

Commission on Legal Empowerment of the Poor
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Group 1- Access to the Rule of Law and Property Rights

- 1) **What is the scale of the problem?**
- 2) **What are the reforms or changes that can work?**
- 3) **What are the barriers and oppositions to the solutions?**

Access to the Rule of Law:

- 1) The group concluded that the scale of the problem is widespread, but yet acute in particular areas such as the informal section of society. Children tend to be the majority within this group of poverty. It was mentioned that within the Eastern Caribbean States, some of them are still not enforcing the UN Convention for Children. Another issue mentioned was the Family Law Reform Project and that it took an immense amount of time to make and coordinate legal changes in family law.
- 2) Within the reform measures, the group consensus was that laws must be reviewed and that a pro-poor policy must be adapted. The legal facilities and legislation must be accessible for all. Another general idea was that NGO's need to play a bigger role within the realm of civil society because many developing countries lack a strong civil society. The group also agreed that the legal aide structures need to be built up so that there are no constraints on services rendered to a client. Also, legal education within youth educational institutions will allow children to understand their legal rights and resources available to them.
- 3) The barriers that would interfere with progress would be government lack of interest within these matters, as well as no financial backing for new reform projects.

Property Rights:

- 1) The group consensus of this issue is that the lack of property rights in the region is significant. It seems that this issue is in constant struggle with old law of land inheritance through heredity and new foreign and government investments. Generally the poor within the region tend to be the ones who loose their land rights because of lack of resources and proper legal advice.
- 2) Within reform measures, this issue tends to deal with generally getting the information to the formal and informal section of society through numerous venues. Whether this be using pamphlets and booklets of information or having meetings in various locations, but getting the knowledge of property rights out to the public seems to be the main focus for reform policies. There were examples brought up that could hold significance to the issue such as in the UK, there is a 'Citizen Advice Bureaus' where people can seek advice regarding legal issues without cost. These bureaus also give vital information to the person about their

rights and where they can go to get more information. Another reform that can be utilized is the use of law students during the summer months to help work on cases; not only does this offer legal advice at low or no cost, it also gives students general experience in the field for their studies. The concept of law must be demystified and the general population must be able to see the law as fluid and transparent, and that the law is there to serve them rather than a common misconception that the law is a static block which cannot be argued with.

- 3) The barriers in this issue are vast. Illiteracy is a problem because people cannot understand their rights from literature. Lack of resources and interest on government's part is significant. But it seems a general lack of control over the land due to poverty and foreign investment. People in the region do not question the law or lawyers for proper information; this misconception poses as one of the main barriers in the challenge for change.