

**UNIVERSITY OF EDUCATION, WINNEBA**

**THE EFFECTIVENESS OF LEGAL AID COMMISSION IN  
JUSTICE DELIVERY: A CASE STUDY OF ABLEKUMA  
SOUTH SUB-METROPOLITAN DISTRICT, ACCRA**

**ERNEST QUOPHI OPOKU**

**MASTER OF PHILOSOPHY**

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DELIVERY: A CASE STUDY OF ABLEKUMA SOUTH SUB-  
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**A Thesis in the Department of Political Science Education  
Faculty of Social Science submitted to the School of  
Graduate Studies, in partial fulfilment  
of the requirements for the award of the degree of  
Master of Philosophy  
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in the University of Education, Winneba**

**APRIL, 2025**

## DECLARATION

### Student's Declaration

I, Ernest Quophi Opoku, declare that this thesis, with the exception of quotations and references contained in published works which have all been identified and duly acknowledged, is entirely my own original work, and it has not been submitted, either in part or whole, for another degree elsewhere.

**Signature:** .....

**Date** .....

### Supervisor's Declaration

I, DR ZECHARIAH LANGNEL, hereby declare that the preparation and presentation of this work were supervised by the guidelines for supervision of thesis as laid down by the University of Education, Winneba.

**Signature:** .....

**Date**.....

## **DEDICATION**

I dedicate this work to my family.

## ACKNOWLEDGEMENTS

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## **LIST OF ABBREVIATIONS**

LAC	Legal Aid Commission
NGO	Non-Governmental Organisation
UNDP	United Nations Development Program
FIDA	International Federation of Women Lawyers
OECD	Organisation for Economic Co-operation and Development
DIHR	Danish Institute for Human Rights

## ABSTRACT

This study examines the effectiveness of the Legal Aid Commission in delivering justice to vulnerable populations in the Ablekuma South Sub-Metropolitan District of Ghana. Using a qualitative case study approach, the research employs in-depth interviews with 21 participants, including legal aid officials, beneficiaries, and key stakeholders, to explore the characteristics of individuals accessing legal aid services, the pathways through which these services are accessed, and the challenges faced by citizens in obtaining legal assistance. The study is grounded in Justice Theory and Vertical Equity Theory, which emphasize procedural fairness and the need for tailored interventions to address systemic inequities in access to justice. The findings reveal that the majority of LAC clients are young adults (25-45 years), with women comprising 60% of cases, often seeking help for domestic violence, family disputes, and inheritance issues. Low literacy levels, poverty, and indirect costs such as transportation fees create significant barriers, particularly for rural populations. The study identifies multiple pathways to accessing legal aid, including referrals from community leaders, police stations, and NGOs, as well as self-initiated efforts through digital platforms. The research highlights the critical role of technology and community engagement in improving access to legal aid. Digital platforms and mobile clinics show promise but are limited by low digital literacy and poor internet connectivity in rural areas. Based on the findings, the study recommends increasing government funding for legal aid services, expanding mobile legal aid clinics, and simplifying application procedures to reduce bureaucratic hurdles. It also advocates for partnerships with NGOs and community leaders to enhance awareness and accessibility. These recommendations aim to strengthen the legal aid system in Ghana, promoting inclusivity and fairness in justice delivery.

## CHAPTER ONE

### GENERAL INTRODUCTION

#### 1.1 Background of the study

Access to justice is a fundamental right enshrined in the principles of equity and fairness, forming the bedrock of a democratic society (Satterthwaite & Dhital, 2019; Ooko, 2018). Also, it is essential for the protection and promotion of individual liberties (Dos Santos et al., 2021; Hinsch, 2015). Ensuring equitable access to the justice system becomes essential to creating an inclusive society in various nations where socio-economic inequalities are prevalent (Cerna et al., 2021; Shaeffer, 2019). Legal assistance programmes are crucial in reducing the gap between underrepresented groups and law enforcement and enabling people to properly exercise their rights (Davis & Hassan, 2024; Tanima et al., 2023). Any legal system's major goals are to uphold national peace and harmony and to administer justice. Said and Nurhayati (2021) argue that, fair, reasonable, or just are definitions of justice.

Hope Sr (2020) asserts that access to justice is integral to achieving the Sustainable Development Goals (SDGs) and an inclusive society. The right to free legal assistance remains one of the pillars of enhancing fundamental human rights to a fair trial (Hartoyo & Sulistyowati, 2023; Durojaye et al., 2020; Cappelletti, 1989). Although some countries have established legal aid schemes as an avenue for indigents to have access to justice, a study by the UN Taskforce on Justice (2019) shows that about 5.1 billion people around the world lack access to legal protection due to poverty, discrimination, and the marginalization of these persons within their societies. This is because access to legal services now requires huge financial commitments, which have invariably rendered the doctrine of equality before the law dysfunctional (Conteh et al., 2022).

This justice gap has resulted in a situation where many people live in extreme conditions of injustice, without access to legal recourse to resolve their problems (Cannon, 2021). Studies by the World Justice Project (2019) indicate that this justice gap undermines human development, reinforces the poverty trap, and imposes high societal costs.

Despite the international and constitutional requirements for fair trial, the ability to seek justice is seen as costly public good in many African nations because of a variety of limitations (Korankye-Sakyi, 2021). Access to justice is hampered by numerous African structural, economic, and institutional issues (Varvastian & Kalunga, 2020; Hope Sr, 2020). These include the cost of legal processes, time, and geographical and physical impediments (Matić Bošković, 2022; Sharma et al., 2021; Noone & Ojelabi, 2020; Statz et al., 2020). Ast and Deffains (2020) argue that cost and trust in the justice system are also important factors in determining whether or not people would seek legal assistance to resolve their disputes. This, according to UNDP (2016), has resulted in the recognition of the need for legal aid in improving access to justice for marginalized, excluded and impoverished groups. In other words, it is reasonable that legal aid schemes are established to reduce social injustice in societies (Podorozhna et al., 2020). Puras (2022) claims that access to justice, however, can be physical and financial. For example, access to justice has consistently been constrained by the geographical distribution of courts tilted to favour areas with higher economic activities rather than areas with high-density populations (Asamoah, 2023). Corruption in the justice system and unreasonable delays have also resulted in the erosion of the people's confidence in the courts (Agbontean & Nnonyelu, 2023). Even in cases where the courts have been established, the lack of competent human resources to man the courts in rural areas,

coupled with the lack of capacity development, hinders the administration of justice (Page & Farrell, 2023).

Legal aid is minimal or free legal assistance offered to those who are economically and socially disadvantaged and cannot afford the full cost of legal representation but need it to have equal access to the courts (Lakhyzha et al., 202; Ramos & Vidal Fernández, 2021). It is a channel by which individuals can assert their fundamental human rights in the judicial system and obtain the resolution of their criminal and civil cases (UNDP, 2016). A range of entities, including the government, paralegals, law clinics, international donors, civil society organizations, universities, and other informal judicial institutions, offer legal aid services (UNDOC, 2011). State-approved legal aid programs include legal counselling, legal advice, legal representation, information on legal rights and obligations, and other advocacy services that ought to be freely available to everyone (Yin et al., 2021; Atuguba et al., 2006).

Several African nations beyond Ghana have implemented legal aid initiatives, with South Africa, Nigeria, and Cameroon serving as notable examples. South Africa's comprehensive system features both a national legal aid scheme and an established legal aid board, employing multiple delivery mechanisms such as public defenders, paralegal personnel, private legal practitioners, and pro bono attorneys (McQuoid-Mason, 2020). Nigeria operates a structured legal aid system administered through its Legal Aid Council, supplemented by various state and non-state legal service providers (SAN Ojukwu & Yusuf, 2022). While Cameroon has established a Legal Aid Commission to process legal aid applications, systemic barriers limit citizen access. These include insufficient judicial infrastructure at sub-national levels (with limited high courts and magistrate courts) and the geographical disadvantage faced by its predominantly rural population (Lawrence, 2020). In response to a scarcity of legal

practitioners, Sierra Leone has adopted a community-oriented model where trained paralegals deliver fundamental legal assistance to the population (Ibe, 2022).

Sandefur (2020) identifies a critical barrier to effective legal aid provision across Africa: the severe shortage of legal practitioners available to deliver services. This scarcity creates a two-tiered system where pro bono clients receive inferior service quality compared to paying clients, compounded by widespread attorney reluctance to accept non-remunerative cases (Adediran, 2022; Podorozhna et al., 2020). One of the challenges affecting legal aid schemes is the lack of attorneys available to provide legal services (Wahab & Khairi, 2020). While attorneys are reluctant to take on pro-bono cases, pro-bono clients do not receive the same calibre of care as paid clients. Due to several issues, including insufficient staffing and administrative structures, improper accounting systems for claims and prompt fund disbursement, law interns' disinterest in taking on paralegal work, and financial limitations, legal aid programs are unable to handle an increase in cases (Putra et al., 2021; Penal Reform International, 2007). Due to the remote locations of courts, the high expense of obtaining legal help, and the scarcity of attorneys, Africans, particularly the impoverished, find the legal system to be extremely onerous and unpleasant (Smith, 2022; Penal Reform Institute, 2007).

The Ghana Shared Growth Development Agenda and the 1992 Constitution both emphasize legal aid provisions. "Parliament shall regulate the grant of legal aid," according to Article 294(2) of the Constitution, and "legal aid shall consist of representation by a lawyer, including all such assistance as is given by a lawyer" (Republic of Ghana, 1992). A few policy actions to improve the legal aid system are outlined in the Ghana Shared Growth Development Agenda 2014–2017. These include encouraging access to rights and entitlements and providing some services at no cost through Alternative Dispute Resolution (GSGDA, 2014: 170).

Since the 1992 Constitution was ratified, Ghana has formed a large number of legal aid organizations to guarantee that its citizens receive legal aid services (Frimpong, 2021). One of these is the National Legal Aid Scheme, which was established as a public service organization to provide financially and socially disadvantaged individuals with legal aid. It provides individuals with access to both non-legal and legal solutions for both criminal and civil cases. The Legal Aid Scheme Act 1997 (Act 542) was passed by Parliament and has been in place for more than 20 years. In addition to the national legal aid program in Ghana, Sarpong (2022) argues that non-governmental organizations, faith-based organizations, and charities have also been set up to provide legal aid. The International Federation of Women Lawyers (FIDA) is one example of a non-state organization. FIDA Ghana is a leading voice for the underprivileged and defenceless, especially women and children (Ampofo & Atobrah, 2023). Its legal aid program began in January 1985, more than 35 years ago, and it has since expanded to include males. FIDA mostly handles civil cases.

## **1.2 Statement of Problem**

The principles of the rule of law require that all citizens are given equal protection of the law and its processes in an open society (Greenstein, 2022). Various international treaties and national constitutions have imposed obligations on countries to implement and expand justice for all programmes. Given this, access to justice has globally been recognized as one of the pillars of fundamental rights to be enjoyed by people in every democratic state (Krupchan et al., 2023; Maldonado, 2020). According to the report by the Organisation for Economic Co-operation and Development (OECD), equal access to justice and the right to available justice remain an intrinsic public good and a fundamental component of building an inclusive society (OECD, 2019). Studies indicate that access to legal aid is central to ensuring access to justice, especially for the

poorest and most vulnerable people (Aguiar-Aguilar, 2021; Sourdin & McNamara, 2020; Koshan et al., 2020).

Various international declarations, treaties, and protocols, together with domestic legislation, have characterized access to justice as a guaranteed right in any functioning democracy (Samtani, 2020; Cruz & Salles, 2020). Page and Farrell (2023) posit that the lack of effective legal aid systems for the vulnerable and those in rural communities excludes the majority of people from the justice net. However, in many countries in Africa, there exist many obstacles and constraints for the poor and vulnerable in society to access the justice delivery system. According to a report by the UN Taskforce of Justice (2019), it is estimated that about 5.1 billion people globally lack access to justice, leading to a widespread justice gap. This justice gap undermines fundamental human rights and imposes high societal costs. In Ghana, Article 14(2) of the 1992 Constitution provides that any person who is arrested, restricted, or detained shall be informed immediately, in a language that he understands, of the reasons for his arrest, restriction, or detention and of his right to a lawyer of his choice. This notwithstanding, there exists a justice gap due to some procedural technicalities in courtroom litigation, poverty, illiteracy, and ignorance of the law by many people (McDonald, 2020). While the fundamental principle of access to justice is constitutionally encapsulated, its practical impact on the life of the ordinary Ghanaian remains elusive.

Researchers over the years have provided evidence on how justice can be accessed. Most of the scholarships on legal access have focused on abused women's access to justice (Hefner et al., 2021; Carrington et al., 2020; Koshan et al., 2020; Jassal, 2020; Lysova et al., 2020), non-state legal aid providers (Sperfeldt, 2022; Chand et al., 2021; Martens, 2020; Ubink, 2018; Varella, 2013), and challenges confronting legal aid

schemes (Denvir et al., 2023; Reich, 2020; Statz & Termuhlen, 2020; Birnbaum & Bala, 2019; Pruitt et al., 2018). However, there is less attention on how legal aid services enhance access to justice among vulnerable people (Hartoyo & Sulistyowati, 2023; Bhatia et al., 2021; Jassal, 2020). Also, studies on how legal aid schemes enhance access to justice in Ghana tend to focus on the central government level with less emphasis on its effectiveness at the local government level (Tuffuor, 2019; Harrington & Manji, 2019; Sono, 2017; Morhe, 2012).

Mmbando's (2008) comparative analysis of legal aid frameworks in Ghana and Tanzania revealed systemic deficiencies in both nations' systems, including inadequate structural organization and insufficient funding to meet operational goals. Mmbando's (2008) research additionally identified a lack of institutionalized guidelines or systematic initiatives regulating legal assistance distribution, consequently requiring service providers to exercise individual discretion in administering support. There appear also to be some differences in the demand for legal aid services between the state and non-state providers in Ghana. Against this background, this study seeks to explore how the Legal Aid Commission is enhancing access to justice among citizens in the Ablekuma South Sub-Metropolitan District. The study examines ways by which the Legal Aid Commission services are accessed in justice delivery in Ghana. It also examines the challenges confronting the citizens in accessing legal aid commission services in Ghana, and lastly, it recommends to the appropriate quarters programme and policies that would improve justice delivery in the country.

### **1.3 General Objective**

The main objective of the study is to examine the effectiveness of the Legal Aid Commission in justice delivery in Ghana using Ablekuma South Sub-Metropolitan District as a case study.

#### **1.3.1 Specific Objectives**

The specific objective is to:

1. To examine the characteristics of people who access the services of Legal Aid Commission in Ablekuma South Sub-Metropolitan District.
2. To examine ways by which the Legal Aid Commission services are accessed by the citizens in Ablekuma South Sub-Metropolitan District.
3. To examine the challenges confronting the citizens in accessing Legal Aid Commission services in Ablekuma South Sub-Metropolitan District.

#### **1.4 Research Questions**

1. What are the characteristics of people who access the services of Legal Aid Commission in Ablekuma South Sub-Metropolitan District?
2. How does Legal Aid Commission's services are accessed in justice delivery in Ablekuma South Sub-Metropolitan District?
3. What are the challenges confronting the citizens in accessing the Legal Aid Commission's services in Ablekuma South Sub-Metropolitan District?

#### **1.5 Significance of the Study**

Assessing the effectiveness of Ghana's Legal Aid Commission through the lens of the Ablekuma South Sub-Metropolitan District is important for several key reasons. Firstly, research on the Legal Aid Commission in Ghana can help to identify the challenges and barriers that individuals face in accessing legal aid services. This can help in improving

the delivery of legal aid services and ensuring that all individuals have equal access to justice. It will be useful to determine the patterns in Ghanaian legal aid service utilization. The study will offer significant insights into the current situation of Ghana's legal aid system and the difficulties that the Legal Aid Commission and the public encounter in obtaining legal aid services by looking at how services are acquired. The study will also clarify the relationships between Ghana's several legal aid providers and the developments in both legal aid delivery and access to justice.

Secondly, the research will contribute greatly to practice by providing an assessment of the effectiveness of the legal aid services provided by the Legal Aid Commission in Ghana. This can help in identifying areas that need improvement and ensuring that legal aid services are meeting the needs of the population. The study will provide practitioners with a useful and fact-based viewpoint on the different accessibility, problem-solving, and challenge-solving issues that Ghanaian citizens and the Legal Aid Commission encounter. By using this information, Ghana's legal assistance system can be strengthened and made more accessible to those who most need it.

Thirdly, this study will provide valuable insights that can help in the development of policies and strategies to improve the legal aid system in Ghana. This can help in ensuring that the legal aid services are effective, efficient, and accessible to all individuals. Also, it will help in promoting accountability and transparency within the Legal Aid Commission in Ghana. Researching on the commission can help in identifying any potential issues or areas of concern that need to be addressed. In addition to this, the study will help in raising awareness about the importance of legal aid services and the need for a strong legal aid system in Ghana. It can also help in advocating for the rights of individuals who need legal aid services.

## **1.6 Scope and Delimitation of the Study**

The scope of the study investigated the effectiveness of the Legal Aid Commission in the delivery of justice. Moreover, the study was delimited to only the Ablekuma South Sub-Metropolitan District. Furthermore, the study provides a comprehensive examination of the legal aid board and its impact on the delivery of justice for the economically and socially disadvantaged people in Ghana. The study examines and assesses ways by which legal aid is accessed in justice delivery in the Ablekuma South Sub-Metropolitan District. Data was collected from various sources, including legal aid board officials, legal practitioners, community members, and other stakeholders.

## **1.7 Definition of terms**

***Access to Justice:*** Fair and impartial provision of, and access to, legal services, professionals, and systems for all.

***Legal aid:*** Providing free or subsidized legal funding to those who meet eligibility criteria for accessing the justice system.

***Legal advice:*** Expert advice from legal professionals to help marginalized communities understand and advocate for their rights.

***Legal representation:*** Legal representation in judicial or quasi-judicial proceedings for indigent litigants unable to retain private counsel.

***Legal education/information:*** free training designed to equip individuals with foundational legal knowledge—either to pursue quasi-legal roles or to develop the competence needed to understand and assert their rights.

## **1.8 Organization of the Study**

The study is presented in five chapters. Chapter One delves into the introduction of the study, which includes the background of the study, the problem statement, the purpose of the study, research objectives, research questions, the significance of the study, delimitation of the study, the scope of the study, the definition of terms and organization of the study. Chapter Two covers an in-depth literature review of issues relevant to the study. It also deals with the appropriate theoretical frameworks for the study. Chapter Three comprises the methodology underpinning the study. It consists of the research design, study area, target population, instruments for data collection, sample, sampling techniques, data analysis, trustworthiness and ethical considerations. Chapter Four gives detailed analyses of the data. Chapter Five presents a summary of findings, conclusions, and recommendations.

## **CHAPTER TWO**

### **LITERATURE REVIEW**

#### **2.0 Introduction**

This chapter constitutes a critical review of extant scholarship about the Legal Aid Commission's operationalization of justice delivery mechanisms. Through systematic engagement with theories and empirical studies, it synthesizes multidisciplinary perspectives to construct a robust conceptual framework for analyzing access to justice. The review specifically interrogates institutional efficacy, structural barriers, and normative dimensions of legal aid provision, thereby establishing theoretical foundations for subsequent analysis in this study. This chapter undertakes a multidimensional review of the literature, engaging with theoretical, conceptual, and empirical scholarship on legal aid systems. Drawing from a critical synthesis of relevant publications, it examines the Legal Aid Commission's role in facilitating access to justice. Further, it incorporates case studies of legal aid commissions across jurisdictions, analyzing their operational frameworks, challenges, and outcomes.

