

List of ways Paralegals can assist survivors/ clients in the prosecution of sexual offence cases

At the paralegal office

- Admit case - fill out intake forms and take thorough statement
- Make any family members who have brought the client feel comfortable, and assure them that it is not in any way the victim's fault.
- Do risk assessment
- Ensure and keep client confidentiality
- Ensure the client is in a safe place – with secure family members, or in a temporary safe place if the perpetrator is staying at home.
- Explain the legal issues around her case eg.
 - The type of offence it may constitute (rape/ sexual assault etc) and why it constitutes that.
 - What evidence there is or might be to prove the case.
 - What the process would entail for her if there were to be a prosecution.
- Help preserve evidence at the inception of case, eg.
 - Gather any clothing which was ripped/ made dirty etc by the incident. Look for marks which are consistent with the events of the incident – eg. Earth/ twigs if it happened outside, any blood/ other stains. Make sure it is not washed.
 - Gather any items described by the victim – eg. Cloth used to gag or rope to bind hands.
- Tell clients about the kind of support you will be providing, don't raise victim's hope unnecessary, and let them know it may take a long time.
- Provide counseling services if possible, or refer them to an organization who could provide such services (eg. Rainbo centre, centre for victims of torture)
- Don't mediate a rape/sexual offence case
- Set out protection plan

At the police station

- Accompany client to the police station
- Be by clients as the police obtain statement and issue medical paper
- Follow up case at the police, until it is charged - this will give you an opportunity to push the police when they want to relax in treating case
- Work with the police to ensure that they give the appropriate charge (or if possible several charges) to the case - do this in collaboration with the supervising lawyer/ lead paralegal
- Tell the police about any evidence that may have been collected
- If necessary/ possible, assist the police in carrying out any investigations – eg. Accompanying police on motorbike to investigate or find witnesses

- Record all contact with the police, and with the client, in the case log

At the court

- Encourage and coordinate witnesses involved in the client's case
- If the lawyer in your programme is supporting the case, support them in any way required
- Always be in court when the case is coming up - your presence will give confidence to the client
- Brief her about the court proceedings and outcome as the case proceeds - make client understands what happens in court and why it happens
- If she doesn't come to a hearing, go and find her and enquire why
- Record all details about case progress in court in the case log
- In discussion with the lawyer, see what options there may be for compensation

At the health centre/hospital

- Accompany client to medical centre/hospital/rainbo centre
- Lobby /advocate with the doctor or the health officer in charge for a free treatment and medical certificate - you can use the free health care policy in doing the advocacy for any pregnant women or children under 5.

General while case is going on

- Ensure the client /victim that justice is possible and the importance of prosecution to stop such things happening to someone else
- Counseling services - may refer client/victim to other counseling service providers
- Provide safe home or temporary placement for client
- Don't raise victim's hope inappropriately
- Provide other assistance such as basic transport reimbursement, food and accommodation if possible in your programme
- If at any stage the client wants to stop going ahead with prosecution, encourage them to stay with it, but it is their decision, and you should accept that decision and understand the different pressures she is under – leaving the prosecution may be the best/ safest decision for her, and she is the most important person in this. This may seem annoying, but it may be best for her, and it will only seem annoying if you are putting yourself and the legal process first. To be professional you must graciously accept her decision.