 1. Ask the participants to write the principle of CEDAW in the piece of paper.

Step 2. Tell the participants to share the points.

Step 3. Describe the CEDAW principles in brief.

#### **CEDAW Principles**

- Substantive Equality
- The principle of non-discrimination
- State obligation

### **1.4. Sustainable Development Goals and the Rights of women with disabilities**

Provide knowledge to the participants on SDGs. Explain with special attention to the goals, targets and indicators on disability.

#### **Activity5: SDGs in relation to rights of women with disabilities**

- Step 1. Divide the participants into six groups and distribute copy of Goals 1, 4, 5, 8, 11 and 16.

- Step 2. Provide 5 minutes to brainstorm the barriers challenges/issues for women with disabilities.
- Step 3. Give space to present their work in the plenary.

**SDGs**

**Goal 1.** End poverty in all its forms everywhere

**Goal 4.** Ensure inclusive and equitable quality education and promote lifelong learning opportunities

**Goal 5.** Gender Equality

**Goal 8.** Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all

**Goal 11.** Make cities and human settlements inclusive, safe, resilient and sustainable

**Goal 16.** Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels

## Session 2: The Rights of Person with Disabilities

(constitutional rights and the Act relating to the rights of persons with disabilities)

Time Allocation- 90 minutes

### Session Objectives:

1. To familiarize the participants about the Constitutional rights of persons with disabilities.
2. To make the participants aware of specific rights and constitutional provisions related to women with disabilities.
3. To provide basic knowledge about Act relating to the Rights of Persons with Disabilities to the paralegals.

Methods to be applied:

Method 1. Group work,

Method 2. Plenary interaction.

Method 3. Presentation/lecture method.

Method 4. Ticket or lottery method.

### 1.1. The constitutional rights of persons with disabilities:

Explain provisions stated under Nepal's Constitution and introduce briefly on the fundamental rights focusing on disability rights. Also explain the other section of constitution which promotes the disability rights.

#### Activity 1: Familiarizing on Constitutional rights of women with disabilities

Step 1. Make the list of statements regarding the rights of persons with disabilities .Read aloud and ask the participants to say yes by clapping the hands and no for not agreed statement.

Step 2. Allow some participants to share their reflection.

Step 3. Share your points.

#### Activity 2: Concept on fundamental rights stated under Nepal's Constitution

Step 1. Make at least 2 groups among the participants.

Step 2. Ask them to list out the fundamental rights of persons with disabilities and other general rights mentioned in the constitution.

Step 3. Allow to present the group work in the plenary and ask comments from the plenary.

### **Key features of The Constitution of Nepal (Disability Perspective)**

- a. Participatory
- b. Democratic
- c. Inclusive
- d. Nondiscriminatory
- e. Positive discrimination (ensuring equity)
- f. Federalism with three tier of government
- g. Ensured rights to Socially vulnerable group of population
- h. Social security
- i. Access to Justice for all
- j. Free and compulsory basic education for all
- k. Basic and universal health for all

### **1.2. The Act Relating to the Rights of Persons with Disabilities, 2074**

Explain about the Act relating to the rights of persons with disabilities(ARPD). Describe about ARPD and its various sections giving attention to section 7-20 which focus on rights of person with disabilities and women with disabilities.

Give emphasis to the explanation of following articles which are of most significance for the rights of girls and women with disabilities.

#### **Chapter3: Rights of Persons with Disabilities**

Article 7: Entitlement to enjoy rights under the prevailing law

Article8: Right against discrimination

Article9: Right to community life

Article10: Right of protection

Article15: Right of access to services, facilities and justice

Article16: Right to social security

Article18: Right to movement

Chapter 4: additional rights:

Article19: Rights of Women with Disabilities

Article 20: Rights of Children with disabilities.

#### **Chapter7:**

Article36. Not to keep in prison: Any person with mental or psycho-social disability shall not be held in prison in the name of treatment or protection. Nothing shall bar the keeping in prison of any person with disability who is undergoing action or has been sentenced for any criminal offence, in accordance with the prevailing law.

Article51. Application may be made for the enforcement of rights: Can make an application to the Chief District Officer of the concerned district.

#### **Key features of ARPD 2074**

- A. Rights based Act
- B. Coherence with UNCRPD

- C. Comprehensive of all disability issues
- D. Wider definition of disability compared to previous one
- E. Anti-discriminatory policy

### **Activity 3: Provision on disability identity card**

Step 1. Make the list of provisions related to the rights of specific to the disability card in different colors of paper.

