

---

## Tanzania

---

### Law & policies

The Legal Aid Act of 2017<sup>1</sup> specifically recognizes paralegals in its preamble and regulates their activities in Part VI – sections 19 & 20.

### Ratio of lawyers to paralegals

The Tanganyika Law Society – the bar association of mainland Tanzania – lists 9,908 members on its website.<sup>2</sup> The Tanzania Paralegals Network (TAPANET) counts 160 paralegal organizations as members<sup>3</sup> but does not have authoritative data on the number of paralegals in Tanzania.

### Sources of funding

The main source of funding for community paralegals is donors. The Legal Services Facility, for instance, is a basket fund established in 2011 to enhance access to justice. It provides financial support to organization providing legal aid and paralegal services in Tanzania and Zanzibar.<sup>4</sup>

### Legal recognition

The preamble to the Legal Aid Act of 2017 makes specific reference to legal recognition as one of its objectives.<sup>5</sup> To qualify as paralegals, interested applicants must hold secondary school certificates, a diploma or a bachelor's degree.<sup>6</sup> Those who have practiced as paralegals for up to two years before the enactment of the Legal Aid Act and have undergone the necessary

---

<sup>1</sup> The Legal Aid Act No. 1 of 2017 < [https://legalaid.sheria.go.tz/uploads/1621838589-1490432852-LEGAL-AID-ACT-2017%20\(1\).pdf](https://legalaid.sheria.go.tz/uploads/1621838589-1490432852-LEGAL-AID-ACT-2017%20(1).pdf) > accessed 7 May 2023.

<sup>2</sup> 8,514 practicing; 1007 non-practicing and 387 deceased. See <<https://tls.or.tz/>> accessed 22 May 2023.

<sup>3</sup> <<https://namati.org/network/organization/tanzania-paralegals-network-tapanet/>> accessed 22 May 2023.

<sup>4</sup> Deogratus Kamagi, “Paralegals resolve 65,000 disputes,” Daily News, 21 October 2022 < <https://dailynews.co.tz/paralegals-resolve-65000-disputes/> > accessed 7 May 2023. See also LSF's website <https://lsftz.org/>

<sup>5</sup> The preamble describes the act as one to “regulate and coordinate the provision of legal aid services to indigent persons, **to recognize paralegals**, to repeal the Legal Aid (Criminal Proceedings) Act and to provide for other related matters.”

<sup>6</sup> Section 19(1) Legal Aid Act 2017

training are recognized as paralegals.<sup>7</sup> The registrar has a mandate to register all paralegals.<sup>8</sup> Paralegals may not be involved in activities specifically reserved for lawyers under any written law<sup>9</sup> and they may not charge fees for their services.<sup>10</sup>

### **Challenges of paralegals**

Community-based paralegals often have little or no formal education. Therefore, the requirement to hold a secondary school certificate, diploma or bachelor's degree often means that the average paralegal will borrow to pay the fees. Meantime, getting the requisite qualification also means that they can now aspire to roles in the main cities thereby defeating the purpose i.e. keeping paralegals in the communities. As with most countries reviewed in this paper, funding is also a problem.

### **Opportunities for collaboration**

The Legal Services Facility provides an opportunity to engage with relevant stakeholders on better funding for paralegal services. In this regard, the paralegal movement in Tanzania might wish to collaborate with movements in Ghana and elsewhere that have activated legal aid funds to exchange ideas about how to gain access to the basket fund available – at least in principle – under the Legal Services Facility.

### **Recommendations**

Concerning keeping paralegals within the communities, leaders must work with relevant authorities and the paralegal movement to create incentives for paralegals to remain in the communities. One way is to make some resources available to train deserving candidate paralegals for free. Another is to create a tiered system that ensures a secondary school certificate is sufficient to function at some level and the diploma/degree becomes necessary at more advanced levels. Perhaps a third way is to publicly recognize and reward high-performing paralegals. As for funding, targeted advocacy to ensure that the Legal Services Facility becomes operational and is available to support the work of paralegals is highly recommended.

---

<sup>7</sup> Section 19(3)

<sup>8</sup> Section 19(4)

<sup>9</sup> Section 20(5)

<sup>10</sup> Section 20(6)