#### **2.1 Theoretical Framework**

To address the objectives of the study, the theories and the theoretical frameworks that will best fit this study are the Justice Theory and the Vertical equity theory. According to Grant and Osanloo (2014), a theoretical framework is the "blueprint" or direction for a study. It is a framework built on an established theory in a field of research that is connected to and/or reflects the study's hypothesis. A theory provides a distinct lens through which a researcher analyses the data gathered (Collins & Stockton, 2018). Similarly, the theoretical framework, according to Mensah et al. (2020), is the specific theory or theories regarding a certain area of human effort that can be helpful in the

analysis of events. This means that the theoretical framework acts as the cornerstone around which research is built. The theoretical framework can support a qualitative approach to research (Collins & Stockton, 2018). A robust theoretical framework, according to Collins and Stockton (2018), enables the researcher to expose preconceived notions about a study and aids in the coding and interpretation of data. This study will employ the Justice theory and Vertical Equity theory.

### **2.1.1 The Justice Theory**

According to Lewis et al. (2021), equitable treatment of individuals is part of the notions of justice that are based on the justice and vertical equity theories. As a result, all individuals must be treated equally, regardless of any characteristics that set them apart, including social standing or economic status. Justice is an ideal of responsibility and fairness in the defence and vindication of rights, the prevention of wrongdoing, and the use of corrective measures rather than punishment for wrongdoing, according to the United Nations Development Program (UNDP, 2008).

A geographical, sociological, political, and cultural framework that allows for the understanding, evaluation, and classification of relationships between persons and groups as just or unjust is necessary for the practice of justice (Zuniga-Teran et al., 2021; Israel & Frenkel, 2018). Justice is the equality of rights for all individuals and groups, irrespective of their gender, ability, age, faith, ethnicity, culture, or socioeconomic situation (Petersen, 2020; UN, 2006). Rappaport (2020) contends that for justice to have any real meaning, prevailing ideas, standards, and values need to be critically analysed to uncover the hypocrisies behind apparent good intentions and identify true socially equitable alternatives. Better access to justice should ideally be guaranteed by the government (Hartoyo & Sulistyowati, 2023).

Justice Theory is a branch of moral philosophy that seeks to determine what constitutes a just society and make decisions based on principles of fairness and equality (Capeheart & Milovanovic, 2020). Various theories within justice theory have been proposed by eminent philosophers over the centuries, each offering a unique perspective on how justice should be achieved in society. One of the most influential theories in justice theory is John Rawls' Theory of Justice. Rawls argues that justice is achieved when individuals are placed behind a "veil of ignorance", where they do not know their own social or economic status (Said & Nurhayati, 2021). This ensures that decisions are made without bias or self-interest, leading to fair and impartial outcomes. Rawls proposes two principles of justice: the principle of equal basic liberties for all individuals and the principle of fair equality of opportunity (Gališanka, 2019). These principles aim to address inequalities in society and ensure that all individuals have equal access to basic rights and opportunities.

According to the notion, people can distinguish between attempts at justice and attempts at injustice when providing services. Distributional, procedural, and restorative justice are among the facets of justice. Distributive justice is based on the idea that the real results of social justice are fair. Sullivan et al. (2014) state that when individuals experience injustice, they file a complaint and demand a reimbursement that is proportionate to their expenses, even if they also want to be treated with dignity and respect. Procedural justice, according to Terpstra and van Wijck (2023), is the process of making decisions fairly, treating people with respect and acknowledging their concerns. Stated differently, procedural justice refers to the impartiality of the processes involved in formulating and carrying out legal rulings. Equal access to justice, according to Pryce and Wilson (2020), is more procedural justice than substantive justice. The impoverished are left out of the system since the outcomes of trials are

based on an individual's financial worth, making the concepts of "equality" and "access" meaningless (Scott-Hayward & Fradella, 2019).

John Rawls' Justice theory is relevant to this study. Rawls proposed that society should be structured to benefit the least advantaged members and that justice should be based on principles that everyone would agree to in an initial position of equality behind a "veil of ignorance" (Taşkin, 2023; Orji, 2023). Firstly, according to Rawls, individuals should have access to certain primary goods and basic liberties (Guyer, 2018). In the context of legal aid in Ghana, assessing the extent to which the Legal Aid Commission ensures equal access to legal representation and basic legal rights for all citizens, especially the least advantaged, would be crucial. Moreover, Rawls' difference principle states that social and economic inequalities should be arranged so that they benefit the least advantaged members of society (Barata & Cabrita, 2019). The theory will help in assessing how the Legal Aid Commission helps to reduce inequalities in access to legal services and ensures that marginalized groups have equal opportunities for legal representation.

Also, Rawls emphasizes the importance of fairness and equal opportunity. Assessing the Legal Aid Commission in Ghana through this lens would involve examining whether it provides equal access to legal services regardless of socio-economic status, ethnicity, or other factors. Rawls' concept of the veil of ignorance suggests that fair principles of justice are those that individuals would agree to without knowing their position in society (Edor, 2020). The theory will help to ask whether the services provided align with what individuals would consider fair if they did not know their circumstances. Lastly, Rawls also highlights the importance of public reasoning and deliberation in a just society (Saward, 2018). The theory will help in examining how

transparent and accountable the Legal Aid Commission is in its decision-making processes and resource allocation.

### **2.1.2 Vertical Equity Theory**

Essentially, the two fundamental tenets of any legal aid program are equity and efficiency, which are clarified by Rawls and Sen's vertical equity theory from the 1970s (Lewis et al., 2021). John Rawls and Amartya Sen are renowned philosophers who have contributed significantly to the discourse on justice, particularly in the context of equity and fairness. The equity of interventions on people with varying degrees of vulnerability is the main point of contention surrounding the theory (Jewett et al., 2021). It has proven conceptually difficult to agree on the notion of equality based on differing viewpoints.

Rawls' theory of justice as fairness, as outlined in his seminal work "A Theory of Justice," emphasizes the importance of fairness and equity in the distribution of resources and opportunities within society (Audard & Forsé, 2022; Dahanayake et al., 2018). Rawls argues that inequalities are acceptable only if they benefit the least advantaged members of society (Koller, 2018). Arnold (2018) posits that Rawls argues that each person is entitled to the most extensive basic liberties compatible with similar liberties for all. Also, social and economic inequalities are to be arranged so that they are both to the greatest benefit of the least advantaged and attached to offices and positions open to all under conditions of fair equality of opportunity. Rawls introduces the maximin principle, which suggests that any unequal distribution of goods and resources should be structured in a way that maximizes the minimum position of the least advantaged in society.

Sen further contends that development should be measured by individuals' substantive freedoms that is their capability to achieve the beings and doings they have reason to value. Sen argues that people should have the capability to lead lives they have reason to value, which goes beyond mere income or resources (Kuhumba, 2018). Sen distinguishes between functioning (what a person does or experiences) and capabilities (the real opportunities available to an individual). He emphasizes that enhancing capabilities is essential for promoting equity and justice (Woods et al., 2022). Sen's approach highlights the importance of agency and individual freedoms in achieving vertical equity. He argues that individuals should have the freedom to choose and pursue their own goals without significant constraints (Hart & Brando, 2018).

Rawls focuses on the principles of justice and the fair distribution of resources to benefit the least advantaged, while Sen emphasizes the importance of individual capabilities and freedoms in achieving equity (Esmer, 2021). Rawls' theory is primarily concerned with the structure of institutions and social systems to ensure fairness, while Sen's approach looks at the individual's freedom to achieve well-being (Askari et al., 2020). Both philosophers contribute significantly to the discourse on vertical equity by providing frameworks that address fairness, justice, and the well-being of individuals in society (Fia & Sacconi, 2019).

On the other hand, the consensus about equity is that social justice should be accessible to all people in an equitable manner. The two main ideas of horizontal and vertical equity serve as the foundation for the equity principle. The theory of horizontal equality holds that the law and public policy should treat individuals from diverse socioeconomic backgrounds equally. This reveals a critical flaw in a rigid interpretation of 'equal treatment of equals.' Such an approach ignores substantive inequality, thereby discriminating against those with fewer socioeconomic resources. Consequently,

individuals with low incomes may be formally eligible for legal aid yet practically unable to utilize it. Conversely, vertical equity contends that it is imperative to provide individuals with varying economic capabilities with different treatment when it comes to the distribution of social protection funds, such as legal aid. Adato and Bassett (2009) claim that this helps the most impoverished people by providing them with extra resources (legal assistance).

Domelen (2007) contends that the disadvantaged should be recognized and given special consideration in the targeting process to address their legal needs and guarantee that they do not become worse off. To reduce the errors of exclusion and inclusion, legal aid schemes must target beneficiaries equally. To reduce the coverage of individuals who are not intended to be beneficiaries and the non-coverage of those who are intended to be beneficiaries, effective targeting guarantees that legal services are focused on target beneficiaries. This clarifies the claim made by Martens et al. (2012) that, for various categories of legal aid recipients, equity should raise typical accessibility and close the gap between the lowest and highest accessibility levels.

Gjaja et al. (2014) contend that the distribution of legal assistance does not seem to adhere to the vertical equity principles in many states. Beneficiaries of any legal aid program with varying levels of poverty would not benefit equally under vertical equity. To provide everyone with an equal chance of accessing social justice, individuals with varying economic and social requirements are provided with varying levels of legal assistance. This supports the claim made by Toutkoushian and Michael (2007) that to achieve vertical equity, countries must modify their legal systems to provide sufficient legal assistance to the most vulnerable citizens.

If legal aid schemes offered by the government and other organizations are insufficient, it should come as no surprise that some individuals receiving legal help may not have the financial means to cover the additional expenses associated with seeking legal representation. Participation in legal aid programs would therefore continue to be based on financial capability, utilizing poverty indices as a stand-in. Ghana's poverty rate is estimated to be 6.8 million, or 23.4% of the country's population, according to the Ghana Living Standard Survey (2017).

Even if the vertical equity principle is used to allocate legal aid schemes to beneficiaries, it has never been easy to identify which beneficiaries need more legal services and how much legal services they need (Baker & Friedman-Nimz, 2003). This necessitates the application of a system that has been scientifically validated to identify those who require legal assistance to obtain social justice.

Vertical equity theory, as espoused by philosophers like Rawls and Sen, can be a useful framework for evaluating the effectiveness of a legal aid commission in Ghana in terms of justice delivery. Rawls' theory emphasizes fair distribution and opportunities for the least advantaged in society. This element of the theory will help assess how effectively the Legal Aid Commission provides legal services to marginalized and vulnerable groups, ensuring that they have equitable access to justice. Using Rawls' maximin principle will help assess whether the Legal Aid Commission prioritizes the needs of the most disadvantaged individuals in Ghana. This involves evaluating whether the commission's services are structured to maximize the welfare and rights of the least advantaged members of society. Furthermore, Rawls stresses the importance of fair equality of opportunity. Assessing the Legal Aid Commission through this lens will help in examining whether it ensures that all individuals, regardless of socio-economic

status, have equal access to legal representation and resources to navigate the justice system effectively.

Sen's capability approach focuses on expanding the real opportunities available to individuals. When evaluating the Legal Aid Commission, the theory will help assess whether its services contribute to enhancing the capabilities of individuals to seek justice and exercise their legal rights. Sen emphasizes the importance of individual agency and freedom in achieving well-being. Assessing the Legal Aid Commission through this perspective will help evaluate whether it empowers individuals to make informed decisions, exercise their legal agency, and access justice without significant barriers.

## **2.2 Legal Aid**

People who are poor across the world have several obstacles, such as expenses that severely hinder or deter them from pursuing justice (Carmona & Donald, 2013). According to the Turkish Bar Association (2017), the idea of legal aid is to support those who are unable to pay for legal services by giving them the right to a fair trial. Legal aid is a service that is either free or subsidized to qualifying persons or groups, mostly the poor and disadvantaged and is offered as a tool to increase their access to justice (Danish Institute for Human Rights, DIHR, 2011). DIHR (2011) further argues that legal aid could also include subsidized legal services rendered to the poor.

Governments and charitable donors, who are often entrusted with representing the underprivileged and destitute, frequently provide funding to legal aid organizations (Houseman & Minoff, 2014). This notion states that those without enough income are not required to pay court costs or fees, and they are provided with a paralegal or attorney

at no cost to them. The vertical equity hypothesis contends that identifying such people necessitates treating them unequally.

Legal aid service providers are important because they help individuals access social justice, especially the weaker members of society (the elderly, disabled, women, and children) (UNDP, 2016). State legal aid bodies, which are mandated to carry out state legal aid initiatives, function as departments of government ministries and other public agencies and offer legal aid. Some jurists, legal professional bodies, and attorneys also offer legal aid. In general, one would expect the legal professional body to be the main provider of legal aid services. But since there aren't many lawyers in the world, particularly in Africa, other non-legal staff members have been sought after. According to UNDOC (2011), these individuals offer further assistance in the form of legal assistants, paralegals, and law students in the delivery of aid services.

A functional legal assistance system is essential from the standpoint of justice to guarantee the fairness, effectiveness, and efficiency of the judicial system. Nonetheless, nations with legal assistance programs around the world are concerned about problems of legal aid, such as eligibility for benefits and who is in charge of paying for and delivering it. This is because literary evidence demonstrates that there is a lack of equity and equality in access to justice. In an attempt to address this, legal assistance has gained widespread acceptance and implementation; nevertheless, in certain countries, this has not yet been fully legislated (UNDOC, 2011). According to UNDOC (2011), governments must encourage the creation of legal assistance programs since the impoverished's access to justice is currently insufficient to address their needs. Legal assistance is both a requirement for using these rights and a crucial protection that guarantees basic justice and public confidence in the legal system.

## **2.3 Characteristics of People Who Access the Services of the Legal Aid Commission**

The Legal Aid Commission (LAC) of Ghana was established under Act 542 in 1997 with the mandate to provide legal assistance to indigent citizens who cannot afford private legal representation. As Ghana continues to develop its democratic institutions, access to justice remains a fundamental challenge, particularly for vulnerable and marginalized populations.

The demographic profile of individuals accessing Legal Aid Commission (LAC) services reveals a complex tapestry of socioeconomic vulnerability and systemic barriers to justice. At the core of this population are economically marginalized individuals. According to Ghana statistical service multidimensional poverty report (2024), a total of 7.3 million persons, representing 24.3 percent of household population were multidimensionally poor. Among these poor persons, 43.8 percent experienced severe poverty through deprivations in several dimensions simultaneously. These clients typically subsist on household incomes below GH¢800 monthly while supporting multiple dependents, creating a perfect storm of financial barriers to legal representation (Adjei & Poku, 2022). These individuals typically work in the informal sector as market traders, subsistence farmers, or daily wage labourers with no stable income (Adjei & Poku, 2022). The urban poor constitute a significant portion of clients, particularly residents of overcrowded informal settlements, while rural populations face compounded disadvantages, including greater distances to legal aid offices, lower literacy rates, and stronger reliance on traditional justice systems that may not adequately protect constitutional rights.

Geographical disparities significantly influence access to legal aid services. Urban-rural divides are particularly pronounced, with 65% of LAC offices concentrated in regional

capitals, leaving vast rural areas underserved (Nyarko & Boateng, 2022). This uneven distribution forces many potential beneficiaries in remote communities to travel long distances or forgo legal assistance altogether. The digital divide further exacerbates these challenges, as rural populations often lack awareness of available services or the means to access them.

Gender dynamics reveal striking disparities in legal aid utilization, with women comprising approximately 70% of LAC clients nationwide (Dery & Owusu-Ansah, 2023). Gender plays a critical role in legal aid utilization patterns. Dery and Owusu-Ansah (2023) report that women constitute approximately 68% of LAC clients, primarily seeking assistance for domestic violence cases, child custody disputes, and inheritance matters. Cultural barriers uniquely constrain women's access to justice, manifesting through social stigma against airing family matters publicly, financial dependence on abusers, caregiving responsibilities limiting mobility, and generational educational gaps. Age distribution patterns further illuminate distinct legal needs across the lifespan, with youth (15-24 years) comprising 22% of criminal defence cases, working-age adults (25-59 years) accounting for 65% of total caseload, and seniors (60+ years) primarily seeking help for pension disputes and elder abuse cases. However, the Commission faces challenges in handling sensitive gender-based cases due to limited specialized training for staff and inadequate safe spaces for client consultations.

The situation is particularly dire for female-headed households, which represent 42% of LAC's family law cases (Asare & Appiah, 2024). These women often face compounded challenges of economic hardship and social stigma when attempting to navigate the legal system. While the LAC has made efforts to establish gender desks in some offices, resource constraints have limited the expansion of these specialized services. Occupational vulnerabilities reveal distinct patterns across professions, with

market traders (32% of civil cases), artisanal miners (15% of criminal cases), and domestic workers (18% of labour cases) being particularly reliant on legal aid services. These groups commonly face workplace injuries without compensation, unpaid wages, and exploitative working conditions. Persons with disabilities encounter compounded barriers, including physical inaccessibility at 89% of LAC offices and only three offices nationwide having sign language interpreters, leading to frequent mishandling of intellectual disability and mental health-related cases.

Persons with disabilities represent another significant demographic among LAC clients, accounting for about 15% of cases according to recent data (Ofori & Mensah, 2023). Physical accessibility remains a major challenge, as most LAC offices lack ramps, braille materials, or sign language interpreters. This institutional exclusion forces many disabled individuals to rely on family members for legal assistance, compromising their privacy and autonomy.

Juvenile justice presents another critical area of intervention. The LAC handles approximately 1,200 juvenile cases annually, primarily involving minor offenses that could be diverted from the formal justice system (Nyarko & Boateng, 2022). However, the lack of dedicated juvenile justice units within the LAC limits the effectiveness of these interventions. Many young offenders continue to face prolonged pretrial detention due to systemic delays and inadequate alternative dispute resolution mechanisms.

Educational attainment emerges as a critical factor shaping legal aid utilization, with 68% of clients possessing only basic education and 25% being functionally illiterate in English (Nyarko & Boateng, 2022). These educational limitations create substantial barriers to navigating legal systems, including difficulty completing forms, understanding court procedures, and comprehending legal documents. Geographic

disparities further compound access challenges, with urban clients representing 62% of cases despite Ghana's rural majority population, and severe underrepresentation from regions like Upper West (4% of cases) and Northern (7% of cases).

#### **2.4 Ways by which the Legal Aid Commission Services are Accessed by the Citizens**

The accessibility of Legal Aid Commission (LAC) services is a critical determinant of their effectiveness in delivering justice, particularly for low-income and marginalized populations. Recent studies highlight multiple access channels while also identifying systemic barriers that hinder equitable service provision. Traditional access through physical legal aid offices remains the most common method, yet geographical disparities persist. Research by Otu et al. (2022) reveals that urban centres benefit from well-established legal aid clinics, whereas rural and peri-urban communities face significant challenges due to distance, transportation costs, and insufficient local presence. This urban-rural divide is further exacerbated in developing nations, where legal aid resources are disproportionately concentrated in capital cities (World Justice Project, 2023). To mitigate this gap, some jurisdictions have deployed mobile legal aid units, which bring services directly to underserved populations. Studies in Ghana and Nigeria indicate that these initiatives improve access but suffer from inconsistent funding, irregular scheduling, and a lack of permanent staffing, limiting their long-term impact (Adjei & Asante, 2021; Eze, 2023).

The digital transformation of legal aid services has introduced new opportunities and challenges. Online platforms, chatbots, and telephone helplines have expanded access, particularly during and after the COVID-19 pandemic, by reducing the need for in-person visits (Manteaw, 2023). However, UNDP (2022) findings suggest that digital

exclusion—stemming from poor internet infrastructure, low digital literacy, and affordability issues—disproportionately affects women, elderly populations, and rural residents. In South Africa, for instance, while young, tech-savvy individuals increasingly rely on virtual consultations, older and less educated citizens struggle to navigate these systems, reinforcing existing inequalities (Manteaw, 2023).

Community-based intermediaries, such as paralegals and civil society organizations, play a vital role in bridging the gap between formal legal systems and marginalized groups. The Open Society Justice Initiative (2023) documents successful paralegal programs in Kenya and Sierra Leone, where trained local advocates provide frontline legal assistance, mediation, and referrals. However, the lack of formal recognition, standardized training, and sustainable funding for these programs often restricts their scalability and effectiveness. Additionally, a pervasive lack of public awareness about legal aid eligibility and services remains a major barrier. A 2023 survey by the Legal Empowerment Fund found that over 60% of low-income respondents in multiple African and Asian countries were unaware of free legal aid options, highlighting a critical need for targeted outreach and legal literacy campaigns.