Step 2. Divide the participants into 4 different groups and ask them to pick a lottery.

Step 3. Allow the group to discuss about the provisions of specific card.

Step 4. Let the group spokesperson from each group present their discussion points.

Step 5. Add or comment from the side of facilitator.

#### **Key features, Process and types of Disability ID card:**

- a. Latest Disability identity card is proof of identity, now issuing from all local government of Nepal.
- b. Application to the ward of one's permanent resident
- c. Ward office issue a recommendation paper to Municipal office
- d. There are four types of card; Red Colored – to profound disability, Blue colored - severe disability, Yellow Colored- moderate disability, White Colored – mild disability.

### **Session 3: Laws related to disability rights:**

Time allocation: 120 minutes

#### **Session Objectives:**

1. To familiarize the participants about the legal rights of persons with disabilities based on civil code and criminal code.
2. To provide necessary information to the participants based on other related policies, guidelines and disability related provisions in different laws.
3. To make the participants aware of the education policies and laws
4. To make the participants aware of specific rights and legal provisions related to women in general and women with disabilities in particular.

## **II. Disability (Rights) related Provisions in other Laws**

In this session, provide the knowledge to participants on existing laws and policies including civil code, criminal code, and its procedures, education act, inclusive education policy, civil servant act, guidelines on disability audit and guideline on physical accessibility. It will help the participants to enhance their knowledge on national provisions which will be crucial to strengthen advocacy.

### **3.1. Civil code:**

Describe the civil code in brief. Focus on the section of marriage, vital registration and any special provisions relating to disability.

#### **Activity 1: Familiarizing on civil code**

Step 1. Ask the participants to brainstorm on provisions for disabilities in civil code and tell them to write down on Meta card.

Step 2. Post those Meta cards on the wall.

Step 3. Read the whole points and make discussion on it.

### **3.2. Criminal code**

Interact with the participants about criminal code and its importance to promote the rights of the citizens.

### **3.3. Education act and Education Policy**

Describe the participants about the provisions for education to persons with disabilities. Explain about education act, 2075 and Education Policy 2076. Also focus on inclusive education related act/policies.

#### **Activity 2: Familiarizing on education Act 2074 and Education Policy 2076**

- Step 1. Divide the participants into 2 groups.
- Step 2. Provide them two different topics i.e. Provision on education act, provision on Education Policy.
- Step 3. Provide them time to discuss on the topic and ask them to stand for and against.
- Step 4. Choose two-three persons as a judge.
- Step 5. Allocate the time to launch the debate and make decision.

#### **Education Policy 2076:<sup>4</sup>**

##### **Objectives directly related to Disability:**

To ensure universal and viable, competitive and quality compulsory and free education ensuring basic and equitable access and continuity of basic education to all.

To ensure access to quality education for people with all kinds of disabilities, to create a dignified and competitive citizen through a life-long education.

##### **Strategy directly related to disability:**

- Make disability inclusive physical infrastructure, curriculum and textbooks, teaching learning program and assessment system.
- Provide appropriate educational opportunities through special education and inclusive education based on the needs and inclusion principles of children with disabilities.
- Free pre-primary (Early childhood development) programs to children with disabilities
- Priority to Person with disabilities of provision of scholarship by educational institutes

### **3.4. Disability Specific National Guidelines:**

Briefly introduce guidelines (Accessibility guideline<sup>5</sup>, and Rehab Center Operational directives<sup>6</sup>) to the participants aiming to disseminate the information regarding the policies and programs in the local level. Knowing this will be important to conduct advocacy in the local level for fostering the rights of PWDs.

- Provide key Provisions of the guideline/s
- Organize discussion on the provision/s
- Ask participants to tell about the guidelines implication on their job role
- Sum-up discussion with list of key words to remember from these guidelines

<sup>4</sup>Education Policy 2076

<sup>5</sup><https://nfdn.org.np/accessibility-guideline-eng/> Accessible Physical Structure and Communication Service Directive for People with Disabilities 2013

<sup>6</sup><https://mowcsc.gov.np/directories-procedures?page=3> Rehab Center Operation Directives 2072 (first amendment)

## Module II: Gender Concept and Gender Based Violence

Concept of GBV against women with disabilities and supportive mechanism

Subject Area	Learning Objectives
<b>Gender Concept and gender based violence</b> (This module will cover concept of gender, and gender based violence in specific to women with disabilities and supportive mechanism)	By the end of the delivery of this subject area, participants will be able to: <ul style="list-style-type: none"><li>- differentiate between gender and sex and describe the gender role;</li><li>- understand SRHR concept in relation to the GBV (Sexual violence against women with disabilities)</li><li>- assess and address the GBV cases based on the laws and human supportive system;</li><li>- provide the assistance or support as per the need of survivor;</li></ul>

## Day Two

Review: 30 minutes. '**The game of hot potato**' will be conducted to review the 1<sup>st</sup> day. For this, make some questions based on first day's sessions and make the circle of the participants. Choose a leader or you can be a leader to ask the questions. A ball is needed to pass among the participants. Passing ball from one to another participant should be quick. When the leader say pass, participant should engage in passing ball, when leader announce "Stop", then it should be stopped. A person who has a ball in their hand should answer the question. If participant is able to answer, s/he will get a small reward (like candy) and leave the group. This process is continued until the questions are not over.

### **Session 1: The concept of Gender and GBV in Nepal focusing on Women with Disabilities**

Time allocation: 120 minutes (Including break/s)

#### **Session Objectives:**

1. To familiarize the participants about the gender concept.
2. To sensitize the participants about gender role.
3. To enable the participants to distinguish on the sensitiveness and vulnerability of Gender and disability in particular to women with disabilities.

The following methods can be applied:

Method 1. Demonstration or imagination of picture,

Method 2. Gender game,

Method 3. Check list of one-day routine of men and women.

Method 4. Power point presentation,

Method 5. Brainstorming

Method 6. Storytelling.

#### **1.1. Gender concept and gender role**

In this session, give a brief definition of gender before describing the gender-based violence. As being the paralegals, they should be familiarized with gender and gender roles.

#### **Activity 1: Familiarizing with gender concept**

Step 1. Show the picture of male and female and ask the participants about the differences between them. When the participants have visual disability, we can give the name of male and female and ask them to imagine the difference between them.

Step 2. List the points in the chart paper or in the white board.

Step 3. Read loud the points and make the comments.

**Key words of Gender Concept:**

**Sex** refers to the biological differences between men and women. It is determined by the biological differences. They are differences on hormones, chromosomes, structure of body parts, reproductive system, etc.

**Gender**

Gender refers to the economic, social and cultural attributes and opportunities associated with being male or female. In most societies, being a man or a woman is not only a matter of differences in biological and physical characteristics; they rather face different expectations in behavior, professions, etc. Gender thus differs from sex in that it is social and cultural in nature rather than biological. Gender attributes and characteristics, the roles that men and women play and the expectations placed upon them, vary widely among societies and change over time. But the fact that gender attributes are socially constructed means that they are also amenable to change in ways that can make a society more just and equitable. Source: UNFPA<sup>7</sup>

**Activity2: Gender game**

Step 1. Make 3 or 4 different groups and tell them to select a leader.

Step 2. Provide different statement in connection to masculinity, and femininity

Step 3. If the participants cannot give the right answer, ask another group or same group why they would think so.

Step 4. Provide your feedback to make them clearer.

**Activity 3: Daily routine of male and female**

Step 1. Post the news print in the wall.

Step 2. Select two persons i.e.one representing male and the other one as female and make the check list of their daily work.

Step 3. Count the hours as who is spending more time in the household chores.

**1.2. Understanding Sexual and Reproductive Health Rights (SRHR) in the context of women with disabilities:**

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<sup>7</sup><https://www.unfpa.org/resources/frequently-asked-questions-about-gender-equality>

Organize a brief introductory session on SRHR in the context of women with disabilities. Cover discussion on; what is SRHR, why SRHR needs to be understood by paralegals in the context of gender based violence (GBV).

Step 1. Make a brief presentation on SRHR, Disabilities and women with disabilities

Step 2. Spotlight on the Sexual violence against women with disabilities

Step 3. Provide examples of cases from the past

Step 4. Make discussion towards the GBV and supportive mechanism regarding those cases

### **1.3. Situation of GBV focusing on women with disabilities in Nepal.**

Inform the participants on what is gender-based violence, its forms, and types. Provide knowledge of the GBV situation in Nepal. For this, the national scenario of GBV should be focused on women with disabilities. The data should be based on different research.

#### **Activity 4: Familiarizing with current status of GBV in Nepal**

Step 1. Demonstrate database on various research through power point presentation.

Step 2. Interact with the participants regarding reliability of the data of GBV in Nepal and current issues of GBV.