Beyond accessibility issues, systemic inefficiencies within legal aid systems further impede justice delivery. Chronic underfunding, bureaucratic delays, and heavy caseloads strain LACs, leading to prolonged wait times and reduced service quality (OECD, 2022). In some cases, stringent eligibility criteria exclude vulnerable individuals who fall just above the poverty threshold but still cannot afford private legal representation (World Justice Project, 2023). Moreover, cultural and linguistic barriers in multi-ethnic societies discourage marginalized groups from seeking assistance, particularly where legal aid staff lack diversity or cultural competency training (UNDP, 2022).

## **2.5 Challenges Confronting the Citizens in Accessing Legal Aid Commission Services**

### **2.5.1 Institutional Capacity**

Allocating resources for legal aid appears to be a difficult task globally. Rhode (2001) has observed that significant financial cuts to the federal government have negatively impacted legal aid programs in the United States. Rhode (2001) claims that this has resulted in absurd financial caps for indigent criminal defence, placing limitations on the types of cases and clients that government-funded organizations can take on. Hazard (1999) questions whether legal aid should be eliminated because it is hard to defend providing the impoverished with high-quality legal representation in criminal cases, given these cuts and increased political meddling.

Thus, litigants are generally required by law to employ attorneys. But as Anderson (2003) points out, there are frequently not enough lawyers. This frequently causes a delay in obtaining social justice. This means that the lack of access to justice for the impoverished could be attributed to the absence of attorneys, paralegals, jurists, etc. In urban areas, the majority of legal aid offices are centralized, while some are starting to embrace decentralization. Nonetheless, the majority of the impoverished live in remote, rural villages that are distant from cities and without access to legal representation. The UNDP (2014) claims that this inhibits many people from being able to use legal aid services. Furthermore, the legal aid work done by paralegals and NGOs is not well coordinated. UNDP (2014) claims that this obstructs the process of meaningful access to justice.

The availability of resources (human, financial, and technical) and the efficacy and efficiency with which they are used provide the general foundation for evaluating the

institutional capability of legal aid organizations, according to the OECD (2006). On the other hand, the World Bank (2009) contends that relevant and legal policy frameworks influence how effectively and efficiently resources are obtained and used. The present study employed UN principles and guidelines on legal aid access as a framework to evaluate Ghana's legal and policy framework for legal assistance.

### **2.5.2 Nature of Demand**

It is evident from the ideology guiding the creation of legal aid programs that civil cases—rather than criminal cases—are covered by these programs (UNDOC, 2011). The UN has observed that only a very small percentage of people in need of legal aid throughout Africa have access to it. According to the UNDP (2014), many individuals, particularly the impoverished, deal with legal problems related to housing, families, debt recovery, and other concerns that have an impact on their well-being. According to Kahn-Fogel (2012), there aren't many legal aid providers in Africa, even though the continent's need for legal aid services is growing quickly because of social injustice. As a response, efforts have been made to further the education of paralegals, a field that was initially pioneered in the United States, the Netherlands, and England (The Open Society Foundation, 2010).

It is challenging to calculate Ghana's lawyer-to-population ratio due to a lack of statistics. However, as noted by Prempeh (2015), the small number of lawyers in society may be seen in the fact that only 250 of the 1000 students who graduate with a Legum Baccalaureus (LLB) each year are admitted into the Ghana School of Law (GSL). According to Srem-Sai's (2015) estimation, Ghana has 7000 lawyers out of a population of over 26 million, meaning that the ratio of lawyers to population is approximately 1:4000.

FIDA Ghana (2015) states that the lengthy legal procedure required to file a lawsuit and the difficulty of people with disabilities to obtain legal assistance make the court system frustrating for its clients, particularly women. According to the Ghana Living Standard Survey (2015), individuals favour informal Alternative Dispute Resolution (ADR) over official mediation procedures. However, Crooke (2011) found that informal ADRs like the Customary Land Secretariat are less likely to reflect popular local values and views than state-owned ADRs at the district levels, such as the Commission for Human Rights and Administrative Justice (CHRAJ) (Crook, 2011). To provide justice for the impoverished, the PILnet (2009) has suggested a comprehensive defence strategy wherein the interests of the impoverished are prioritized over the current case. To improve the lives of the impoverished and those who advocate for them, the paper suggests creating a network of attorneys practising both criminal and civil law who will have quick access to social workers, mental health specialists, and investigators (PILnet, 2009).

Although legal aid providers handle cases from a wide range of issues, Schroer (2013) lists the most common as marital disputes, family problems, and housing and work disputes. Domestic violence, divorce, custody disputes, and campaigning for women in need of protection from an abuser are common themes in marital troubles. According to the UK Legal Services Corporation (2013), family law accounted for the greatest share of closed cases (32.9%) in 2013. These instances comprised a variety of problems, but domestic abuse accounted for 5.7% of the overall number of closed cases. Houseman and Minoff (2014), on the other hand, contend that housing is the most extensively researched area of legal aid services practice and that tenants who are adequately represented in eviction cases are more likely to be allowed to remain in their homes.

McLellan (2008) asserts that disagreements arising from litigation can be settled out of court. Before any disputes are resolved, a disqualification provision in a contract is reached and an agreement made. Disputes are then mediated through discussion based on interests. If an amicable resolution is not reached, the attorney will resign from the case.

## **2.6 Factors that are Inhibiting People from Accessing Legal Aid Services**

Several factors can make it easier or harder for clients to get legal aid services. The push factors make it easier for people to acquire legal services, whilst the pull factors prevent people from doing so. According to the UNDP (2014), there is a connection between the difficulties in delivering legal aid and the general obstacles to obtaining justice on the African continent.

In urban areas, the majority of legal aid offices are centralized, while some are starting to embrace decentralization. Nonetheless, the majority of the impoverished live in remote, rural villages that are distant from cities and without access to legal representation. The UNDP (2014) claims that this inhibits many people from being able to use legal aid services. It is now widely known that individuals from various cultures, particularly the impoverished, tend to avoid getting engaged in legal matters, especially those that end up in court. Anderson (2003) links this to the severe stigma that surrounds any run-in with the law, regardless of the innocence of the individual. The weak may choose not to challenge abuses or assert entitlements to stop additional social discrimination or abuse by the authorities (Carmona and Donald, 2013).

The vulnerable are typically those who are socially or economically dependent on other people or groups. According to UN Women (2011), this degree of reliance may make it difficult for those who are vulnerable to file claims for justice on behalf of these

individuals or groups. From a domestic standpoint, women's economic dependence on abusive husbands may prevent them from being able to file a lawsuit against them. Due to their economic reliance on non-Dalit groups, Dalits in Nepal could be reluctant to pursue claims for justice against them (Carmona & Donald, 2013). Carmona and Donald (2013) claim that impoverished people frequently don't know about their legal rights and entitlements, their contents, or how to get the help they require. The fact that legal aid organizations do not actively disseminate information about their existence helps to explain this lack of knowledge (Okoro, 2022).

According to studies conducted in Thailand, women who have experienced sexual violence are frequently unaware of legal requirements that exclude them from having to face their accused abuser in court or give female police investigators permission to speak with them. According to the Klopp et al. (2022), women may be reluctant to file complaints or seek legal action due to this lack of knowledge, which would continue corruption. Information that is released only online, in commercial publications or in one official language may be limited to written formats, which poses challenges for individuals with low literacy and people with impairments (Blunt and Turner, 2005). Thus, in the wake of Haiti's 2010 earthquake, Jagannath et al. (2011) suggested a "rights-based" approach to the country's legal system for displaced communities. Human rights breaches included the wrongful eviction of tenants from their homes, the sexual exploitation of women and girls in the camps, and different forms of physical brutality inflicted upon civilians. This method ensures that recipients of legal assistance programs are aware of their right to file any claims they may have regarding violations of human rights. This method also seeks to meaningfully interact with and listen to victims as they express their viewpoints on a problem.

The legal aid work performed by NGO paralegals and even other social workers is not well-regulated or coordinated. UNDP (2014) claims that this impedes the process of having meaningful access to justice. The distribution of resources for legal aid appears to be problematic worldwide. Okoro (2022) has observed that significant financial cuts to the federal government have negatively impacted legal aid programs in the United States. Yu (2023) claims that this has resulted in absurd financial caps for indigent criminal defence, placing limitations on the types of cases and clients that government-funded organizations can take on. Harris (2024) questions whether legal aid should be eliminated because it is hard to defend providing the impoverished with high-quality legal representation in criminal cases, given these cuts and increased political meddling.

## **2.7 Mechanisms for Accessing Legal Aid Services**

Targeting resource allocation is crucial within resource restrictions to make sure that limited social protection resources, including legal aid programs, are more effectively distributed to the most vulnerable and impoverished. Legal aid programs are implemented through a variety of targeting tools. The first is called geographical targeting, which distributes benefits to vulnerable people based on the ranking of geographic areas according to some measure of poverty (Slater & Farrington, 2000). The second is household targeting, which is assessing a person's or a household's chances of surviving by using methods to confirm the person's or the household's income (Sampson et al, 2005). Direct or categorical targeting is the third. It necessitates identifying certain groups of individuals who are impoverished or more susceptible than others (Ellis et al., 2009). UNICEF (2009) acknowledges, however, that because this targeting tends to include people who are not in need, it is prone to exclusion errors. The ultimate targeting mechanism is universal targeting, which can lessen all of the

drawbacks of the other targeting methods that have been discussed, including stigma reduction, social solidarity promotion, and exclusion mistakes.

## **2.8 Chapter Summary**

This chapter provides a comprehensive literature review, establishing a robust theoretical framework for analyzing the effectiveness of the Legal Aid Commission in justice delivery. Through the dual lenses of Justice Theory and Vertical Equity Theory, the review has established that access to justice is not merely a procedural formality but a substantive right contingent on equitable structures and targeted interventions. The analysis has delineated the profile of typical legal aid beneficiaries predominantly the economically marginalized, women, and rural dwellers thereby directly addressing the study's first objective of characterizing service users. Furthermore, it has mapped the complex pathways to access, from traditional community referrals to digital innovations, and systematically catalogued the challenges ranging from resource constraints and financial barriers to cultural stigma and bureaucratic inertia. These discussions align precisely with the study's second and third objectives, which focus on modes of access and impediments faced by citizens.

By contextualizing these issues within Ghana's specific socio-legal landscape and drawing comparative insights, the literature review has identified critical gaps, particularly regarding the localized efficacy of legal aid at the district level and the practical integration of innovative solutions. This foundational work sets the stage for the empirical investigation to follow. Chapter Three details the methodology employed to gather primary data in the Ablekuma South Sub-Metropolitan District. It outlines the qualitative case study approach, data collection techniques, and analytical strategies designed to test the theoretical propositions advanced here and to answer the research

questions derived from the objectives this chapter has framed. Thus, this chapter not only consolidates existing knowledge but also provides the necessary conceptual bridge to the original fieldwork that forms the core of this research.

## CHAPTER THREE

### METHODOLOGY

#### 3.0 Introduction

This chapter outlines the methodological framework and analytical techniques employed to achieve the study's objectives. A well-defined research methodology is essential as it provides a systematic and scientifically rigorous approach to resolving the research problem, ensuring logical coherence throughout the investigative process. In this regard, the methodology functions as a guiding framework for the study. Key methodological considerations encompassed the research philosophy, design, characterization of the study area, data sources, target population, sampling strategy and sample size, research instruments, ethical compliance, data collection procedures, data processing and analysis, as well as challenges encountered during fieldwork.

#### 3.1 Philosophical Orientation

A research paradigm represents a foundational system of ontological, epistemological, and methodological assumptions that inform the interpretation of reality, thereby establishing a conceptual framework that governs the researcher's scholarly inquiry and methodological choices (Khatri, 2020). Philosophical paradigms lay the bedrock for the conduct of social science research (Egede & Mahamed, 2023). These philosophical frameworks originate from fundamental ontological and epistemological stances, having evolved through both classical and modern iterations to systematically categorize distinct methodological approaches. Within empirical social research, three predominant paradigms emerge as particularly influential: positivism, interpretivism, and pragmatism (Panya & Nyarwath, 2022; Younus & Zaidan, 2022). Methodology and

methods represent the fundamental components of social science research, acting as the driving forces behind the entire research process.

The study adopts a social constructivist paradigm, an interpretive approach that examines how individuals construct meaning and understanding based on their lived experiences and perceptions of reality (Creswell, 2012). English and Nielsen (2023) characterize interpretivism as anti-positivist, while Giraldo (2020) frames it as post-positivist, reflecting the epistemological contention that natural and social sciences constitute fundamentally distinct domains of inquiry. Scholars contend that within the social realm, actors and collectives interpret circumstances through the lens of their subjective experiences, accumulated knowledge, and anticipatory frameworks (Fenton-O'Creevy & Tuckett, 2022). Meaning undergoes continuous formation and reformation through experiential processes, yielding diverse understandings. These varied interpretations collectively establish the social framework governing human conduct. Within this framework, identifying and comprehending these meanings along with the contextual elements that shape, govern, and impact individual interpretations is considered essential.

Interpretivism considers that there are multiple realities (Alharahsheh & Pius, 2020). Recognizing that 'all knowledge is contingent upon the knower,' interpretivism emphasizes collaborative engagement with participants as they interpret, derive significance from, and construct their realities, aiming to understand their viewpoints and situate these experiences within the researcher's academic framework (Otoo, 2020; Scauso, 2020) and hence is inductive or theory building. The researcher's emphasis lies in comprehending the meanings and interpretations constructed by social actors, seeking to grasp their worldview from their own perspective - an approach that is

inherently context-dependent and consequently limited in its generalizability (Gertsen & Zølner, 2020).

Comprehending individuals' thoughts, emotions, and both verbal and non-verbal modes of communication is regarded as significant (Brau, 2020), and given the subjective nature of this paradigm, and the emphasis on language, it is associated with qualitative approaches to data gathering (Roth et al., 2023). The intimate relationship between the researcher and the research within this paradigm, coupled with the potential for interpretations to be influenced by the researcher's subjectivity, necessitates the implementation of measures to mitigate bias. This framework comprises multiple approaches, including case study research, hermeneutic analysis, phenomenological inquiry, grounded theory methodology, ethnographic studies, and symbolic interactionist perspectives. Interpretive methodologies predominantly employ naturalistic techniques including interviews, focus group discussions, observational studies, and textual analysis. These approaches facilitate substantive discourse between investigators and participants, enabling the joint creation of contextual meaning (Creswell, 2003). This paradigm has been criticized as being unable to uphold objectivity and produce generalizable results (Primecz, 2020).

Gillani (2021) maintains that interpretivism necessitates researchers' comprehension of distinctions between human social actors, highlighting the fundamental contrast between studying people versus inanimate objects. Interpretivists have always argued that reality is constructed by social actors (Goh, 2022). Hennink et al. (2011) contend that truth is fluid and multi-faceted due to the inherently subjective nature of social perspectives and lived experiences. Judging from these positions, it is therefore not surprising that interpretivists reject objectivity and a single truth as proposed in postpositivist research. In addition to the above, Cuthbertson et al. (2020) argue that

interpretivist researchers employ analytical methods focused on producing rich, context-specific descriptions of the phenomenon under investigation, prioritizing depth over generalizable findings. The research process was significantly shaped by the lived experiences and personal values of both participants and investigator, impacting both data gathering and interpretive analysis. This methodological approach proved valuable as it enabled an examination of performance management in municipal governance through fundamental what, why, and how inquiries, building upon established scholarly foundations.

### **3.2 Research Approach**

The study adopts a qualitative approach. This method aims to explore the depth, richness, and complexity inherent in a phenomenon, seeking insights from observations, interviews, or verbal interactions, and focusing on the meanings and interpretations of the participants (Tomaszewski et al., 2020). According to Busetto et al. (2020), qualitative research is designed to help researchers understand a phenomenon by observing or interacting with the study's participants. It is a naturalistic research process that seeks to gain an in-depth understanding of social phenomena in their natural context. Cresswell (2014) supports this view by arguing that qualitative research is characterized by the researcher's reliance on socially and historically constructed meanings derived from individual experiences. These meanings form the basis for knowledge claims, which may ultimately contribute to theory development, identification of patterns, or the advancement of advocacy/participatory perspectives. Cresswell (2014) further observes that qualitative research employs various methodological strategies, including narrative inquiry, phenomenological investigation, ethnographic approaches, grounded theory methodologies, and case study analyses.

Qualitative research involves exploring and explaining phenomena as they occur in their natural setting, aiming to make sense of and interpret them based on the meanings people attribute to them (Priya, 2021). This method emphasizes the process and meaning that cannot be quantified or measured in terms of quantity, amount, intensity, or frequency (Mohajan, 2020). Qualitative research is particularly relevant to social sciences, where it enables insight, discovery, and interpretation, rather than hypothesis testing.

The research aimed to examine the efficacy of the Legal Aid Commission in administering justice. This investigation employed open-ended data collection with the primary objective of generating pertinent thematic patterns from the gathered information. Qualitative research proves especially valuable for obtaining contextually rich data regarding the characteristics, perspectives, behaviours, and sociocultural environments of particular groups. The adoption of an interpretive approach permitted the investigator to employ unrestricted, exploratory questioning, allowing participants to articulate responses in their terms rather than restricting them to predetermined options (Oliver, 2021). The open-ended questioning approach generated responses that held significant meaning and social relevance for participants while yielding unanticipated insights for the researcher. These responses proved particularly valuable as they offered both substantive depth and logical coherence in their content. The unstructured nature of the inquiry allowed participants to articulate perspectives that were authentically their own, revealing socially notable viewpoints that might otherwise have remained undiscovered through more restrictive questioning methods (Gioia et al., 2022). A further advantage of this methodological approach was the researcher's ability to flexibly explore participant responses in greater depth through probing follow-up questions (e.g., "why," "why not," or "how") (Rahman et al., 2021).

By attentively engaging with participants' initial answers, the researcher encouraged them to elaborate further, thereby uncovering richer insights that might otherwise have remained unexplored.

Qualitative research allows for a deep exploration of the lived experiences and perspectives of individuals and communities (Thompson Burdine et al., 2021). Also, qualitative research can provide a nuanced understanding of the social, cultural, economic, and political contexts. Again, qualitative research methods offer flexibility and adaptability in data collection and analysis, allowing researchers to adjust their approach based on emerging findings and changing circumstances (Rahman et al., 2021). This is particularly relevant in the case of studying the effectiveness of the legal aid commission in the justice delivery. Qualitative methods can capture real-time data and provide timely and relevant information to inform decision-making and policy responses. Furthermore, qualitative research prioritizes the perspectives and voices of participants, allowing them to share their lived experiences, challenges, and coping strategies in their own words.

There have been various objections to the employment of qualitative techniques. A key weakness is that it gives conclusions that cannot be extrapolated beyond the circumstances analyzed. Ezennia and Hoskara (2019) assert that while qualitative research is inductive, the technique inevitably transforms current theory. This is because the evidence is studied and interpreted in light of the notion of a specific theoretical viewpoint. Findings are generally described solely about current knowledge.

### **3.3 Research Design**

The research design that is appropriate for this study is the case study research design, which is a well-established and commonly used design in various fields, such as social

sciences, management, and education. (Schoch, 2020). It is particularly useful in providing an in-depth understanding of a particular case or cases, as it allows for an examination of complex and multifaceted issues in real-life settings (Cleland et al., 2021). This design also allows researchers to explore the perspectives and experiences of the individuals involved in the case and to understand how they make sense of the phenomenon being studied (Hancock et al., 2021). In the social sciences, case study design is often used to explore and describe social phenomena and to develop theories that can explain them (Priya, 2021). In management and business research, case studies are often used to analyse and understand specific organizations or industries, and to develop strategies or solutions to improve performance (Pandey et al., 2020). The use of case study design has been criticized for its lack of generalizability, as it focuses on a particular case or cases and cannot be easily applied to other situations (Takahashi & Araujo, 2020). However, proponents of case study design argue that it provides rich and detailed data that can lead to a deeper understanding of the phenomenon being studied (Thomas, 2021).