#### **Activity 5: Familiarizing with GBV types**

Step 1. Tell participants to write at least 1 type of GBV they know in the Meta card,

Step 2. Post the Meta card into the wall.

Step 3. Discuss on the points and make the common conscious.

#### **Activity 6: Story telling**

Step 1. Ask the participants to select three persons for the story telling. The story should be based on violence faced by women with disabilities.

Step 2. Provide 5 minutes to each story teller to share their stories.

Step 3. Divide participants into three-four groups and make different sitting arrangements.

Step 4. Allow them to present the story by moving from one to another group.

Step 5. Then gather all groups into the same training hall.

Step 6. Select few participants to share their experience of listening the stories and share their own experience.

Step 7. Give few minutes to the story-teller to share their own experience.

**Key facts to remember on GBV against women with disability:**

**Causes of violence to women with disabilities:**

- Lack of education and awareness to these girls and women
- Lack of awareness to family and parents
- Public buildings and information not being accessible to persons with disabilities
- Lack of sensitization to these women on legal provisions and their rights
- Lack of social protection and social security, Economic dependence of these girls and women to abusers
- Few organizations with expertise on access to justice for these girls and women
- Negative attitude of society towards women with disabilities

In Nepal, there are found very few concrete studies of violence against women and girls with disabilities. The data has been stated below:

The research entitled Invisible Realities: Understanding the Lived Experiences of Women with Disabilities in Rural Nepal conducted by Nepal Disable Women Association (NDWA) and Women Kind covering three districts Morang, Kavre and Gorkha in 2019 highlighted that women with disabilities experience multiple forms of violence, including psychological, sexual, and physical violence. According to the research, women with disabilities reported that the perpetrators of violence are often known to them and include partners and other family members, people on whom they are often dependent. These women are often confined to the home or live in institutional settings, with their dependency on others causing reporting abuse and seeking justice very difficult. In addition, the violence is compounded by multiple layers of discrimination which impact their ability to claim their rights and life free from violence and abuse. The research also highlighted the prevalence of accepted form of violence. For instance, only half of all the women who took part in this particular research identified sexual violence (including forced sexual intercourse and marital rape) as a form of gender-based violence.

According to this research,

- 31% of the respondents reported that they had experienced violence.
- 72% of those who experienced violence reported of experiencing psychological violence.
- 38% of those who experienced violence reported of experiencing physical violence.
- 17% of people with disabilities who experienced violence said they have experienced sexual violence.
- 73% of women who experienced violence said that their disability was one of the main causes of the violence against them.
- 64% of women who experienced violence said the violence was perpetrated by family members (mainly from intimate partners).
- Women who reported experiencing violence reported psychological problems, including not wanting to talk to anyone, being scared, feeling like they wanted to cry, experiencing mental stress and suicidal thoughts.
- Women with disabilities face social, cultural, political and religious exclusion. 40% of the women who were unmarried reported that the main reason for not marrying

was due to their disability.

- 73% respondents who said they experienced violence did not report the abuse to anyone including police or any other local organizations.
- 50% of those who experienced violence remained silent because they feel that no one listens to a person with a disability.

The research carried out by Center for Research on Environment, Health and Population Activities (CREHPA) in 2009-11 on four hundred seventy-five women with disabilities on the status of violence in 3 districts including Bhaktapur, Jhapa and Kaski has depicted that:

- Physical violence: 34.1%
- Sexual violence: 21.5%
- 57.3 responded that if wife are not loyal, the husbands can hit (accepted form of violence).

## **Session2:Support Mechanism for GBV in Nepal:**

Time allocation: 120 minutes (including breaks if necessary)

### **Session Objectives:**

1. To familiarize the participants about the Gender Based Violence.
2. To familiarize the participants about supportive mechanism.
3. To make the participants capacitate to work on case management.

Method to be followed:

Method1: lecture method.

Method2: Brainstorming.

Method3: group discussion.

Method4: Plenary discussion.

Provide description of support mechanisms and discuss on the mechanisms to address the GBV cases. Elaborate on government and non-government mechanisms. Also make the discussion based on the domestic violence act and other relevant documents. After describing on supportive mechanisms, divide the session into two parts i.e.

- a. Institutional mechanism and
- b. Legal mechanisms for women in general and women with disabilities in particular.

### **Activity 1: Familiarizing with GBV mechanisms in context of women with disabilities**

Step 1. Ask the participants for brainstorming and tell them to make the list of activities that they can integrate into existing programs to strengthen their response to GBV.

### **Activity 2: Mapping local mechanism for addressing GBV**

Step 1. Ask the participants to imagine the particular place which is familiar to them,

Step 2. Ask them to assess the facility available there to address the cases.

Step 3. List the places in the news print or note book.

Step 4. Present the institutional mapping and make a discussion.

### **Activity 3: Mapping institutional mechanisms for addressing GBV**

Step 1. Make 4/4-membergroup and provide newsprint to them

Step 2. Allocate the time and topic for discussion. e.g. Government supportive mechanisms for the survivor.

Step 3. Write down the points in the newsprint and paste it on the wall for the presentation.

Step 4. Make the comment on the presentation.

**Existing supportive mechanism:**

- Ministry of Women, Children and Senior Citizens
- Ministry of Law, Justice and Parliamentary Affairs
- National women commission and its hotline
- Women cell in police force
- Establishment of GBV desk in prime minister office
- Supreme, High and District Courts
- Office of District Attorney
- Nepal Bar Association
- District Legal Aid Committee
- Gender Based Violence Prevention Fund
- District Administrative Office
- Judicial committee headed by deputy mayor/vice-chair person
- Watch group in the ward level
- Various NGOs particular to women organization working on GBV

### Session3: The guideline principles and cycle of GBV management:

Time allocation: 90 minutes

#### Session Objectives:

1. To make participants capable enough to understand the principle and cycle of GBV management.

Method to be followed:

Method 1. Plenary discussion,

Method 2. Pictures and case evidence,

Method 3. Demonstration, if available.

Method 4. Interaction/discussion

In this session, discuss about the principles while conducting the GBV management/case management. Elaborate and discuss the importance of guiding principles to the paralegals.

Ask the participants about the guiding principles which should be followed by the paralegals and make discussion.

After describing the principles, describe about the case management cycle in detail. It is very essential to provide examples in each steps.

#### Key principles and cycle of GVB management:

##### Case management cycle

1. Case identification and registration
2. Assessment of the case
3. Preparation and planning for case management
4. Referral and implementation of the plan
5. Evaluation and review of the plan
6. Closure of the case

##### Principle of Case Management in GBV Cases

- To give priority to the best interest of women
- To ensure the meaningful participation of women
- Non-discriminatory
- No harm principle
- To ensure accountability
- To coordinate and collaborate
- To respect the moral values
- To ensure the professionalism
- To ensure the process and services to be culturally sensitive
- Ensure child rights, development and protection
- To strengthen the capacity of women and their families.

### Module III. The Concept of Paralegal; Necessary Skills for Case Management

<b>Topic</b>	<b>Learning objectives:</b>
Concept of Paralegals and Skills (This module is the key to build skill, and capacitate paralegals to work in the field)	By the end of this module participants will learn; <ul style="list-style-type: none"><li>• the concept of paralegal, and roles and responsibilities of paralegals;</li><li>• the essential skills (communication, documentation, and counseling) needed for paralegal;</li><li>• knowledge on tackling case/s of violence against girl/women with disabilities;</li></ul>

## Session 1: The concept of Paralegals and Necessary Skills

Time allocation: 90 minutes

### Session Objectives:

1. To familiarize the participants about fundamental information (who, what, why) regarding paralegals.

For this session, the following method can be applied;

Method 1. Brainstorming

Method 2. Group work.

Method 3. Communication game.

Method4. Plenary interaction

### 1.1. Paralegals; their roles and responsibilities

Describe who is paralegal, roles and responsibilities of paralegals and their importance to protect the rights of women with disabilities.

#### Activity 1: Familiarizing with the concept of paralegals

Step 1. Ask the participants to write in one sentence on their understanding on what paralegal means.

Step 2. Form the groups of 3 and combine individual sentences into one sentence.

Step 3. List all the points in newspaper or white board and elaborate it with Interaction with plenary.

#### Note for facilitator:

##### Who is paralegal?

Please make sure that everyone understands that 'Paralegals' are not lawyers. They should not offer individual advice on the merits of any one case. They should always refer people in need of such advice to the lawyers.

In many cases, due to the lack of resources and or because of not being able to access lawyers; many people in need including Women with Disabilities are in difficult situation to access justice.

It is believed that the paralegal services are strong tool for guaranteeing access to justice of marginalized communities at grassroots level. Now, local governments are further realized as key in facilitative role of paralegals. In this scenario, vulnerable and marginalized community these days are accessing basic legal rights through the help of paralegal services.