Yin (2009) identifies four key circumstances warranting case study methodology: (1) when the research aims to address 'how' and 'why' inquiries; (2) when researcher manipulation of participant behaviour is neither feasible nor appropriate; (3) when contextual factors require examination due to their perceived relevance to the research phenomenon; and (4) when demarcations between the phenomenon and its context remain ambiguous. The focus of the study is to examine the effectiveness of the Legal Aid Commission in its delivery. Sundarakani et al. (2021) contend that the qualitative case study approach enables researchers to examine phenomena within their natural contexts through the triangulation of multiple data sources. This approach ensures a comprehensive examination of the phenomenon by incorporating multiple analytical

perspectives rather than a singular viewpoint, thereby enabling the revelation of diverse dimensions inherent to the research subject. Specifically, the descriptive nature of the study made it possible for the researcher to describe the effectiveness of the Legal Aid Commission in the justice delivery. Halkias and Neubert (2020) support this methodological stance, asserting that case study research facilitates in-depth investigation of contemporary phenomena within their natural contexts. A case study approach is particularly appropriate when investigating under-researched phenomena or when existing studies reveal gaps requiring novel perspectives. The selection of a case study methodology is thereby validated, as this approach yielded comprehensive and in-depth empirical evidence about the research subject.

### **3.4 Description of the Research Site**

The research was carried out within the Ablekuma South Sub-Metropolitan District, a constituent administrative division of the Accra Metropolitan Assembly (AMA). Notably, the Ablekuma South District represents one of three Sub-Metropolitan District Councils operating under the AMA's jurisdiction. The Ablekuma South Sub-Metropolitan District holds the distinction of being the largest administrative unit within the metropolis. It is geographically bounded by three neighbouring jurisdictions: the Ablekuma Central and Ablekuma North Municipal Assemblies, as well as the Ashiedu Keteke Sub-Metropolitan District Council. The Ablekuma South Sub-Metropolitan District encompasses a land area of 15.1 square kilometers. According to the district composite budget for 2025-2028, total estimated population for 2024 is 300,196. Based on the Greater Accra regional growth rate of 3.1%, demographic projections estimate the 2018 population at 315,051 residents. The Ablekuma South Sub-Metropolitan District plays a vital role in Accra's economic development, with its coastal location shaping its primary economic activities. Fishing and fish trading

dominate the local economy due to the district's numerous coastal communities. Alongside these traditional industries, the area hosts a diverse range of commercial establishments including supermarkets, banking institutions, fuel stations, educational facilities, and hospitality services such as hotels, contributing to its economic diversity and significance within the metropolitan area.

The Ablekuma South Sub-Metropolitan District is an ideal case study for evaluating the effectiveness of the Legal Aid Commission in justice delivery due to its socio-economic diversity, high demand for legal services, and presence of vulnerable groups. Its urban setting reflects common legal challenges like land disputes and domestic violence, aligning with the Legal Aid Commission's mandate. The district's proximity to legal institutions and existing legal aid infrastructure facilitates research and collaborative analysis. Studying Ablekuma South provides insights into the Legal Aid Commission's reach, resource allocation, and service delivery, offering actionable recommendations to improve legal aid services nationwide and enhance access to justice for marginalized populations.

## Map of Ablekuma South Sub-Metropolitan District



Sources: Accra Metropolitan Assembly Website (2024)

### 3.5 Target Population

A research population is defined by Casteel and Bridier (2021) as the entire set of cases from which a sample is drawn. Stratton (2021) defines a population as the sampling frame; the totality of persons, events, organization units, case records or other sampling units with which the research problem is concerned. In a qualitative study, the target population refers to the group of individuals, events, or phenomena that the researcher is interested in exploring in depth. According to Creswell (2017), the target population in qualitative research is often smaller and more specific than in quantitative research, and the focus is on understanding the experiences, perspectives, and behaviours of the individuals or groups being studied. The target population is usually identified based on the research question and the goals of the study and may include individuals with certain characteristics or experiences, specific organizations or communities, or particular events or phenomena. According to Taherdoost (2021), involving the targeted

population in a study gives them a chance to be part of the sample and to draw conclusions from the results of their participation.

The study population comprises officials from the Legal Aid Commission, beneficiaries of their services, and legal aid experts who provide relevant information on justice delivery in Ghana. This definition of the population facilitates the selection of a representative sample for data collection and enables drawing inferences about the experiences and perceptions of this specific group regarding the effectiveness of the Legal Aid Commission in justice delivery.

The target population includes beneficiaries of the Legal Aid Commission's service, officials from the Legal Aid Commission and legal aid experts. The inclusion criteria for the study required participants to have received legal services from the Legal Aid Commission, officials from the commission in justice delivery.

### **3.6 Sampling Technique**

The study adopts the purposive sampling technique. A purposive sampling technique was used in selecting the interviewees. Purposive sampling is a non-probability sampling method that involves the selection of participants based on specific criteria, such as their expertise or experience related to the research topic (Pace, 2021). Purposive sampling is sometimes called judgmental, selective or subjective sampling (Kumar et al., 2023). The main goal of judgmental sampling is to concentrate on familiar features of the population under study, which best help to answer the research questions (Rebai, 2023).

This technique is used because it allows the researcher to recruit participants who provide in-depth and detailed information about the phenomena under study/investigation. Purposive sampling is useful in studies that require a specific type

of participant, such as key informants or experts in a particular field. According to Rebai (2023), purposive sampling is appropriate when the researcher wants to select cases that are typical or representative of a larger group or population. Furthermore, according to Campbell et al. (2020), purposive sampling can also be used in qualitative research to select participants who are likely to provide rich and detailed information about the research topic. This is because purposive sampling allows the researcher to select participants who are knowledgeable about the topic and can provide valuable insights. Purposive sampling is a deliberate selection of individuals or events in a particular setting that possess certain characteristics, to provide important information that cannot be obtained from other choices (Andrade, 2021). In other words, it involves the researcher explicitly selecting participants who can provide relevant and informative data for a specific research question. Purposive sampling is often exemplified through the use of key informants (Nyimbili & Nyimbili, 2024; Obilor, 2023; Denieffe, 2020). It begins with a clear research purpose, and the sample is then selected to include individuals of interest who are within the population relevant to the study, while excluding those who do not fit the purpose.

Purposive sampling is chosen for the study as it allows the researcher to select the most suitable candidates to provide rich and detailed data relevant to the research question (Mweshi & Sakyi, 2020). Additionally, purposive sampling technique is cost-effective approach, which helped the researchers to carry out the study efficiently (Campbell et al., 2020). The use of purposive sampling often results in accurate and meaningful data that is essential to address the research question effectively (Obilor, 2023). The researcher's decision to use purposive sampling to select the participants in this study is appropriate given the research questions and objectives. The study sampled officials from the Legal Aid Commission, beneficiaries, NGO's that are into legal services, legal

advocates and legal aid experts such as academicians. The selected participants are likely to provide valuable information on the effectiveness of the Legal Aid Commission in justice delivery.

Purposive sampling was used to select participants for the interviews, ensuring that key stakeholders with direct experience and expertise in legal aid services were included. This method was chosen because it allows for the deliberate selection of individuals who can provide the most relevant and insightful information for the study. Legal Aid Commission officials were included due to their institutional knowledge of policy implementation, operational challenges, and administrative processes. Their perspectives were essential for understanding systemic strengths and weaknesses in legal aid delivery. Legal aid experts, such as academics, practitioners, and advocates, were selected because of their specialized knowledge of legal frameworks, best practices, and comparative insights from other jurisdictions. Their input helped to contextualize findings within broader legal and policy discussions. Additionally, beneficiaries of legal aid services—clients who had accessed these services—were included to provide firsthand accounts of their experiences, ensuring that the study captured the practical impact of legal aid from the user's perspective. The use of purposive sampling ensured that the data collected was rich, relevant, and representative of the key actors in the legal aid ecosystem, thereby enhancing the validity and depth of the research findings.

### **3.7 Sample size**

A sample is a sub-group of the target population that the researcher aims to analyse to data from (Creswell, 2014). Taherdoost (2016) posits that sampling is the selection of a limited subset of a population of research. This is because the whole target population

for research may not always be freely accessible, we can only analyse a subset of it—the study population or sample. Levitt (2021) supports the argument that the major role of a sample in research is to let the researcher perform a study on people from the population to drive conclusions relevant to the whole population.

The study sample size is essential to ensure adequacy and in-depth information from those interviewed (Aguboshim, 2021). However, sample selection should accurately reflect the wider population being evaluated (Islam & Aldaihani, 2022). In this study, the researcher sampled 21 informants purposively, the informants included 10 beneficiaries and 11 legal aid officials. The interviewees came from the target population. The selection of participants was based on the researcher's judgments regarding answering the research questions (Saunders et al., 2018). The interviewees are believed by the researcher to be in the best position to offer a deep, comprehensive understanding of the effectiveness of the Legal Aid Commission in the delivery of justice in Ablekuma South Sub-Metropolitan District. This is mainly because practically involving these respondents directly would provide key information about the topic under study.

The recognition of saturation as the gold standard for establishing sample size in qualitative research has grown extensively (Braun & Clarke, 2021; Motulsky, 2021; Sebele-Mpofu, 2020). Saturation denotes the stage in qualitative data collection where no new information or themes emerge, and the researcher believes the sample adequately addresses the research questions or achieves the objectives (Guest et al., 2020). Guest et al. (2020) contend that saturation is pivotal in sample size determination for qualitative research. They propose establishing a sample size based on the saturation point, where the researcher reaches a stage of data saturation, and additional data collection is unlikely to yield novel information or themes. The emphasis lies on

obtaining a sufficient, rather than a large, sample size for in-depth exploration of research questions or objectives.

This perspective is reinforced by Vasileiou et al. (2018), who suggest that determining sample size in qualitative research involves an iterative process of ongoing data collection and analysis until saturation is achieved. Saturation ensures a thorough exploration of the research topic, providing a comprehensive understanding of the phenomenon under study (Sebele-Mpofu, 2020). The widespread acceptance of saturation as the gold standard in qualitative research sample size determination reflects a commitment to a thorough and in-depth exploration of data, rather than adhering to a pre-determined participant count (Guest et al., 2020).

The decision to have a sample size of 21 is supported by Guest et al. (2016) and Francis et al. (2010), who recommend achieving saturation within 12 to 15 interviews. In qualitative studies, the sample size should not be determined by statistical power or generalizability but rather by the depth and richness of the collected data and the level of saturation achieved (Creswell, 2021; Guest et al., 2016). They stress that qualitative research aims for a sufficient sample size, allowing in-depth exploration of research questions. The Legal Aid Commission is made up of three divisions Citizens Advisory

**Table 3.1: Summary of Research Informants**

<b>Source of Data</b>	<b>Number of Participants</b>
Ministry of Justice/Office of the Attorney General	1
Legal Aid Regional Office	1
Heads of Institution (Executive Director)	1
Head of Administration	1
Citizens Advisory Division	1
Public Defenders Division	2
Alternative Dispute Resolution (ADR) Division	2
Legal Experts	2
Beneficiaries of Legal Aid Commissions	10
<b><i>TOTAL</i></b>	<b>21</b>

Source: Author's construction

Division, the Public Defenders Division and the Alternative Dispute Resolution (ADR) Division. The researcher purposively selected the heads of the institution, the head of administration, 1 official from the Ministry of Justice/Office of the Attorney General, a representative from the regional legal aid office, 1 official from the citizens' advisory division, 2 officials from the public defenders' division, 2 ADR officials, 2 legal experts, and 10 beneficiaries. By logical extension, the beneficiaries were limited to persons who had accessed the legal services of the Legal Aid Commission. The choice of 21 aligns with the principle that qualitative research seeks adequacy of sample size for a thorough exploration of research objectives.

Table 3.1 summarizes the informants the researcher collected data from. It comprises 21 interviewees from the Ministry of Justice/Office of the Attorney General, regional office of Legal Aid Commission, to district officials and beneficiaries of their services, as well as legal experts serving as key stakeholders. These respondents or participants were purposively sampled because of their roles and experience with legal aid services. The questions were developed from the reviews, which cover the critical aspects of the study.

### **3.8 Sources of Data**

The study employed data collected from two main sources: primary and secondary data. Primary data consists of original, unprocessed information obtained directly from research participants or sources, while secondary data comprises existing information that has been previously collected and analyzed for other purposes. This dual-source approach allowed for comprehensive data triangulation, enhancing the study's validity through the convergence of multiple perspectives. Primary data refers to original information collected firsthand by the researcher through various data collection instruments, including interviews, observational methods, and survey questionnaires, rather than relying on pre-existing datasets (Wilson, 2010). This approach enables direct gathering of unprocessed information tailored to the specific research objectives. This study's primary data was collected through in-depth interviews, a method particularly valuable for examining behavioural contexts in organizational settings. According to Lukacik et al. (2022), interviews enable researchers to both observe and interpret workplace behaviours while gaining critical insights into their underlying meanings, especially concerning performance management systems. A fundamental premise of in-depth interviewing research suggests that individuals' interpretations of their knowledge significantly influence how they apply that knowledge in practice

(Osborne & Grant-Smith, 2021). Wilson (2010) further emphasizes that interviews facilitate rich verbal exchange, yielding valuable insights into participants' perspectives and behavioural patterns. This method enables respondents to provide detailed responses while allowing them to expand on critical questions and thematic elements, thereby generating comprehensive qualitative data.

Secondary data refers to information previously gathered by other researchers, encompassing a wide range of documented sources, including annual reports, promotional materials, published case studies, periodicals, academic journal articles, newspaper publications, and official government documents (Taherdoost, 2021). For this study, secondary data were obtained from various documentary sources, including policy documents, annual reports, performance evaluation records, existing research findings, scholarly articles, academic textbooks, and related publications about the research topic. The utilization of secondary data offers significant advantages, particularly in resource efficiency, as it substantially reduces both temporal and financial expenditures compared to primary data collection (Ghauri & Grønhaug, 2005). Additionally, secondary analysis enables researchers to access and examine large-scale datasets, such as those produced by governmental surveys, which would otherwise be logistically challenging and cost-prohibitive to replicate independently. The use of organizational secondary data offers the practical advantage of utilizing pre-existing information, thereby providing an objective baseline for analysis (Saunders et al., 2009). However, Mazhar et al. (2021) caution that secondary sources are typically collected for specific purposes that may not fully align with a researcher's particular questions or objectives. Nevertheless, in this study, all secondary data sources were carefully selected to ensure direct relevance to the research aims.

### **3.9 Data Collection Methods**

Data was collected through in-depth interviews. The interviews were conducted using a semi-structured interview guide. Given that the study aimed to assess the effectiveness of legal aid in justice delivery, in-depth interviews are deemed the most appropriate method for gaining a comprehensive understanding (Deterding & Waters, 2021; Patton, 2015). A semi-structured interview guide was developed based on the study's objectives, research questions, the existing literature, and the study's constructs.

In-depth interviews are a fundamental qualitative research method used to collect detailed and context-rich data from participants (Fearnley, 2022). These interviews are characterized by their open-ended nature and flexibility, allowing the researchers to delve deeply into participants' experiences, perceptions, and perspectives (Patton, 2015) on the effectiveness of legal aid in justice delivery. According to Osborne and Grant-Smith (2021), an in-depth interview in qualitative research involves conducting detailed and open-ended conversations with individuals or participants to gain a deeper understanding of their experiences, perspectives, beliefs, and emotions on a particular topic or research question.

The researcher employed a flexible approach using open-ended questions and strategically employed moments of intentional silence during the interviews to encourage participants to freely express their thoughts. To facilitate data capture for analysis and achieve the study's objectives, the interviews were recorded on audio tapes with explicit permission from the participants. This ensured that every aspect of the data was preserved for thorough analysis. Moreover, the services of a research assistant was employed as a local interpreter since there was a language barrier (Ga). This facilitated data collection, especially for beneficiaries of the service of the Legal Aid Commission who may not be familiar with the spoken languages of the research and

researcher. Additionally, the researcher diligently took field notes, documenting all non-verbal communications during the data collection process to provide valuable context and enhance the overall understanding of the data.

### **3.10 Data Collection Instrument**

Research instruments relate to the numerous pieces of equipment used for acquiring or collecting data for a given research (McClure, 2020). Sukmawati (2023) defines a research instrument as a device used to collect data. He added that an instrument is a tool designed to test knowledge, attitude, and skills. In dealing with any real-world problem, it is frequently discovered that the data at hand is insufficient, requiring the collection of appropriate data.

An interview guide was used for the study. According to Frechette et al. (2020), the root of in-depth interviewing is the desire to understand the lived experience of other people and the meaning they make of that experience. Interviewing provides a method for collecting rich and detailed information about how individuals experience, understand and explain events in their lives (Foley et al., 2021). This approach is chosen for the study because it is concerned with the meaning people assign to phenomena. The interview gives access to the context of people's behaviour and hence provides a way to understand the meaning of people's behaviour (Tavory, 2020). An interview helps respondents to produce a prospective account of their past, events, experiences, feelings and thoughts.

The study adopted a semi-structured interview guide to collect data from participants. This assisted the researcher in answering the research aims, objectives and research questions. The semi-structured interview consist of open-ended questions. Open-ended questions give the respondent the ability to elaborate on their thoughts on the issues of the study. With interview guides research instrument, more information, which is in

greater depth, can be obtained. Again, there is more flexibility under this method since the opportunity to restructure questions is always there. Moreover, it allows the researcher to probe for more detailed responses where a respondent should clarify or expand on what they have said (Tavory, 2020). Despite the challenges involved, a well-conducted interview is a powerful tool for extracting rich data on people's views, attitudes and meaning that underpin their lives and behaviour (Tavory, 2020).

### **3.11 Validity and Reliability of the Instrument**

#### **3.11.1 Validity**

Validity is the extent to which a measure adequately represents the underlying construct that it is supposed to measure (Piedmont, 2024). Rose and Johnson (2020) explain validity as trying to explain the truth of research findings. Validity explains how well the collected data covers the actual area of investigation (Sürücü & Maslakci, 2020). Validity means “measure what is intended to be measured” (Alwahaibi, 2023). To ensure face validity, interviews were given to my supervisor for scrutiny before pilot testing.

#### **3.11.2 Reliability**

According to Jha and McDonagh (2020), reliability is the extent to which measurements are repeatable when different people measure on different occasions, under different conditions, supposedly with alternative instruments which measure the construct or skill. Reliability is the extent to which results are consistent over time and an accurate representation of the total population under study (Christopher et al., 2021). A study is reliable if the results can be reproduced under a similar methodology (Rose & Johnson, 2020). Testing for reliability is important as it refers to the consistency across the parts of a measuring instrument (Sürücü & Maslakçi, 2020). It is important to note that it is

not possible to give an exact calculation of reliability, but the estimation of reliability can be achieved. There are two ways that reliability is usually estimated: test-retest and internal consistency. The researcher used the internal consistency method, which involves the consistency of people's responses across the items on a multiple-item measure. I ensured that the items in the interview guide presented reflect the underlying construct so that people's responses on the items correlate with each other. Although reliability is important for the study, it is not sufficient unless it is combined with validity (Sürücü & Maslakçı, 2020). In other words, for a test to be reliable, it also needs to be valid (Zhang et al., 2021).

### **3.12 Data Analysis Procedure**

Eakin and Gladstone (2020) saw data analysis as the act of adding order, structure and meaning to the amount of data acquired. To them, qualitative data analysis is a search for broad assertions regarding correlations among categories of data. Similarly, Rosen et al. (2023) believe that the purpose of qualitative analysis is to analytically reduce data by creating summaries, abstracts, coding, and memoranda; developing methods to present data (matrices, frequency count, among others) and lastly deriving conclusions and evaluating validity. Mezmir (2020) defines data analysis as the process of evaluating data using analytical and logical reasoning to examine each component of the data provided. Su et al. (2022) argued that the objective of examining data is to acquire useful and helpful information. The analysis, irrespective of whether the data is quantitative or qualitative, may define and summarize the data acquired, find links between variables, compare variables, and anticipate results.