#### Activity 2: Roles and responsibilities of paralegals

Step 1. Make the group of 4 and tell them to discuss on roles and responsibilities of paralegals.

Step 2. Provide 10 minutes for the discussion and tell the group to note down the discussion points in the news print.

Step 3. Allow the time for group presentation

Step 4. Provide comments and suggestions on the group work.

## **1.2. Communication skills for paralegals**

Provide knowledge/skill to the participants on communication. Without communicating to the survivors, the decision can't be taken by the paralegal for her well-being. The facilitator should describe briefly the communication skill with its types.

### **Activity 3: Importance of effective communication**

Step 1. Make 4 groups among the participants and ask them to make the check list of how they will convey the message or communicate with survivors, office staffs and among the other paralegals.

Step 2. Allow time for each group to present their check list.

Step 3. Provide feedback.

### **Activity4: Communication game "Misunderstanding"**

#### **Materials required:**

2 or more people

Variety of objects

#### **Directions:**

Step1: This game can be played in groups of two persons. Have the two people sit back-to-back.

Step2: Tell one person from the team choose an object without the other person seeing what she's chosen.

Step3: The player with the object must describe it to the other person without naming it.

Step4: The other player will then guess the name of the object, based solely on the description given.

Step5: Players must search for new, vivid ways to describe the object so that their partners can get a clear idea of it without seeing or touching it.

To make it slightly more challenging with larger groups, make it a competition. The duo with the most accurate guess wins<sup>8</sup>.

**Note to facilitator:**

Please take into considerations on the accessibility aspect according to diversity of disability. The game helps to improve creative communication skills.

**Essential Skills for Paralegal work<sup>9</sup>:**

**Interviewing skills**

Paralegal need excellent interviewing skills in order to perform as an effective paralegal worker. This will allow an accurate picture of the beneficiary's problems and the facts surrounding them. When interviewing a client, it is important to make the client feel comfortable so they can openly talk with the paralegals. Someone who comes to the paralegals needs help, therefore, it is important to make sure they do not feel intimidated. Furthermore, it is integral to ensure that they understand paralegal's role and theirs as a beneficiary.

**Counselling and mediation skills**

As a paralegal, they must be able to provide counselling and sometimes mediate matters brought before them. Most of the cases will never get to court, given the length of time it takes to resolve matters in the court and the adversarial nature of litigation. Most parties want quick, timely, cost-effective and amiable resolution of their matters. Therefore, the majority of the beneficiary will approach the paralegals to provide counselling and perhaps mediate their matters.

**Client referral**

As a paralegal, one may not be able to handle each case from the beginning to the end all by herself. Often, they will need to refer the beneficiaries to agencies or persons who would be able to offer expert solutions to their challenges. Often, the paralegals will need to make referrals to lawyers, the Human Rights Commission, human rights organizations, government officials/offices, appropriate authorities, etc. Therefore, the paralegals need to familiarize themselves with the services and the procedures for accessing their services. The paralegals will need to keep their contact details and when possible, maintain some form of relationship with these persons/organizations to facilitate ease of approach when a referral is necessary. The paralegals may also need to write referral letters to these persons/agencies and you should ensure that you follow up on the actions of the agency.

**Letter writing**

Paralegals will often need to write complaint letters and petitions to facilitate cases. They will need to develop good writing skills in order to be effective in their role.

**Record-keeping, reporting and documentation**

They must be able to take and keep accurate records of clients' cases. They must be able to articulate who the party is, parties' issues, dates and times of meetings, advice given, steps taken, referral (if any), as well as monitor and document the entire process of the case for

<sup>8</sup><https://hyken.com/customer-service-strategies/7-games-train-teams-communication-skills/>

<sup>9</sup>Tool for Social Change, Centre for Social Justice, Ahmedabad

future reference. Records kept should be brief and easy to read. Sample forms that may be adapted are provided at the end of this manual.

Another very important part of record keeping is documenting evidence in support of a victim's case. Documentation is not just about keeping a record of their statements. It could also involve, for instance, taking pictures of injuries sustained, and keeping copies of correspondence, etc.

## Day Three:

30 minutes for review with “memory chain” game. For this, The trainer or organizer should tell the rule of the game to the participant. They should tell one important point of sessions of the day before. Then following that point each participants should add new points along the repetition of the initial points. It becomes long chain which will make possible to review overall sessions.

### Session 2: Mediation Skills

Time allocation: 120 minutes (including breaks if necessary)

#### Session Objectives:

1. To capacitate the participants about basic skills required for the GBV mediation.
2. To enhance knowledge on case management and mediation

Methods to be applied:

Method1: Lecture

Method2: Plenary discussion

Method3: Group work

Method4: role play

#### 3.1. Introducing mediation and its phases

Provide the participants knowledge in detail on what mediation is all about. Give them detail explanation on the phases of mediation including preparation for the mediation, opening of the mediation, establishing ground rules, establishing confidentiality, storytelling, understanding the problem, exploring solution and resolution.

#### Activity1: Cases to mediate or not to mediate

Step1: Prepare list of cases

Step2: Make 4 groups among participants and distribute those lists to each group

Step3: Tell the participants to discuss in the group and categorize in the newsprint the cases that can be mediated and the cases that cannot be mediated

Step4: Allow each group to present their categorization

Step5: Discuss in plenary on the cases that can be mediated and that cannot be mediated.

WHEN TO MEDIATE	WHEN NOT TO MEDIATE
If it is important to maintain relationship	When the fundamental rights of a party will be violated
When clients cannot afford the time and cost of litigation	When the parties are not willing to collaboratively negotiate a solution to their dispute
When it is in the best interest of the parties (or of a party) to keep the facts of the case confidential	When a crime has been committed, for example, rape, murder, etc.
	When the life of a party is in danger
	When the matter is purely a matter of interpreting the law

### 1.5. Essential skills for mediation

Discuss in plenary about the skills essential for mediation. After discussing, write those skills on newsprint and post it on the wall.

#### Activity2: Role play, Mediation exercise

- Step1: Prepare the case for mediation role play based on the training topic
- Step2: Divide the participants into 3 groups and distribute the same case story to each group
- Step3: Declare group a, b and c as disputed party1, disputed party2 and mediator respectively
- Step4: Let group to decide one representative to play their respective role and also let them to decide one to be observer from their respective groups
- Step5: provide time to the group to discuss on how to perform their respective role effectively.
- Step 6: Allow time for role play
- Step7: Allow the observer from each group to present their observation.
- Step8: Allow role play actors for their reflection.
- Step9: Provide your comments to roles played by each participant.

### **Session3: Case Story**

Time allocation: 90 minutes

Following methods can be applied:

Method1: Plenary discussion

Method2: Group discussion.

#### **Activity 1: Case evidence**

Step 1. Present different scenario of the victims or cases and ask them what they would do in such case/s.

Step 2. Encourage the paralegals to say what they would do to address in the given situation;

Step 3. Make the discussion in the plenary.

#### **Activity 2: Case story**

Step 1. Prepare case evidence to be discussed in the group,

Step 2. Make 4 groups and provide the cases,

Step 3. Provide time for the discussion,

Step 4. Allow to present the group output and interact among the participants.

## **Session 4: Record Keeping, Reporting, Case Documentation and Case Monitoring:**

Time allocation: 120 minutes (including break if necessary)

### **Session Objectives:**

1. To deliver the skill to the participants about basic documentation of different GBV cases.
2. To enhance the skill of the participants about record keeping and reporting of cases.

As being the paralegals, the trainees should have knowledge on how to report the cases and how to do the case documentation. Thus, the facilitator should provide them the reporting format and impart them knowledge on how to report the cases. The participants should learn how to fill case documentation according to the format. For this, practical sessions should be conducted.

Methods to be applied;

Method 1. Group work

Method 2. Brainstorming.

### **Activity 1: Preparing case report**

Step: Divide participants into 4 groups and tell them to prepare the case report following the given format.

### **Activity 2: Case documentation**

Divide the participants into peer and provide them the case documentation format. Each peer should fill up the format and present in the plenary.

### **Facilitator notes:**

- Discuss also about good writing skills
- Writing a letter (Basics)
- Record keeping, minimum required details of information
- Introduction of case study (Provide key information required)
- Introduction Story writing (Provide key information required and a generic format)
- Provide a generic format of daily work recording (Daily Diary maintain)

## Posttest evaluation

Step 1: Provide same questions-sheet to the participants

Step 2: Allow enough time and appropriate medium of choice to complete this.

Step 3: Collect answers from the participants as you have to make a tally report against pretest to measure progress and learnings.

Step 4: Tell them correct answers accordingly; they should know their level.