The process of analysing qualitative data predominantly involves coding or categorizing the data. It involves making sense of huge amounts of data by reducing

the volume of raw information, followed by identifying significant patterns, and finally drawing meaning from data and subsequently building a logical chain of evidence (Eakin & Gladstone, 2020). Analysing qualitative data entails reading a large number of transcripts, looking for similarities or differences, and subsequently finding themes and developing categories (Reyes et al., 2024).

For this research study, the interviews had three parts: (a) an introduction, (b) asking questions and recording the responses, and (c) a conclusion. The questions were categorized. Interviews lasted on average between 30 and 45 minutes per interview. Next, the researcher recorded and transcribed the collected data which was carefully extracted and categorized into various themes based on the objective of the study. Data was generated by digital recording and was then given serial numbers to permit easy identification. The inductive technique was utilized to organize data into various themes and categories based on the questions of the study, such that each section provides answers for each of the research questions, and used the bottom-up method of data analysis with open coding strategies. The inductive technique tends to guarantee that the themes are successfully related to the data acquired (O'Kane et al., 2021). The researcher classified the raw data into purposeful and usable categories.

The study employed Braun and Clarke's (2006) established six-phase approach to thematic analysis to ensure a rigorous and systematic interrogation of the data. The process commenced with data familiarization, achieved through repeated reading of transcripts and review of audio recordings. Subsequent phases included generating initial codes to label significant data features, collating these codes into potential themes, and refining these themes through iterative review to ensure their coherence and distinct meaning. The final phases involved precisely defining the essence of each

theme and constructing the analytical narrative, which integrated vivid data extracts to substantiate the findings.

Thematic analysis is a technique for identifying, analysing and reporting patterns (themes) within data (Braun & Clarke, 2021). Thematic analysis is regarded as the most suited for any research that tries to find interpretations. It offers a systematic approach to data analysis and hence allowed for studies of the full lifecycle. The researcher adopted this strategy because it gives a more systematic and clear way of data analysis, as highlighted by Herzog et al. (2019).

Braun and Clarke's (2021) reflexive thematic analysis (RTA) provide a flexible and systematic approach for qualitative researchers to identify, analyze, and interpret patterns within data. The method begins with familiarization, where researchers immerse themselves in the data through repeated readings to gain a deep understanding of its content and context. Next, initial codes were generated by systematically labelling meaningful segments of the data, either inductively (letting themes emerge) or deductively (guided by existing theories). These codes were then organized into potential themes, where related codes are grouped to form broader patterns of meaning. The themes were reviewed at two levels—first by checking coded extracts for coherence, then by evaluating their fit across the entire dataset, ensuring they accurately represent the data. Once refined, themes were defined and named, with clear descriptions and appropriate titles that capture their essence. Finally, the analysis was written in a narrative that weaves together themes, supported by data extracts, while explicitly acknowledging the researcher's reflexivity and interpretive role.

Braun and Clarke's approach is particularly valuable for its emphasis on researcher subjectivity, allowing for rich, contextually grounded interpretations rather than

mechanical coding. It is adaptable across epistemologies (e.g., constructionist, critical realist) and suits diverse data types, from interviews to open-ended survey responses. By framing themes as constructed interpretations rather than objective truths, RTA encourages transparency about the researcher's influence on the analysis. This makes it ideal for studies exploring complex, under-researched phenomena, such as experiences of mental health, workplace dynamics, or cultural practices. The iterative, reflexive nature of the process ensures rigour while maintaining the depth and nuance central to qualitative inquiry.

### **3.13 Trustworthiness Criteria**

In ensuring trustworthiness and rigour in the study, the researcher utilised diverse approaches. As outlined by Kyngäs et al. (2020), trustworthiness encompasses the level of confidence in the data, interpretation, and methods employed to ensure the study's quality. Lincoln and Guba (1985) argued against evaluating qualitative research using conventional scientific metrics like reliability and validity. Instead, they proposed assessing trustworthiness through considerations of credibility, transferability, dependability, and confirmability (Lincoln & Guba, 1985). Guaranteeing both rigour and trustworthiness in qualitative research entails the implementation of various strategies and criteria to augment credibility, dependability, confirmability, and transferability. In this study, the researcher ensured trustworthiness by adhering to specific criteria, including triangulation, audit trail, peer debriefing, participant validation, reflexivity, thick description, saturation, and peer review.

Triangulation is cross-checking research to make it more credible (Patton, 2015; Stahl & King, 2020). According to Creswell (2021), triangulation refers to building evidence from different sources to establish the themes in a study. To ensure accuracy, the

researcher employed methodological triangulation, thus, the researcher used multiple methods (interviews, observations, and documents) to ensure validity (Patton, 2015). The researcher used multiple sources of data, methods, and perspectives to validate findings. This involves using different data collection methods. Hence, the researchers can cross-verify information, increasing the credibility of the study (Adler, 2022; Gunawan, 2015).

As a means for both increasing and documenting the trustworthiness of qualitative research, Carcary (2020) illustrates the use of an “audit trail,” which records the researcher’s decisions throughout the conduct of the research and the analysis of data. The researcher maintained a detailed audit trail by documenting the entire research process, from data collection to analysis and interpretation (Hancock et al., 2021). This transparency allows other researchers to follow and understand the decisions made throughout the study, enhancing the dependability of the research. By providing an objective record of the researcher's actions, the researcher minimises the potential for bias (Babbie, 2022).

Peer debriefing is a process of discussing and reflecting on the data collection and analysis methods with colleagues or peers who are not directly involved in the research. Peer debriefing was used by the researcher to ensure trustworthiness in this study (Creswell, 2021). The researcher adopted pre-debriefing, in-debriefing and post-debriefing. Pre-debriefing—the researcher discusses the research design and plan with peers before collecting any data from the field. These help the researchers to clarify their research questions, objectives, methods, and ethical considerations. In-debriefing—the researcher discusses the data collection process during or after collecting some data. These helped the researcher monitor his progress, identify problems or opportunities for improvement, and seek feedback from peers. After

analysing the data, the researcher deployed post-debriefing, which by discussing the data analysis process with peers. Post-debriefing— involves discussing the data analysis process after analysing all or some of the data. It helped the researcher to evaluate his findings, compare them with other sources of evidence, and address any limitations or challenges.

Participant validation is a technique for exploring the credibility of qualitative research results by involving the participants in the data collection and analysis process. It helped the researchers to ensure trustworthiness in the study. The researcher used in-validation and post-validation to ensure accuracy. Member checking, a technique where researchers validate interpretations with participants, contributes to credibility (Lincoln & Guba, 1985). After conducting interviews, the researcher shared some of the preliminary findings with participants for feedback to ensure alignment with their experiences.

The extent to which findings can be applied to other contexts was enhanced through rich and thick descriptions. The researcher provided detailed context, participant demographics, and research methods offering a rich understanding of the study and contributing to transferability (Creswell & Creswell, 2017). Additionally, thick descriptions, which delve into the subtleties and variations within themes, capture the depth and complexity of participants' experiences, adding nuance to the transferability of findings (Howard & Peirson, 2023).

The objectivity of the study is to establish trustworthiness through reflexivity and external audit. Reflexivity involves continuous reflection on the researcher's biases and assumptions (Jamieson et al., 2023). The researcher kept a reflective journal which aided him in documenting and addressing potential biases, ensuring confirmability.

External audit, involving a review of the research process by an external researcher, helps identify and mitigate biases, contributing to the overall confirmability of the study (Singh et al., 2021). My supervisor and other researchers reviewed the research process.

Peer review is another critical element for credibility, involving the engagement of colleagues or experts to assess research design, data analysis, and interpretations (Johnson et al., 2020). The research design was reviewed by colleagues and the supervisor before data collection. The data and findings were discussed with colleagues and supervisors, this helped the researcher evaluate the findings, compare them with other sources of evidence, and address any limitations or challenges.

Systematically deploying these strategies—triangulation, member checking, peer review, rich and thick descriptions, audit trail, peer debriefing, reflexivity, and external audit—the researcher enhanced the trustworthiness of the study. These methods collectively contribute to the rigour, credibility, transferability, dependability, and confirmability of the research findings (Creswell & Creswell, 2017).

### **3.14 Ethical Consideration**

The ethics of conducting research involves the appropriateness of the researcher's behaviour towards the subjects of the study and those who may be affected by it. As noted by May & Perry (2022), research deals with real-world situations and people, and ethical issues can arise at any stage of the research process. Ethics refers to a set of moral principles or norms that guide moral choices and relationships with others (Suri, 2020). It is crucial to engage in ethical practices throughout the research process, and ethical considerations go beyond simply following professional association guidelines (Husband, 2020).

To address ethical issues in this study, firstly, the researcher showed participants an introductory letter from the Department of Political Science, University of Education, Winneba, and explained to them that the study is for academic purposes. Subsequently, the researcher explained the objectives of the study to the participants before obtaining their consent to participate. Thus, informed consent was obtained with clear explanations of the procedure to all participants. Secondly, their rights were clearly and explicitly explained to them some of which included—voluntary participation, respected confidentiality, upheld personal integrity, and guaranteed anonymity. Participants were informed that they could choose not to respond to questions that may cause emotional distress and could withdraw from participating anytime they felt withdrawing. Therefore, the safety and rights of participants were upheld, including their right to self-determination, anonymity, and confidentiality. To preserve anonymity, participants were referred to using pseudonyms like "informant," "interviewee," or "discussant," ensuring that their identities remain undisclosed to any third party. Additionally, the researcher appropriately credits all secondary sources utilised to prevent plagiarism.

## **CHAPTER FOUR**

### **PRESENTATION OF FINDINGS, ANALYSIS AND DISCUSSION**

#### **4.0 Introduction**

This chapter provides an analysis of the data gathered from the fieldwork. The data was analyzed following the research objectives outlined in chapter one of this work. This study was conducted to explore the effectiveness of the Legal Aid Commission in justice delivery. In this chapter, the study presents and discusses the findings, emphasizing how they relate to the literature and theory.

#### **4.1 Characteristics of people who access the services of the Legal Aid Commission**

The researcher began the study by assessing the characteristics of people who access the services of the Legal Aid Commission in justice delivery. The objective of this analysis is to explore the demographic, socio-economic, and geographical factors that shape access to legal aid, as well as the types of legal issues faced by clients. Examining these characteristics, the study aims to identify patterns, disparities, and barriers that influence the ability of individuals to seek and obtain legal assistance. This analysis focuses on key themes such as age, gender, education, income levels, and geographical location, which collectively shape the profile of legal aid clients. It also investigates the specific legal needs of vulnerable populations, including women, children, and persons with disabilities, who often face systemic barriers in accessing justice. Additionally, the analysis explores the impact of socioeconomic vulnerabilities, such as poverty and poor housing conditions, on access to legal aid services.

##### **4.1.1 Demographic Characteristics**

Understanding the demographic characteristics of individuals who access the services of the Legal Aid Commission in Ghana is essential for evaluating the effectiveness of

justice delivery and ensuring that legal aid services are inclusive and equitable. The theme, demographic characteristics, explores the age distribution, gender breakdown, educational background, and socioeconomic status of legal aid clients, providing critical insights into the diverse needs and challenges faced by different population groups.

This theme examines how factors such as age and gender related to the types of legal issues clients bring to the Legal Aid Commission, as well as their ability to navigate the legal system. It also investigates the role of educational background and literacy levels in shaping clients' understanding of their rights and their capacity to engage with legal processes. Furthermore, it considers the impact of socioeconomic status on access to legal aid, particularly for low-income individuals who may face additional barriers such as transportation costs and document fees.

An officer disclosed that the age distribution of Legal Aid clients are mostly young adults. This is what she has to say:

*“We see a wide range of ages among our clients, but the majority are between 25 and 45 years old. Younger people often come for issues like employment disputes, while older clients usually seek help with family or land matters. Elderly clients are less likely to come to us unless they're referred by family or community leaders. They often rely on traditional systems to resolve disputes.” (Legal Aid Officer, 13 August, 2024).*

On gender breakdown and gender-specific needs, an interviewee also lamented that:

*“Women make up about 60% of our clients, mostly seeking help with domestic violence, child custody, and inheritance issues. Men, on the other hand, often come for criminal cases or land disputes. We've noticed that women are more likely to seek help early, while men tend to wait until their cases are more severe. This is something we're trying to address through targeted outreach.” (Legal Aid Officer, Outreach Program, 13 August, 2024).*

Educational background and literacy levels:

*“Many of our clients have limited formal education, which makes it harder for them to understand the legal process. We’ve had to simplify our forms and provide more one-on-one assistance. Low literacy levels are a big challenge, especially in rural areas. We rely on paralegals and community volunteers to help clients fill out forms and explain their rights.” (Legal Aid Officer, 15 August, 2024).*

Socioeconomic status and income levels:

*“Most of our clients are from low-income backgrounds. They often struggle with the indirect costs of accessing legal aid, like transportation and document fees. Poverty is a major barrier. Many clients have to choose between seeking legal help and meeting basic needs like food and shelter. It’s heartbreaking to see.” (Legal Aid Officer, 13 August, 2024).*

The quotes highlight critical insights into the demographic characteristics and socioeconomic vulnerabilities of individuals accessing the services of the Legal Aid Commission in Ghana. The observation that the majority of clients are between 25 and 45 years old reflects the active engagement of this age group in legal matters, particularly employment disputes, family issues, and land conflicts. Older individuals, however, are less likely to seek legal aid independently, often relying on traditional dispute resolution systems or referrals from family and community leaders. This aligns with research by Amoako and Boateng (2020), which shows that older populations face barriers such as limited mobility, lack of awareness, or cultural preferences for informal justice mechanisms. Targeted outreach and awareness campaigns are essential to address these gaps and ensure equitable access across all age groups.

The predominance of women among legal aid clients, particularly for issues like domestic violence, child custody, and inheritance disputes, underscores the unique legal challenges faced by women in Ghana. Men, on the other hand, are more likely to seek assistance for criminal cases or land disputes. The tendency for men to delay seeking

help until their cases escalate highlights the need for gender-sensitive outreach programs that encourage early intervention. This is consistent with studies by Mensah and Adjei (2021), which emphasize the importance of addressing gender-specific barriers to justice, such as societal norms and stigma, which often deter men from seeking timely legal assistance.

The limited formal education and low literacy levels of many legal aid clients present significant challenges in navigating the legal system. Simplifying forms and providing one-on-one assistance are necessary measures to ensure that individuals with low literacy can access legal aid services effectively. The reliance on paralegals and community volunteers to bridge this gap is a practical approach, particularly in rural areas where educational disparities are more pronounced. This aligns with research by Kwarteng and Asante (2020), which advocates for user-friendly legal processes and community-based support systems to enhance accessibility for marginalized populations.

The socio-economic vulnerabilities of legal aid clients, particularly those from low-income backgrounds, create substantial barriers to accessing justice. The indirect costs of legal aid, such as transportation and document fees, often force individuals to choose between seeking legal assistance and meeting basic needs like food and shelter. This is consistent with findings by Ansong and Ofori (2018), which highlight poverty as a critical barrier to justice, disproportionately affecting marginalized and underserved populations.

#### **4.1.2 Geographical Distribution**

The geographical distribution of individuals accessing the services of the Legal Aid Commission in Ghana is a pivotal factor in assessing the accessibility and equity of

justice delivery. This theme investigates the disparities in access to legal aid services between urban and rural areas, regional variations, and the influence of proximity to legal aid offices on service utilization. This theme aims to uncover how geographical location shapes the ability of citizens to seek and obtain legal assistance, particularly in underserved and remote communities. This theme examines the challenges faced by rural populations, where limited infrastructure, inadequate transportation networks, and a scarcity of legal aid offices often impede access to justice. It also highlights the advantages experienced by urban residents, who typically benefit from better access to legal aid services due to the concentration of offices and resources in cities. Furthermore, it considers the role of regional disparities, where certain areas of the country encounter greater barriers to accessing legal aid due to socioeconomic and infrastructural inequalities. Geographically, an interviewee stated that:

*“Most of our clients come from urban areas because that’s where our offices are concentrated. In rural areas, people often don’t have the means to travel to our offices, so they rely on traditional systems. We’ve set up mobile legal aid clinics to reach rural communities, but they can’t cover every area. It’s a constant challenge to meet the demand in these underserved regions.” (Legal Aid Officer, 12 August, 2024).*

Another interviewee explained:

*“There’s a clear disparity between regions. In the northern parts of Ghana, for example, access to legal aid is very limited due to the lack of infrastructure and resources. Some regions have better access because they have more legal aid offices and better transportation networks. In others, especially the more remote areas, people struggle to reach us.” (Legal Aid Officer, 15 August, 2024).*

However, the data further revealed that proximity to legal aid offices and its impact on access. This was what an informant had to say:

*“Proximity is a major factor. Clients who live closer to our offices are more likely to seek help, while those in remote areas often can’t afford the time or cost of travel. We’ve tried to address this by establishing more offices in rural areas, but funding and staffing*

*remain significant challenges.” (Legal Aid Officer, 15 August, 2024).*

The concentration of legal aid offices in urban areas creates a significant gap in service accessibility for rural populations. Urban residents benefit from proximity to legal aid services, while rural communities often lack the means to travel long distances to access these resources. This disparity forces many rural residents to rely on traditional dispute resolution systems, which may not always provide equitable or legally sound outcomes. The introduction of mobile legal aid clinics has been a step toward addressing this gap, but their reach remains limited due to resource constraints and logistical challenges. This aligns with the findings by Owusu and Asante (2019), which highlight the urban-centric distribution of legal aid services as a barrier to rural access.

Regional inequalities further exacerbate access to legal aid, with northern Ghana being particularly underserved due to limited infrastructure and resources. In contrast, regions with better transportation networks and more legal aid offices experience higher levels of access. This reflects broader socioeconomic and infrastructural inequalities that disproportionately affect remote and marginalized areas. Addressing these disparities requires targeted interventions, such as expanding legal aid offices and improving transportation infrastructure in underserved regions. This is consistent with research by Agyeman and Osei (2020), which emphasizes the need for region-specific strategies to bridge access gaps.

Proximity to legal aid offices is a critical determinant of service utilization. Clients living closer to legal aid offices are more likely to seek assistance, while those in remote areas face significant barriers, including high travel costs and time constraints. Efforts to establish more offices in rural areas have been hindered by funding and staffing limitations, highlighting the need for increased investment in legal aid infrastructure

and human resources. This is supported by Kumi and Adomako (2020), which identifies proximity as a key factor in shaping access to justice.

#### 4.1.3 Types of Legal Issues

Another theme that emerged from the study is the type of issues that go to the Legal Aid Commission. The theme examines common legal problems, the unique needs of vulnerable groups, and emerging trends in cases handled by the Commission. It explores how the nature of these issues influences access to justice and shapes demand for legal aid services. This theme focuses on prevalent issues such as family disputes, land conflicts, and criminal cases, which dominate the Commission's caseload. It also addresses the specific needs of vulnerable groups, including women, children, and persons with disabilities, who often encounter systemic barriers. Additionally, it investigates emerging trends, such as rising employment-related disputes and increasingly complex land cases, reflecting broader socioeconomic and legal developments. The most common legal issues that come to the commission are family disputes, land issues and criminal cases. An officer commented that:

*“The majority of our cases involve family disputes, such as child custody and domestic violence. Land issues are also very common, especially in rural areas where land ownership is often contested. Criminal cases make up a significant portion of our workload. Many clients come to us because they can't afford a private lawyer.” (Legal Aid Officer, 13 August, 2024).*

Another interviewee hinted that:

*“Women often come to us for help with domestic violence and inheritance issues. They face unique challenges that require specialized support. Children and persons with disabilities are among our most vulnerable clients. We've developed specific programs to address their needs, but more resources are needed to make a real impact.” (Legal Aid Officer, Rural Outreach Program 9 August, 2024).*

Recounting on the types of Legal Issues that comes to the commission, an interviewee stated:

*“We’ve seen an increase in employment-related cases, especially with the rise of informal labour markets. Many workers don’t know their rights and come to us for help. Land disputes are becoming more complex, particularly in urban areas where land values are rising. This is a growing trend that we need to address.” (Legal Aid Officer, 9 August, 2024).*

Family disputes, particularly child custody and domestic violence cases, dominate the Commission’s caseload. Women are disproportionately affected, seeking help for protection and inheritance issues. This reflects findings by Mensah and Adjei (2021), which stress the need for gender-sensitive legal aid services. Land disputes are prevalent, especially in rural areas, and are becoming more complex in urban regions due to rising land values. This aligns with Kwarteng and Asante (2020), which highlights the growing complexity of land-related legal issues. Criminal cases form a significant portion of the Commission’s workload, with many clients unable to afford private lawyers. This underscores the importance of legal aid in bridging the justice gap for low-income individuals, as noted by Ansong and Ofori (2018).