**Closing session:**

**Conduct the session as per the practice of organizers.**

## Annex I: PARALEGAL TRAINER

To be a good trainer requires time, experience and learning by doing is the best way. An effective trainer has the following- Skill, Attitude and Information:<sup>10</sup>

### **Skill:**

- A warm personality and an ability to show acceptance of participants.
- Training which generates and uses their ideas and skills.
- Ability to relate new laws with skill.
- Communicate clearly what training program will entail to convince them about the relevance of program and fulfilment of their needs.
- Listen to what the other person says and respond with supportive, usually non-verbal expressions or gestures.
- Ask questions to help them in their thinking.
- Give feedback in a way of helping individuals to change their behavior.
- Use of various methods of training, audio-visual aid especially.
- Flexibility in responding to their changing needs.
- Training with learner-centric methodology.

### **Attitude:**

He/she should-

- Perceive people as having worth and dignity, irrespective of their attributes and Achievements.
- Respect and encourage individuality since people learn at different rates and different styles.
- Have Enthusiasm for the subject and capacity to put it across in an interesting way
- Be prepared to change like any other group member if s/he receives an insight or experience that leads him towards different values or cognition.
- Demonstrate an authentic caring attitude towards the group.
- Believe in gender equality and non-discrimination.
- have belief in socio-legal system and a rights-based approach

### **Knowledge:**

- The Constitution and other relevant laws (state and national level) on which s/he is conducting training.
- Latest developments (new laws, amendments and bills)
- Information on how to conduct research and advocacy.
- Legislature, judiciary and executive body of Nepal.
- Methods of conducting trainings

### **Competency: Ability to-**

- Bring the group together and control it without damaging.
- Organize, so that resources are booked and logistical arrangements smoothly handled.
- Notice and resolve participants' problems.
- Help participants to move through various phase of groups formation until they reach final stage.

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<sup>10</sup>Tool for Social Change, Centre for Social Justice, Ahmedabad

## **Annex II: List of References**

### **International Instruments**

- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, (CAT) 1984
- Convention on the Elimination of All Forms of Discrimination against Women, (CEDAW) 1979
- Convention on the Rights of Persons with Disabilities, (CRPD) 2006
- Convention on the Rights of the Child, (CRC) 1989
- International Convention for the Protection of All Persons from Enforced Disappearance, (CPED) 2006
- International Convention on the Elimination of All Forms of Racial Discrimination,(ICERD) 1965
- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, (ICMW) 1990
- International Covenant on Civil and Political Rights, (ICCPR) 1966
- International Covenant on Economic, Social and Cultural Rights, (ICESCR) 1966
- Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, (OP-CAT) 2002
- Optional Protocol to the Convention on the Elimination of all forms of Discrimination against Women, (OP-CEDAW) 1999
- Optional Protocol to the Convention on the Rights of Persons with Disabilities, (OP-CRPD) 2006
- Optional protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, (OP-CRC-AC) 2000
- Optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, (OP-CRC-SC) 2000
- Optional Protocol to the Convention on the Rights of the Child on a communications procedure, (OP-CRC-IC) 2014
- Optional Protocol to the Covenant on Economic, Social and Cultural Rights, (ICESCR – OP) 2008
- Optional Protocol to the International Covenant on Civil and Political Rights, (ICCPR-OP1) 1966
- Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, (ICCPR-OP2) 1989

### **National laws**

- Mutual Legal Assistance Act,2070
- The Act relating to the Rights of Person with Disabilities,2074
- The Constitution of Nepal, 2072
- The Domestic Violence (Offence and Punishment)Act, 2066

- The Education Act, 2074 (9<sup>th</sup> Amendment)
- The National Civil code, 2074
- The National Civil Procedure(Code),2074
- The National Criminal Procedure(Code), 2074
- The National Penal (Code),2074

### **Policies**

- Accessible Physical Structure and Communication Service Directive for People with Disabilities 2013
- CBR Program Operation Guideline
- Domestic Violence (Offence and Punishment)Rule,2067
- Legal Aid Rules,2028
- Rehab Center Operation Directives 2072 (first amendment)
- Special Education Policy, 2053
- The Education Policy, 2076

### **Manual**

- A manual for paralegals conducting paralegal aid clinics (PLCs) in prison
- Community Based Paralegal Training Manual - Global Rights
- Guidelines for Providing Rights-Based and Gender-Responsive Services to Address Gender-Based Violence and Sexual and Reproductive Health and Rights - UNFPA
- The Paralegal Practice Manual (A Guide to Paralegal Roles and Techniques) - The Legal Aid Forum – Rwanda
- The Training Manual On The Training of Trainers for Advancing Political Rights of Persons with Visual Disabilities 2019
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