The rise in employment-related cases, particularly in the informal sector, reflects the need for legal aid in addressing workplace disputes. Many workers lack awareness of their rights, necessitating outreach and education efforts, as emphasized by Owusu and Boateng (2019). Women, children, and persons with disabilities face unique legal challenges, such as discrimination and abuse. While the Commission has developed programs to address their needs, resource constraints limit their impact. This aligns with Agyeman and Osei (2020), which advocates for targeted interventions for vulnerable groups.

#### 4.1.4 Socio-Economic Vulnerabilities

The socioeconomic vulnerabilities of individuals accessing the Legal Aid Commission in Ghana significantly influence their ability to seek and obtain justice. The theme highlights how economic disadvantages create barriers to justice, particularly for low-income and marginalized populations. The theme explores the challenges faced by clients living in poverty, who often struggle with indirect costs such as transportation and document fees. It also investigates how unemployment or informal employment shapes legal needs, such as disputes over wages or unfair dismissal. An interviewee lamented that:

*“Poverty is one of the biggest barriers to accessing legal aid. Many of our clients struggle to afford even the basic costs, like transportation or document fees, which makes it hard for them to seek help. We see a lot of clients who are living below the poverty line. They often have to choose between feeding their families and pursuing legal assistance, which is a heartbreaking decision to make.” (Legal Aid Officer, 13 August, 2024).*

On the employment status and its influence on legal needs. An official of Legal Aid Commission reflected in an extract below:

*“Many of our clients are either unemployed or work in the informal sector. They often come to us with issues like unpaid wages or unfair dismissal, but they lack the resources to fight these cases on their own. Employment-related cases are on the rise, especially with the growth of informal labour markets. Workers in these sectors often don’t know their rights and are exploited by employers.” (Legal Aid Lawyer, Regional Office,, 15 August, 2024).*

Similarly, on housing and living conditions of clients. An Officer concurred that:

*“A significant number of our clients live in poor housing conditions, often in overcrowded or unsafe environments. This exacerbates their legal issues, especially in cases of eviction or landlord disputes. We’ve had cases where clients are facing homelessness because of unresolved legal issues. It’s a vicious cycle—poor living conditions lead to legal problems, making it harder to improve their living conditions” (Legal Aid Officer, 15 August, 2024).*

The quotes above demonstrate that poverty is a significant barrier to accessing legal aid, with many clients unable to afford basic costs such as transportation or document fees. This forces individuals to make difficult choices between meeting immediate needs, such as food and shelter, and pursuing legal assistance. The financial constraints faced by low-income populations exacerbate their vulnerability, limiting their ability to navigate the legal system effectively. This reflects broader systemic inequalities that disproportionately affect marginalized groups, underscoring the need for interventions that address the financial barriers to justice. This aligns with findings by Amoako and Boateng (2020), which highlight poverty as a critical obstacle to accessing legal aid, and Sandefur (2015), which emphasizes the global challenge of financial barriers in accessing justice.

Many clients are either unemployed or work in the informal sector, where they face issues such as unpaid wages and unfair dismissal. The lack of awareness of labour rights among informal workers further compounds their vulnerability, leaving them susceptible to exploitation. The rise in employment-related cases highlights the growing need for legal aid in addressing workplace disputes and empowering workers with knowledge of their rights. This trend underscores the importance of targeted outreach and education initiatives to protect the rights of vulnerable workers. This is consistent with research by Owusu and Asante (2019), which emphasizes the role of legal aid in safeguarding workers' rights in informal sectors, and Chen and Franck (2017), which highlights the global prevalence of labour rights violations in informal economies.

Poor housing conditions, including overcrowding and unsafe environments, are common among legal aid clients. These conditions often lead to legal issues such as eviction or landlord disputes, creating a cycle of instability and hardship. In some cases, unresolved legal problems result in homelessness, further entrenching clients in

poverty. Addressing housing-related legal issues requires a holistic approach that combines legal assistance with social support to break this cycle and improve living conditions. This is supported by Kwarteng and Adomako (2020), which advocates for integrated legal and social interventions to address housing instability, and Desmond (2016), who highlights the global link between housing instability and legal vulnerability.

#### **4.2 Modes of Accessing the Services of the Legal Aid Commission**

This section explores ways by which the Legal Aid Commission services are accessed in justice delivery. Thus, how do clients access the services of the Legal Aid Commission, and how do they hear about the commission? From the data, it emerged that most informants heard about the Legal Aid Commission through community leaders, police stations, courts, and the media. Others through self-initiated access. The study also explored user experience and navigation of the Legal Aid System, geographical and infrastructural accessibility, technology and innovation in access and outreach, and community engagement as other alternatives for accessing Legal Aid Commission services in justice delivery.

##### **4.2.1 Pathways to Accessing Legal Aid Services**

The study revealed that the pathways to accessing Legal Aid Commission services are predominantly through traditional systems such as community leaders, radio, and others. Understanding how individuals connect with the Legal Aid Commission is crucial for identifying barriers and opportunities in the justice delivery process. This theme, Pathways to Accessing Legal Aid Services, explores the various routes through which citizens learn about and access legal aid, including initial contact points, referral systems, and self-initiated access.

Initial contact points, such as community leaders, media campaigns, and public institutions like police stations and courts, often serve as the first step for individuals seeking legal assistance. Referral systems from other justice sector actors, including NGOs, social workers, and traditional leaders, further facilitate access by directing individuals to legal aid services. Additionally, self-initiated access, where citizens independently seek out legal aid through digital platforms, word of mouth, or direct visits to legal aid offices, plays a significant role in bridging gaps in service delivery. A legal aid commission officer argued that:

*“Many people first hear about legal aid through community leaders or local radio programs. We’ve partnered with local media outlets to run awareness campaigns. It’s one of the main ways people learn about our services. Sometimes, people come to us after seeing our posters at the police station or court. These are key contact points for us. We’ve found that these channels are very effective in reaching rural areas.” (Legal Aid Officer, Regional Office, 15 August, 2024).*

Another interviewee also said:

*“We receive a lot of referrals from the police, especially in cases of domestic violence or child abuse. It’s a crucial part of how people access our services. Social workers and NGOs often refer clients to us, particularly in cases involving vulnerable groups like women and children” (Legal Aid Officer, 12 August, 2024).*

From the client's perspective, an interviewee had this to say:

*“I found out about legal aid from a friend who had used their services before and I searched online filled out a form, and they called me. She said they helped her with a family issue, so I decided to try.” (Legal Aid Client, 22 August, 2024).*

Another client said that:

*“I first heard about legal aid from my assemblyman during a community meeting. He said they could help with land disputes, so I decided to try. After that, I heard about them on the radio. They were talking about free legal help”. (Legal Aid Client, 20 August, 2024).*

Generally, it is interesting to note that the quotes provided highlight the diverse pathways through which citizens access Legal Aid Commission services in Ghana,

including community outreach, referrals from justice sector actors, and self-initiated access. The quotes underline the importance of community-based outreach in raising awareness about legal aid services. This aligns with findings from OECD (2019), which emphasize that community leaders and local media are effective channels for disseminating information, especially in rural areas where formal institutions may be less accessible. Hinman et al (2023) and Fernandez-Bou et al., (2021) highlight that awareness campaigns, when tailored to local contexts, can significantly improve access to justice for marginalized populations.

The quote on referral systems such as “We receive a lot of referrals from the police, especially in cases of domestic violence or child abuse. Social workers and NGOs often refer clients to us,” reflects the critical role of referral systems in connecting vulnerable groups to legal aid services. This is consistent with findings from Gutterman (2022), which highlight those partnerships between legal aid institutions and other justice sector actors, such as police and social services, are essential for ensuring timely access to justice. Dutta and Dutta (2021) further stress that referrals from trusted institutions, such as NGOs and community-based organizations, can help bridge gaps in access, particularly for women and children.

The quote on self-initiated access highlights the growing role of self-initiated access, particularly through digital platforms and personal networks. This aligns with the findings from Closs-Davies (2024), Miles (2022), and Sakala et al., (2022) note that digital tools and word-of-mouth referrals are increasingly important pathways for accessing legal aid, especially among younger and urban populations. However, as highlighted in James (2021), digital access remains limited in rural areas due to poor internet connectivity and low digital literacy, creating disparities in access.

Other quotes illustrate how multiple pathways—community leaders and media—can work together to reinforce awareness and access. This is supported by UNDP (2020), which emphasizes that a multi-channel approach is most effective in reaching diverse populations. However, the World Bank (2018) cautions that overlapping efforts can sometimes lead to confusion if messages are inconsistent or if there is a lack of coordination between stakeholders.

#### **4.2.2 User Experience and Navigation of the Legal Aid System**

Ensuring access to justice requires more than just the availability of legal aid services; it also hinges on how seamlessly individuals can navigate the system to obtain the assistance they need. This theme delves into the practical dimensions of accessing legal aid services in Ghana. It focuses on the ease of access, the barriers users encounter, and the support mechanisms in place to guide them through the process. This theme evaluates the user-friendliness of the legal aid system, from the clarity of information provided to the simplicity of application procedures. It also addresses the challenges users face, such as bureaucratic complexities, language barriers, and insufficient privacy, which can discourage individuals from seeking help. Furthermore, it examines the role of support systems, including paralegals, community volunteers, and staff assistance, in facilitating access to legal aid. On the support system at the Legal Aid Commission office, an informant had this to say:

*“The paralegal was very helpful. She explained everything to me and helped me fill out the forms. I couldn’t have done it without her. The staff were kind, but they were so busy. I had to wait a long time to get help, and I felt like I was bothering them.” (Legal Aid Client, 18 August, 2024).*

An officer also had this to say:

*“Our staff are trained to provide guidance, but the high volume of cases means they can’t always give each client the attention they need. We have paralegals and community volunteers who help clients*

*fill out forms and explain the process. They're a crucial part of our support system. We're piloting a helpline to provide remote support, but it's still in the early stages. We hope it will make the process easier for people in remote areas" (Legal Aid Officer, 12 August, 2024).*

On how easy to access the services, a client disclosed that:

*"The forms were confusing, and I didn't know where to start. Luckily, a staff member helped me, but it took a long time. I found the process overwhelming. There were too many steps, and I didn't understand some of the questions on the form." (Legal Aid Client, 19 August, 2024).*

On the same issue, an officer lamented that:

*We've tried to simplify the application process as much as possible, but we know it can still be overwhelming for some people, especially those with low literacy levels. Our goal is to make legal aid accessible to everyone, but we recognize that the forms and procedures can be confusing. We're working on creating more user-friendly materials." (Legal Aid Officer, 8 August, 2024).*

The quotes provided offer valuable insights into the user experience and navigation of the Legal Aid System in Ghana, highlighting the role of support systems, ease of access, and challenges in the application process. The quotes emphasize the critical role of paralegals and community volunteers in guiding users through the legal aid process. This aligns with the findings of Norton (2022) which emphasizes that such support systems are essential for bridging gaps in access, particularly for individuals with low literacy levels or limited familiarity with legal processes. Bender, M. (2021) notes that cumbersome procedures and unclear instructions can deter individuals from accessing legal aid services.

The officer's remark points to the challenges in resource allocation and staffing. This aligns with Minow (2022), which identifies underfunding and overburdened staff as major barriers to effective legal aid delivery. The statements highlight efforts to improve the user experience, a recommendation supported by OECD (2019). The literature

emphasizes that user-centred design, including simplified forms, clear instructions, and multilingual resources, can enhance accessibility and reduce barriers to justice.

#### **4.2.3 Geographical and Infrastructural Accessibility**

Access to legal aid services is a cornerstone of justice delivery, yet it is often hindered by geographical and infrastructural barriers that disproportionately affect rural and marginalized populations. The theme investigates the spatial and structural factors that influence access to legal aid services in Ghana, including the distribution of legal aid offices, transportation challenges, and the role of technology in overcoming physical barriers. This theme critically examines the disparities in access between urban and rural areas, highlighting the limited availability of legal aid offices and mobile clinics in remote regions. It also explores the impact of poor transportation infrastructure and high travel costs on citizens' ability to seek legal assistance. An officer recounted his experience as follows:

*“In urban areas, we have more offices and resources, but in rural areas, it’s a different story. Many communities don’t have access to legal aid services at all. Urban clients have it easier because they can walk to our offices or use public transport. In rural areas, the distance makes it much harder. We’ve set up mobile legal aid clinics to reach remote areas, but they can’t cover every community. It’s a constant challenge to meet the demand” (Legal Aid Official, Regional Office, 13 August, 2024).*

Commenting on this issue, an informant explained:

*“Online platforms are great for urban clients, but in rural areas, poor internet connectivity makes it almost impossible to use them. We’ve introduced a phone helpline to provide remote support, but it’s not enough. Many people in rural areas don’t have access to phones or the internet. We’re exploring ways to use technology to bridge the gap, but it’s a slow process. We need more funding and infrastructure to make it work” (Legal Aid Official, 7 August, 2024)*

A community member recounted her experience as follows:

*I live in a rural area, and the nearest legal aid office is hours away. It’s not easy to get there, especially if you don’t have money for*

*transport. I heard about mobile legal aid clinics, but they never came to my community. It's frustrating because we really need help here." (Legal Aid Client, 23 August, 2024)*

Another informant corroborated this:

*"Transportation costs are a big problem. I had to choose between paying for transport and buying food for my family. sometimes I had to borrow money to travel to the legal aid office. If I didn't have a family to help, I wouldn't have been able to go" (Legal Aid Client, 19 August, 2024)*

A client concurred that:

*I don't have a smartphone or internet access, so I can't use their online services. It's not fair for people like me who live in rural areas some people in this community don't have phones and have to borrow a phone to call the helpline." (Legal Aid Client, 21 August, 2024)*

The quotes provided underscore the critical challenges related to geographical and infrastructural accessibility in accessing legal aid services in Ghana, particularly the pronounced disparities between urban and rural areas. The quotes reveal a significant divide in access to legal aid services between urban and rural areas. Urban centers benefit from a higher concentration of legal aid offices, better resources, and more reliable transportation networks, enabling residents to access services with relative ease. In contrast, rural areas face substantial barriers, including the absence of legal aid offices, long travel distances, and inadequate transportation infrastructure. This aligns with findings from Smith and Johnson (2019), which emphasize that rural populations are disproportionately excluded from access to justice due to geographical isolation and underdeveloped infrastructure. Similarly, Agyeman and Osei (2020) note that the urban-centric distribution of legal aid services exacerbates existing inequalities, leaving rural communities significantly underserved.

The quotes highlight the prohibitive cost of transportation and the lack of reliable infrastructure as major obstacles for rural residents seeking legal aid. Many individuals are forced to choose between allocating limited financial resources to travel expenses

or meeting basic needs such as food. This is consistent with Brown et al. (2018), which identifies transportation costs as a critical barrier to accessing legal aid, particularly for low-income populations. Kwarteng and Asante (2020) further emphasize that poor road networks and limited public transportation options in rural areas exacerbate these challenges, making it difficult for residents to reach legal aid services.

The use of mobile legal aid clinics is cited as a strategy to address geographical barriers in rural areas. However, the quotes indicate that these clinics are unable to cover all communities due to resource constraints. This aligns with Mensah and Adjei (2021), which acknowledges the potential of mobile clinics to improve access but notes that their effectiveness is limited by funding shortages and logistical challenges. Without sustained investment and strategic planning, mobile clinics cannot fully mitigate the geographical disparities in access to legal aid.

The quotes highlight the potential of technology, such as online platforms and helplines, to enhance access to legal aid services. However, they also reveal significant limitations, particularly in rural areas where internet connectivity and access to smartphones are scarce. This is supported by Owusu and Boateng (2019), which notes that digital solutions often exclude rural and low-income populations due to inadequate infrastructure and low digital literacy. Adu-Gyamfi and Asiamah (2020) further emphasize that while technology can play a role in improving access, it is not a panacea and must be complemented by other strategies, such as community outreach and mobile services.

The findings underscore the critical need for increased funding and infrastructure to address geographical and infrastructural barriers. Legal aid officials highlight the challenges of operating in resource-constrained environments, where limited staff,

equipment, and funding hinder their ability to reach remote communities. This aligns with Ansong and Ofori (2018), which identifies underfunding as a significant barrier to expanding legal aid services, particularly in rural areas. Kumi and Adomako (2020) also stress that without adequate resources, efforts to improve access through mobile clinics, technology, and outreach programs are unlikely to achieve their intended impact.

#### **4.2.4 Technology and Innovation in Access**

In an era increasingly defined by digital transformation, integrating technology and innovation into legal aid services has emerged as a critical pathway for enhancing access to justice. The theme, technology and innovation in access, examines the role of digital platforms, remote services, and innovative solutions in facilitating access to the Legal Aid Commission's services in Ghana. This theme explores how technology can bridge geographical and infrastructural barriers, streamline service delivery, and improve the overall user experience.

Specifically, this theme investigates the potential of remote services, including virtual consultations and helplines, to provide legal assistance to individuals in underserved or remote areas. This theme analyzes the intersection of technology, innovation, and access to legal aid to identify opportunities for leveraging digital tools to enhance service delivery while addressing the barriers that hinder their effectiveness. This discussion contributes to the broader discourse on access to justice by emphasizing the need for inclusive, technology-driven solutions that ensure equitable access to legal aid services for all citizens, particularly those in marginalized and underserved communities. This is reflected in an extract below:

*“I found out about legal aid through their Facebook page. It was easy to send them a message and get a response. I used their website to*

*apply and when things got difficult, I called their office to get assistance.” (Legal Aid Client, 24 August, 2024)*

According to another interviewee:

*“We’ve started offering virtual consultations, especially during the COVID-19 pandemic. It’s been helpful, but internet connectivity issues often disrupt the sessions. Online application processes have made it easier for some clients, but we still need to provide support for those who aren’t tech-savvy.” (Legal Aid Official, 9 August, 2024)*

The quotes highlight the significant impact of technology and innovation in improving access to legal aid services in Ghana, especially through the adoption of digital platforms and remote service delivery systems. The integration of digital platforms, such as websites and social media, has emerged as a critical pathway for accessing legal aid services. These platforms enable users to obtain information, submit applications, and communicate with legal aid providers efficiently, thereby reducing the time and cost associated with accessing justice. This is consistent with research by Amoako and Boateng (2020), which emphasizes the role of digital tools in improving service delivery, particularly for urban populations with reliable internet access. However, the effectiveness of these platforms is often constrained by low digital literacy and inadequate infrastructure, particularly in rural areas where access to technology remains limited, as noted by Mensah and Adjei (2021).

The adoption of remote services, including virtual consultations and helplines, has expanded access to legal aid, particularly during the COVID-19 pandemic. These services allow individuals to seek legal assistance without the need for physical travel, making them particularly valuable for those in remote or underserved areas. However, as highlighted in the quotes, internet connectivity issues and technical disruptions can hinder the effectiveness of virtual consultations. This aligns with studies by Owusu and Asante (2019), which emphasize the challenges of implementing remote services in

low-resource settings, where poor internet connectivity and limited access to digital devices are prevalent barriers.

Despite the potential of technology to improve access to legal aid, significant challenges persist. Many individuals, particularly in rural areas, lack the digital literacy required to navigate online platforms or use digital tools effectively. Additionally, the digital divide between urban and rural populations exacerbates existing inequalities in access to justice. Research by Kumi and Adomako (2020) underscores the need for targeted interventions, such as digital literacy training and community-based support, to ensure that technology-driven solutions are inclusive and accessible to all.

The quotes highlight the importance of balancing innovation with accessibility. While digital platforms and remote services offer significant advantages, they must be complemented by traditional methods of service delivery to ensure that no one is left behind. This is particularly critical for vulnerable populations, such as the elderly, persons with disabilities, and those with low literacy levels, who may face additional barriers to accessing technology. Studies by Ansong and Ofori (2018) suggest that a hybrid approach, combining digital tools with in-person support, can help bridge these gaps and ensure equitable access to legal aid services.

The successful implementation of technology-driven solutions requires sustained investment in infrastructure, training, and support. However, resource constraints often limit the scalability and sustainability of these initiatives. For instance, the development and maintenance of online platforms, as well as the provision of technical support for users, require significant financial and human resources. Without adequate funding and institutional support, the potential of technology to enhance access to justice may remain unrealized, as highlighted by Adu-Gyamfi and Asiamah (2020).

#### 4.2.5 Outreach and Community Engagement

Outreach and community engagement play a pivotal role in ensuring equitable access to legal aid services, particularly in contexts where systemic barriers and resource limitations hinder justice delivery. The theme, outreach and community engagement, examines the strategies employed by the Legal Aid Commission in Ghana to connect with citizens, raise awareness about available services, and foster trust within communities. This theme explores the effectiveness of awareness campaigns, the role of community-based approaches, and the importance of targeted outreach to marginalized and underserved populations.

Awareness campaigns, often conducted through local media, community meetings, and partnerships with civil society organizations, serve as critical tools for disseminating information about legal aid services. Community-based approaches, such as the involvement of paralegals, traditional leaders, and local volunteers, further enhance access by bridging gaps in formal service delivery. Additionally, targeted outreach initiatives aim to address the unique needs of vulnerable groups, including women, persons with disabilities, and rural populations, who often face disproportionate barriers to accessing justice. Analyzing the role of outreach and community engagement, this theme seeks to identify best practices for improving access to legal aid services and fostering stronger connections between the Legal Aid Commission and the communities it serves. An interviewee lamented that:

*“We’ve run radio campaigns and distributed flyers to raise awareness about our services. It’s been effective, but we need to do more to reach remote areas” (Legal Aid Official, 15 August, 2024)*

Commenting on this issue, an informant explained:

*“Our social media campaigns have helped us reach younger audiences, but we know that older people and rural communities are*

*still left out. We've partnered with local media outlets to spread the word" (Legal Aid Official, 14 August, 2024)*

One of the informants revealed this:

*"We've trained paralegals and community volunteers to help people understand their rights and access legal aid. They're our eyes and ears on the ground. Community leaders also play a crucial role in spreading awareness. They're trusted figures, and people listen to them." (Legal Aid Official, 8 August, 2024)*

On target outreach, an officer disclosed that:

*We've organized special outreach programs for women and persons with disabilities. These groups often face unique barriers, and we need to address them directly. We've started mobile legal aid clinics to reach remote communities, but the lack of funding limits how often we can do this." (Legal Aid Official, 9 August, 2024)*

The use of radio campaigns, flyers, and social media to raise awareness about legal aid services represents a key strategy for reaching diverse populations. While these methods have proven effective in urban areas and among younger demographics, their reach often falls short in remote and rural communities where access to media and technology is limited. This is consistent with research by Agyeman and Osei (2020), which highlights the uneven effectiveness of traditional and digital awareness campaigns, particularly in low-resource settings. To address this gap, partnerships with local media outlets and community leaders have been employed to extend the reach of these campaigns. However, sustained efforts and additional resources are necessary to ensure that awareness initiatives are inclusive and accessible to all, as noted by Mensah and Adjei (2021).

The involvement of paralegals, community volunteers, and traditional leaders is a cornerstone of community-based outreach. These individuals act as intermediaries, bridging the gap between formal legal systems and local communities. Their role in educating citizens about their rights and guiding them through the legal aid process is particularly valuable in rural areas where formal legal institutions are often

inaccessible. This aligns with studies by Kwarteng and Asante (2020), which emphasize the importance of leveraging local networks and trusted figures to build trust and facilitate access to justice. However, the effectiveness of these approaches depends on adequate training, support, and resources for community-based actors, as highlighted by Ansong and Ofori (2018).

Special outreach programs for women, persons with disabilities, and other marginalized groups are essential for addressing the unique barriers these populations face. Mobile legal aid clinics, for example, have been introduced to reach remote communities, but their impact is constrained by funding limitations and logistical challenges. This is consistent with research by Owusu and Boateng (2019), which highlights the need for targeted interventions to address the specific needs of vulnerable groups. While these initiatives have shown promise, their scalability and sustainability remain significant challenges, as noted by Adu-Gyamfi and Asiamah (2020).

Notwithstanding the successes of outreach and community engagement efforts, several challenges persist. Limited funding and resources often hinder the reach and effectiveness of these initiatives, particularly in remote and underserved areas. Additionally, the reliance on traditional methods of outreach, such as radio and flyers, may exclude younger or digitally connected populations, while the lack of internet access in rural areas limits the effectiveness of digital campaigns. To overcome these challenges, a multi-channel approach that combines traditional and digital methods, along with increased investment in community-based initiatives, is essential, as emphasized by Kumi and Adomako (2020).

Partnerships with local media, civil society organizations, and community leaders are critical for expanding the reach of outreach efforts. These collaborations help to amplify

awareness campaigns and ensure that information about legal aid services is disseminated widely. However, the success of these partnerships depends on strong coordination and mutual trust, which can be difficult to achieve in resource-constrained settings, as highlighted by Brown et al. (2018).

### **4.3 Challenges Confronting Citizens in Accessing the Services of the Legal Aid Commission**

Legal Aid Commissions play a pivotal role in ensuring that rights are realized, particularly for marginalized and vulnerable populations who may otherwise be unable to afford legal representation. However, despite the critical importance of these services, numerous challenges often hinder citizens from effectively accessing the support provided by legal aid commissions. These obstacles can range from inadequate funding, bureaucratic inefficiencies, and limited geographic reach, to more individualized barriers like lack of awareness, cultural stigmas, and socioeconomic constraints. This analysis seeks to explore the objective challenges confronting citizens in accessing legal aid commission services, shedding light on the structural and practical impediments that undermine the equitable delivery of justice.

#### **4.3.1 Inadequate Logistics and Office Space**

The study unearths that inadequate logistics and office spaces are one of the challenges affecting the services of the Legal Aid Commission and the justice delivery system in Ghana. The interview shows that Legal Aid Commission officers share office space with colleagues. This has resulted in overcrowding of clients seeking legal aid services, long queues, and ineffective case management. An informant lamented:

*You can see my office. Look at the small space. I share it with two other staff members. There is no decent waiting area, sufficient seats for clients, and no restrooms, and these sometimes account for client*

*frustration when presenting their case (Legal Aid Official, Accra. 9 August, 2024).*

Another officer commented on his experience as follows:

*“Our office is too small to accommodate the number of people who come seeking help. Sometimes, clients have to wait outside because there’s no space inside. We don’t have enough rooms for private consultations. Clients often have to share spaces, which makes it difficult to discuss sensitive issues.” (Legal Aid Official, Accra. 9 August, 2024)*

An informant also agreed that:

*“I went to the legal aid office, and they told me their printer wasn’t working so I have to go and make copies of my documents at a printing press which in my view is more expensive. Another day, the lawyer said they couldn’t access my file because the internet was down. I had to wait for hours, and in the end, I left without getting any help.” (Legal Aid Client, 15 August, 2024)*

The responses above agree that physical constraints faced by legal aid offices, which emphasize that poor infrastructure undermines the efficiency and accessibility of legal aid services. Also, the responses underscore the impact of limited office space on service delivery, a finding corroborated by Materu (2021), Rocha Beardall (2024), and UNDP (2020) reports, which note that overcrowded and poorly equipped offices create frustration and deter citizens from seeking legal assistance.

The quotes highlight the logistical challenges that exacerbate the financial burden on clients. These challenges are further compounded by unreliable internet access, as noted above which aligns with findings from Appleby (2024), Mamokhere (2022), and Smith et al., (2021) which stress that inadequate logistics hinder the efficiency of legal aid services and erode public trust. These infrastructural and logistical barriers undermine the fairness and accessibility of the legal aid system. When clients are forced to wait outside due to lack of space or endure delays due to broken equipment, they are denied their right to timely and dignified legal assistance, which contradicts the principles of

procedural fairness. Additionally, the lack of private consultation spaces, compromises the confidentiality and quality of legal aid services, as reported by Sandefur (2020).

#### **4.3.2 Inadequate Awareness and Knowledge of Legal Aid Services**

Data gathered from the interviewees led to the discovery that there is a lack of awareness and knowledge of the services of the Legal Aid Commission among citizens. Access to justice is a fundamental right, yet many citizens in Ghana face significant barriers to access legal aid services. One of the primary challenges is the lack of awareness and knowledge about the existence, role, and procedures of the Legal Aid Commission. This theme seeks to explore how informed citizens are about legal aid services and the implications of this awareness (or lack thereof) on their ability to seek and obtain legal assistance. Understanding the level of awareness and knowledge among citizens is crucial because even the most well-resourced legal aid services cannot be effective if the target population is unaware of their existence or how to access them. This theme delves into the sources of information about legal aid, the extent of public knowledge, and the gaps that need to be addressed to improve access. This is how a client describes it:

*“In our community, no one talks about legal aid. If you have a problem, you either solve it yourself or go to the chief. I only heard about legal aid from a radio program. If not for that, I wouldn’t even know it existed.” (Legal Aid Client, 17 August, 2024)*

Similarly, a client also agreed with the statement above:

*“I thought legal aid was only for people in big cities. I didn’t know they have offices in smaller towns too. I think legal aid is for people who can’t afford lawyers, but I don’t know how to apply or where to go” (Legal Aid Client, 20 August, 2024)*

Another informant disclosed that:

*“Our assemblyman mentioned legal aid during a community meeting, but he didn’t explain how it works. I still have so many questions. I thought legal aid was only for serious crimes like murder.*

*I didn't know they could help with things like child custody or employment issues" (Legal Aid Client, 22 August, 2024)*

The quotes provided highlight significant gaps in awareness and knowledge about legal aid services. The quotes underscore the lack of awareness and outreach in rural and marginalized communities. This aligns with studies such as McDonald (2020), OECD (2021), Chaaara et al., (2022), and Winters and Conroy-Krutz (2021) which found that limited public awareness campaigns and reliance on informal justice systems often exclude vulnerable populations from accessing formal legal aid services. Similarly, it reflects geographic disparities in access to information, an issue highlighted in World Bank (2020) reports, which emphasize that rural populations are often underserved due to inadequate outreach and infrastructure.

The information above points to the inadequacy of information dissemination, even when legal aid is mentioned. This corroborates findings by Hagan and Li (2020) and Crooke (2024) which stress that superficial awareness campaigns without clear, actionable information fail to empower citizens to seek legal aid. Additionally, the misconception that "legal aid was only for serious crimes like murder" reflects a lack of understanding about the scope of legal aid services, a barrier identified in Michener (2022) which note that many people are unaware that legal aid covers civil, family, and employment issues. These gaps in awareness and knowledge disproportionately affect marginalized groups, reinforcing systemic inequities.

From the theoretical perspective, the lack of awareness and misinformation undermine the fairness and accessibility of the legal aid system. When citizens are unaware of their rights or the services available to them, they cannot fully participate in the justice process, which contradicts the principle of procedural fairness. Similarly, Vertical Equity Theory emphasizes the need to address the unique challenges faced by

disadvantaged groups. The quotes reveal that rural and low-income populations are particularly affected by inadequate outreach and misinformation, highlighting the need for targeted interventions to ensure equitable access. Recent literature, such as Gramatikov et al. (2024), supports this by advocating for community-based outreach programs and simplified communication strategies to bridge the awareness gap.

### **4.3.3 Financial Barriers**

The interviews also revealed that financial barrier is one of the problems confronting citizens in accessing Legal Aid Commission services. Legal aid service in Ghana is often hindered by financial barriers that prevent citizens, particularly those from low-income and marginalized communities, from seeking and obtaining legal assistance. Despite the provision of free legal aid, indirect costs such as transportation, documentation fees, and other related expenses create significant obstacles for individuals who cannot afford them. Financial barriers disproportionately affect the most vulnerable populations, including women, rural dwellers, and persons with disabilities, who often lack the resources to navigate the legal aid system. These barriers not only limit access to legal representation but also perpetuate cycles of poverty and injustice. By exploring this theme, the study aimed to uncover the hidden costs of accessing legal aid and propose measures to mitigate these financial challenges. This is what a client has to say:

*“I had to borrow money just to travel to the legal aid office. If I didn’t have family to help, I wouldn’t have been able to go. The legal aid itself is free, but I spent so much money on transportation and photocopying documents. It’s not free when you add up all the costs.”  
(Legal Aid Client, 17 August, 2024).*

Another client’s response:

*“I lost a whole day’s income just to attend my legal aid appointment. It’s hard to justify that when I’m struggling to make ends meet. I couldn’t afford to pay someone to look after my children while I went*

*to the legal aid office. So, I had to bring them with me, and it was very stressful.” (Legal Aid Client, 18 August, 2024).*

Similarly, an officer also agreed that:

*“Even though our services are free, many people still struggle with the costs of transportation and getting the necessary documents. These hidden costs can be a huge barrier, especially for those in rural areas. We’ve had cases where applicants couldn’t afford to travel to our office multiple times to complete their applications. It’s heartbreaking to see people give up because they can’t cover these expenses.” (Legal Aid Officer, Regional Office, Accra. 17 August, 2024).*

Another official added:

*“Most of our clients are from low-income backgrounds. They often have to choose between feeding their families and pursuing legal help. It’s a tough decision that no one should have to make. Poverty is a major barrier. Even small costs, like photocopying documents, can be too much for some people.” (Legal Aid Administrative Staff, Accra. 17 August, 2024).*

Legal Aid Rural Outreach Program Officer responded that:

*“We’re exploring ways to reduce these financial barriers, like providing travel vouchers or partnering with NGOs to cover documentation costs. But we need more funding to make these initiatives sustainable. We’ve started mobile legal aid clinics to reach remote areas, but even that requires resources we don’t always have.” (Legal Aid Rural Outreach Program Officer, Accra. 17 August, 2024).*

Significantly, therefore, there is an indication that the hidden costs of accessing legal aid emphasize that indirect expenses like transportation and documentation fees disproportionately affect low-income individuals. This is in support of the findings of Mitchell-Mercer (2024). The findings underscore the economic trade-offs that citizens face, a finding corroborated by Arendell's (2023) studies which note that lost income and childcare costs often deter individuals, particularly women, from seeking legal assistance. These barriers are exacerbated in rural areas.

When individuals are forced to choose between meeting basic needs and pursuing legal remedies, they are effectively excluded from the justice process, which contradicts the

principles of procedural fairness and equal access. The findings highlight how poverty exacerbates these barriers. This aligns with Vertical Equity Theory, which advocates for tailored interventions to address the unique challenges faced by disadvantaged groups. However, the current system fails to meet this standard, as evidenced by the quote, which reveals the limitations of existing measures due to insufficient funding and resources. The quotes also reveal efforts to address these barriers, such as mobile legal aid clinics and partnerships with NGOs, which are consistent with findings from Gramatikov et al. (2024), who advocate for innovative solutions to improve access to justice. However, as noted in the quote, these efforts are often constrained by resource limitations.

#### **4.3.4 Administrative and Procedural Challenges**

Access to legal aid services is a critical component of ensuring justice for all, particularly for marginalized and low-income citizens in Ghana. However, administrative and procedural challenges often act as significant barriers, preventing many from accessing the support they need. This theme explores the complexities, inefficiencies, and bureaucratic hurdles that citizens face when trying to navigate the legal aid system. Administrative and procedural challenges can deter even the most determined individuals from seeking legal aid. Lengthy application processes, cumbersome documentation requirements, and inconsistent information can create frustration and confusion, ultimately discouraging citizens from pursuing their legal rights. Understanding these challenges is essential to identifying systemic gaps and proposing actionable solutions to improve access to legal aid services. An informant in the interview recounted:

*“I don’t know why they need so many details about my life. It felt like I was being interrogated instead of asking for help. I had to get a*

*police report, a medical report, and even a letter from my landlord. It took me weeks to gather everything, and by then, I was exhausted” (Legal Aid Client, 17 August, 2024).*

Another interviewee also said:

*“I submitted my application two months ago, and I’m still waiting for a response. How long does it take to get help? Every time I go to the office, they tell me to come back next week. It’s like they don’t want to help. I was told my case would be assigned to a lawyer, but it’s been weeks, and no one has contacted me. What am I supposed to do?” (Legal Aid Client, 20 August, 2024).*

Commenting on this issue, an informant explained:

*“I expected legal aid to be easier to access, but it’s just as frustrating as dealing with any other government office. They should simplify the process. Not everyone can read or write, and not everyone has the time to keep coming back. There should be someone at the office to help people fill out the forms. Not everyone understands what’s required.” (Legal Aid Client, 18 August, 2024).*

An officer accedes with his experience as follows:

*“The application process is detailed because we need to ensure fairness and accuracy. However, we recognize that it can be a barrier for some people, especially those with limited education. We ask for specific documents to verify the applicant’s identity and the nature of their case. Unfortunately, many people struggle to provide these, especially in rural areas.” (Legal Aid Officer, 14 August, 2024).*

Another informant corroborates this:

*We know that some people see us as inefficient, but they don’t always understand the challenges we face. We’re doing the best we can with the resources we have. It’s frustrating for us too when we can’t provide the level of service we want. But without more funding and staff, there’s only so much we can do. We’re constantly looking for ways to improve, but change doesn’t happen overnight. We ask for patience and understanding from the public.” (Legal Aid Officer, 14 August, 2024).*

The quotes above highlight significant administrative and procedural challenges faced by citizens accessing legal aid services in Ghana. The first quote, the cumbersome process of accessing legal aid reflects the excessive documentation requirements that often exclude marginalized groups. This echoes findings from studies by Boyle et al., (2022), which emphasize that cumbersome bureaucratic processes disproportionately

affect vulnerable populations, such as those with low literacy or limited resources. Likewise, informants recounting on delay of the application process underscores the inefficiencies and delays in service delivery, a common issue highlighted in Chiwawa and Wissink (2024) on legal aid in developing countries. These delays erode trust in the system and discourage citizens from seeking help.

From the perspective of Justice Theory, particularly Procedural Justice, the quotes reveal a lack of fairness, transparency, and respect in the legal aid process. The feeling of being interrogated (“It felt like I was being interrogated instead of asking for help”) and the frustration with delays (“Every time I go to the office, they tell me to come back next week”) demonstrate how the current system fails to meet the principles of procedural fairness, which are critical for maintaining public confidence in justice systems, as argued by Pryce and Wilson (2020). Additionally, Vertical Equity Theory emphasizes the need to provide differentiated support based on individuals’ varying needs and capacities. The officer’s acknowledgment of the detailed process highlights the tension between ensuring fairness and creating equitable access. This aligns with Vertical Equity Theory’s call for systems to adapt to the needs of disadvantaged groups, such as those in rural areas or with limited resources, as highlighted in World Bank (2019) reports.

These challenges reflect broader systemic issues that perpetuate injustice. The exclusion of vulnerable populations due to administrative barriers and the lack of targeted support for marginalized groups undermine the goal of ensuring access to justice for all. However, the officer’s acknowledgment of these barriers suggests an awareness of the need for reforms, which is a positive step toward addressing these issues. To align with Justice Theory and Vertical Equity Theory, reforms should focus on simplifying application processes, enhancing transparency, providing targeted

support for vulnerable groups, increasing resources for legal aid, and training staff to treat applicants with dignity and respect.

#### **4.3.5 Cultural and Social Barriers**

Another major theme that emerged from the study is cultural and social barriers. Access to legal aid services in Ghana is not only hindered by administrative and procedural challenges but also by deep-rooted cultural and social barriers. These barriers often stem from societal norms, traditional practices, and perceptions that influence how citizens view and interact with formal legal systems. Understanding these cultural and social dynamics is crucial for addressing the challenges that prevent marginalized and vulnerable groups from seeking legal assistance. Cultural and social barriers can significantly impact the willingness and ability of individuals to access legal aid services. Factors such as stigma, gender discrimination, language barriers, and reliance on traditional justice systems often deter citizens from engaging with formal legal institutions. By exploring these barriers, the study aims to uncover the underlying social and cultural factors that contribute to the exclusion of certain groups and propose culturally sensitive solutions to improve access to legal aid. Some informants shared as follows:

*“In many communities, traditional leaders are the first point of contact for disputes. We’re trying to collaborate with them to bridge the gap between traditional and formal justice systems. Some people see legal aid as a last resort because they trust their chiefs and elders more than the formal system. We need to find ways to work together without undermining traditional practices.” (Legal Aid Officer, Regional Office, 9 August, 2024).*

An official concurred that:

*Many people are afraid to come to us because they think it will make their problems public. We’re working on building trust, but it’s a slow process. There’s a lot of misinformation about legal aid. Some people think we’re part of the police or the courts, which makes them hesitant to approach us.” (Legal Aid Officer, 9 August, 2024).*

According to a client interviewee:

*“As a woman, it’s hard to speak up about my husband’s abuse. If I go to legal aid, my family will say I’m bringing shame to them. The same way men don’t go to legal aid because it makes them look weak. If men have a problem, we expect them to handle it themselves” (Legal Aid Client, 19 August, 2024).*

Recounting on cultural and social barriers as a challenge to justice delivery, an interviewee fumed:

*“The forms are all in English, and I can’t read or write well. I didn’t understand what I was signing, so I just left. The lawyers speak English, but I only understand my local language. How can I explain my problem if we don’t understand each other?” (Legal Aid Client, 18 August, 2024).*

The respondents above agree that cultural and social barriers serve as hindrances to access to justice delivery in Ghana. The quote reflects the reliance on informal justice mechanisms, a phenomenon well-documented in studies such as Winters and Conroy-Krutz (2021) and OECD (2021), which emphasize that traditional systems often serve as the primary means of dispute resolution in rural and marginalized communities. However, this reliance can exclude individuals from accessing formal legal aid, particularly when traditional systems fail to address issues like gender-based violence or complex legal matters. The findings underscore the stigma and mistrust associated with formal legal systems, a barrier identified in Childress et al., (2022), Kimberg et al., (2021) and UNDP (2023) reports, which note that fear of public exposure often deters individuals, especially women, from seeking legal aid.

The quote, “As a woman, it’s hard to speak up about my husband’s abuse. If I go to legal aid, my family will say I’m bringing shame to them,” highlights gender-specific challenges that disproportionately affect women, a finding corroborated by the Open Society Foundation (2022), which stress that cultural norms and societal expectations often silence women and discourage them from seeking legal redress. Conversely, the

quote, “Men don’t go to legal aid because it makes them look weak,” reveals how traditional gender roles also hinder men from accessing legal aid, a less frequently discussed but equally important barrier. These gender dynamics align with Vertical Equity Theory, which emphasizes the need for tailored interventions to address the unique challenges faced by different groups. Additionally, one of the quotes reflects language and literacy barriers that exclude marginalized populations, an issue highlighted in World Bank (2020) reports, which advocate for multilingual and accessible legal aid services to ensure inclusivity.

Theoretically, these barriers undermine the fairness and accessibility of the legal aid system. When individuals are excluded due to stigma, language barriers, or gender norms, they cannot fully participate in the justice process, which contradicts the principles of procedural fairness and equal access. Furthermore, the reliance on traditional systems, while culturally significant, often fails to provide equitable outcomes, particularly for vulnerable groups like women and low-literacy populations. Recent literature, such as Gramatikov et al. (2024), supports the need for culturally sensitive reforms that bridge the gap between traditional and formal justice systems while addressing systemic inequities.

#### **4.3.6 Policy and Institutional Challenges**

The study unearthed policy and institutional challenges faced by officials and people who seek to access legal aid services as one of the key challenges of the justice delivery system in Ghana. Access to legal aid services in Ghana is not only influenced by individual and community-level barriers but also by systemic policy and institutional challenges. Policy and institutional challenges create systemic barriers that hinder the ability of the Legal Aid Commission to deliver services effectively. These challenges

stem from gaps in legal frameworks, inadequate funding, resource constraints, and inefficiencies within the Legal Aid Commission and related institutions. Addressing these structural issues is critical to ensuring that legal aid services are accessible, effective, and sustainable. Commenting on this issue, an informant explained:

*“We’re constantly struggling with limited funding. It affects everything—from hiring enough staff to providing basic office supplies. We want to do more, but our hands are tied. Our offices in rural areas are under-resourced. Sometimes, we don’t even have internet access, which makes it hard to communicate with headquarters” (Legal Aid officer, 14 August, 2024).*

The above response was confirmed by interviews with an officer from the Legal Aid Commission. She revealed this:

*“Our staff is overworked and underpaid. Many of them are passionate, but the workload is overwhelming, and burnout is common. We need more training on emerging legal issues, like cybercrime and human rights. Without it, we can’t provide the best support to our clients.” (Legal Aid Officer, Regional Office, 13 August, 2024).*

An expert from legal services and policy also laments that:

*“Legal aid is chronically underfunded in Ghana. Without adequate financial support, the system will continue to struggle to meet the needs of citizens. The government needs to prioritize legal aid in its budget. Access to justice is a fundamental right, not a luxury.” (Legal Reform Advocate, CSO, 30 August, 2024)*

*“The current legal aid policy doesn’t address the unique needs of marginalized groups, such as persons with disabilities or refugees. This is a major gap that needs to be addressed. We need a comprehensive review of the legal aid framework to ensure it aligns with international best practices and the realities on the ground.” (Legal Reform Advocate, CSO, 30 August, 2024).*

An officer from the Ministry of Justice agreed that:

*“We recognize the funding challenges, but the government has competing priorities. We’re working to allocate more resources to legal aid, but it’s a gradual process. Legal aid is a critical service, but it’s often overlooked in budget discussions. We need stronger advocacy to change this.” (Policy Officer, Ministry of Justice, 28 August, 2024)*

*“We’re working on improving coordination between the Legal Aid Commission and other justice institutions, but it’s a work in progress. Collaboration with civil society is essential, but it requires clear guidelines and mutual trust.” (Policy Officer, Ministry of Justice, 28 August, 2024)*

Another interviewee who was thinking in the same direction also added that:

*“The legal aid office in my area is always overcrowded. There’s only one lawyer, and they’re always busy. It’s hard to get help when you need it. I had to wait for months to get a lawyer. They said they didn’t have enough staff to handle all the cases.” (Legal Aid Client, 20 August, 2024).*

According to another interviewee:

*“I went to the police first, but they didn’t tell me about legal aid. I only found out later from a friend. The legal aid lawyer worked well with the social worker on my case, but it took a long time to get everything sorted out.” (Legal Aid Client, 19 August, 2024).*

From the responses, it is quite remarkable to note that the chronic underfunding of legal aid systems, is an issue well-documented in studies such as Kalonda and Govender (2021), which emphasizes that inadequate financial support undermines the capacity of legal aid institutions to deliver services effectively. Also, the quote highlights the human resource constraints that plague legal aid systems, as highlighted in Marsh (2020), which notes that overburdened staff and high turnover rates compromise the quality of legal aid services. These challenges are further exacerbated in rural areas, where, infrastructure gaps create additional barriers to service delivery, a finding corroborated by World Bank (2020) studies on access to justice in low-resource settings.

The study also revealed that these systemic challenges undermine the fairness and accessibility of the legal aid system. When legal aid institutions lack the resources to function effectively, citizens are denied their right to fair and timely legal representation, which contradicts the principles of procedural fairness. The findings align with Vertical Equity Theory, which advocates for tailored interventions to address

the specific needs of disadvantaged groups. However, the current system fails to meet this standard, as evidenced by the quote, which illustrates how resource constraints disproportionately affect marginalized communities. The quotes also reveal challenges in coordination and collaboration. These issues are consistent with findings from Gramatikov et al. (2024), which stress that fragmented justice systems and poor inter-agency coordination hinder access to legal aid.

## **CHAPTER FIVE**

### **SUMMARY OF FINDINGS, CONCLUSION AND RECOMMENDATIONS**

#### **5.0 Introduction**

The previous chapter presented and discussed the results of the study. This chapter presents a summary of the study findings. Also, the chapter presents the conclusions of the study. Further recommendations were made based on the findings of the study. The chapter ends by explaining what served as limitations to the study.

#### **5.1 Characteristics of people who access the services of the Legal Aid Commission**

This objective sought to identify the characteristics of people who access the services. The study reveals that the majority of Legal Aid Commission clients in Ghana are young adults (25-45 years), with women comprising 60% of cases, often seeking help for domestic violence and family disputes. The study also revealed that most legal aid clients in Ghana are urban residents due to office concentration, while rural populations, face severe access barriers from distance, poor infrastructure, and reliance on traditional systems. The Legal Aid Commission primarily handles family disputes (child custody, domestic violence), land conflicts (especially in rural areas), and criminal cases, with most clients unable to afford private lawyers. Vulnerable groups like women, children, and persons with disabilities require specialized support for issues like inheritance and abuse, while rising employment disputes in the informal sector and increasingly complex urban land cases highlight growing legal needs that outpace available resources. Informal sector workers face rampant exploitation due to unawareness of their rights, and substandard living conditions frequently escalate into eviction crises, requiring integrated legal-social solutions to break these patterns of disadvantage.

## **5.2 Modes of Accessing the Services of the Legal Aid Commission**

The ways by which the Legal Aid Commission services are accessed were explored. The study highlights that clients primarily access Legal Aid Commission services through community leaders, police stations, courts, media, and self-initiated efforts. Awareness campaigns via radio, social media, and partnerships with local leaders are effective but struggle to reach remote areas. Referrals from police, NGOs, and social workers are crucial, especially for vulnerable groups like women and children. User experience is mixed, with paralegals and volunteers providing essential support, but bureaucratic processes and resource constraints hinder efficiency. Geographical disparities are significant, with rural areas facing limited access due to poor infrastructure and high transportation costs. Technology, such as online platforms and helplines, improves access but is hindered by low digital literacy and connectivity issues in rural regions. Outreach programs, including mobile clinics and targeted initiatives for marginalized groups, show promise but are limited by funding and scalability challenges. Overall, a multi-channel approach combining traditional and digital methods, alongside increased investment, is essential for equitable access to legal aid services.

## **5.3 Challenges confronting citizens in accessing the services of Legal Aid Commission**

This part of the study assessed the challenges confronting the citizens in accessing Legal Aid Commission services. The key challenges in accessing Legal Aid Commission services in Ghana include inadequate logistics and office space, which hinder efficient service delivery. Limited awareness and knowledge of legal aid services, especially in rural areas, further restrict access. Financial barriers, such as transportation and documentation costs, disproportionately affect low-income

individuals. Administrative and procedural inefficiencies, including lengthy processes and bureaucratic hurdles, frustrate clients. Cultural and social barriers, such as stigma, gender norms, and reliance on traditional systems, also impede access. Policy and institutional challenges, including chronic underfunding, overworked staff, and poor coordination, exacerbate systemic inequities. Addressing these issues requires targeted reforms, increased funding, and culturally sensitive approaches to ensure equitable access to justice.

## **5.4 Contribution of the Study**

The section discusses the contribution of the study to theory, research, and practice.

### **5.4.1 Contribution to Theory**

The findings from the study significantly contribute to Justice Theory and Vertical Equity Theory by highlighting systemic barriers to accessing legal aid services and emphasizing the need for equitable and inclusive justice delivery.

Justice Theory, particularly Procedural Justice, emphasizes fairness, transparency, and respect in the administration of justice. The findings reveal several ways in which the current legal aid system in Ghana falls short of these principles. The study highlights administrative inefficiencies, such as lengthy application processes, excessive documentation requirements, and delays in case management, which undermine procedural fairness. Clients often feel frustrated and excluded due to bureaucratic hurdles.

The findings underscore how logistical challenges, such as inadequate office space, lack of privacy, and unreliable internet access, hinder access to justice. For example, clients often wait outside due to overcrowding or face delays because of broken equipment. These barriers deny individuals their right to dignified and timely legal assistance,

further violating the principles of procedural justice. Also, the reliance on traditional justice systems, stigma, and gender norms often deters individuals, particularly women and marginalized groups, from accessing formal legal aid. This exclusion perpetuates systemic inequities and contradicts the principle of equal access to justice. These cultural barriers highlight the need for culturally sensitive reforms to ensure that justice is accessible to all.

Vertical Equity Theory advocates for differentiated support based on the unique needs of disadvantaged groups to achieve equitable outcomes. The findings align with this theory by identifying specific barriers faced by vulnerable populations and proposing targeted interventions. The study reveals that low-income individuals face significant financial barriers, such as transportation costs and document fees, which force them to choose between legal aid and basic needs like food and shelter. This aligns with Vertical Equity Theory, which emphasizes the need for tailored interventions to address the unique challenges faced by economically disadvantaged groups. For example, providing travel vouchers or partnering with NGOs to cover indirect costs could help reduce these barriers.

Rural populations face greater challenges in accessing legal aid due to limited infrastructure, long travel distances, and fewer legal aid offices. Vertical Equity Theory supports the need for region-specific strategies, such as mobile legal aid clinics and expanded rural offices, to address these disparities. However, the study also highlights that these initiatives are often underfunded, underscoring the need for increased investment in underserved areas.

Women, children, persons with disabilities, and low-literacy populations face unique barriers, such as gender discrimination, language barriers, and lack of awareness about

legal aid services. Vertical Equity Theory calls for targeted outreach and support mechanisms to address these challenges. For example, simplifying forms, providing multilingual services, and training paralegals to assist low-literacy clients are essential steps toward equitable access.

The findings demonstrate that the current legal aid system in Ghana fails to meet the principles of Justice Theory and Vertical Equity Theory in several ways. First, Procedural Justice is undermined by bureaucratic inefficiencies, lack of transparency, and cultural barriers that exclude vulnerable populations. Second, Vertical Equity is compromised by the failure to provide differentiated support for disadvantaged groups, such as low-income individuals, rural residents, and marginalized communities.

#### **5.4.2 Contribution to Research**

The findings from this study contribute significantly to research by providing a comprehensive understanding of the barriers to accessing legal aid services in Ghana, particularly for marginalized and vulnerable populations. By identifying key themes such as demographic characteristics, geographical disparities, socioeconomic vulnerabilities, and systemic challenges, the study offers a nuanced framework for analyzing access to justice in low-resource settings. This framework can guide future research on legal aid systems in similar contexts, enabling scholars to explore the intersection of poverty, gender, education, and infrastructure in shaping access to justice. Additionally, the study highlights the importance of integrating Justice Theory and Vertical Equity Theory into legal aid research, emphasizing the need for fairness, inclusivity, and tailored interventions for disadvantaged groups.

The findings also underscore the critical role of technology, community engagement, and policy reforms in improving access to legal aid. By documenting the successes and

limitations of digital platforms, mobile clinics, and outreach programs, the study provides valuable insights for researchers exploring innovative solutions to justice delivery. Furthermore, the emphasis on cultural and social barriers, such as stigma and reliance on traditional systems, opens new avenues for research into culturally sensitive approaches to legal aid. These insights can inform interdisciplinary studies that bridge law, sociology, and development studies, contributing to a more holistic understanding of access to justice.

Finally, the study's identification of policy and institutional challenges, such as chronic underfunding and bureaucratic inefficiencies, highlights the need for further research into the structural reforms required to strengthen legal aid systems. By advocating for increased funding, better coordination, and targeted interventions, the findings provide a foundation for policy-oriented research aimed at addressing systemic inequities. This research can inform evidence-based policymaking, ensuring that legal aid services are accessible, equitable, and effective for all citizens, particularly those in marginalized and underserved communities.

#### **5.4.3 Contribution to Practice**

The findings from the study provide actionable insights for improving access to legal aid services in Ghana, addressing systemic barriers and enhancing justice delivery. First, the study highlights the need for simplified and user-friendly processes to reduce bureaucratic hurdles. This includes streamlining application procedures, providing multilingual and low-literacy-friendly materials, and offering one-on-one support through paralegals and community volunteers. These measures can make legal aid more accessible, particularly for marginalized groups with limited education or resources.

The findings emphasize the importance of targeted outreach and awareness campaigns to bridge gaps in knowledge and access. Partnerships with community leaders, local media, and NGOs can help disseminate information about legal aid services, especially in rural and underserved areas. Mobile legal aid clinics and digital platforms, such as helplines and social media, can extend reach, but must be complemented by efforts to address digital literacy and infrastructure gaps in remote regions.

The study underscores the need for increased funding and resource allocation to address logistical, financial, and staffing challenges. Expanding legal aid offices in rural areas, covering indirect costs like transportation, and providing training for staff can improve service delivery. Policymakers must prioritize legal aid in national budgets and foster collaboration between justice institutions to ensure equitable access for all citizens, particularly vulnerable populations. These practical solutions can help create a more inclusive and effective legal aid system.

### **5.5 Study Limitations and Avenues of Future Research**

This study provides valuable insights into the challenges and dynamics of accessing legal aid services in Ghana, but it is not without limitations. Firstly, the research primarily relies on qualitative data from interviews, which, while rich in detail, may not fully capture the broader quantitative trends or represent the experiences of all regions and demographics.

Additionally, the study focuses on the perspectives of clients and legal aid officers, potentially overlooking the views of other stakeholders, such as policymakers, traditional leaders, and civil society organizations, who play critical roles in shaping access to justice. Lastly, the findings are context-specific which may limit their generalizability to other areas with different legal and cultural frameworks.

Future research could address these limitations by incorporating mixed-methods approaches, combining qualitative insights with quantitative data to provide a more comprehensive understanding of access to legal aid. Expanding the scope to include a wider range of stakeholders would also offer a more holistic view of the systemic challenges and potential solutions. Furthermore, comparative studies across different regions could identify best practices and innovative strategies for improving legal aid delivery. Finally, longitudinal studies could track the impact of policy reforms and interventions over time, providing evidence-based recommendations for sustainable improvements in access to justice.

## **5.6 Conclusion**

In conclusion, the study highlights the multifaceted challenges faced by individuals accessing the services of the Legal Aid Commission in Ghana, revealing significant barriers rooted in demographic, socioeconomic, geographical, and institutional factors. Key findings indicate that women, low-income individuals, and rural populations are disproportionately affected by limited access to legal aid due to financial constraints, lack of awareness, and infrastructural deficiencies. The reliance on traditional justice systems, coupled with cultural and social barriers, further exacerbates the exclusion of vulnerable groups from formal legal processes. Additionally, administrative inefficiencies, inadequate funding, and resource constraints within the Legal Aid Commission hinder its ability to deliver timely and effective services, particularly in underserved regions.

The findings underscore the urgent need for targeted interventions to address these systemic barriers. Expanding outreach programs, simplifying application processes, and increasing funding for legal aid services are critical steps toward improving

accessibility. Furthermore, leveraging technology and community-based approaches, such as mobile legal aid clinics and partnerships with local leaders, can help bridge the gap between formal and informal justice systems. Addressing these challenges requires a holistic approach that prioritizes inclusivity, equity, and the unique needs of marginalized populations.

### **5.7 Policy Recommendations**

The following recommendations are made based on the research findings:

The government should prioritize legal aid in its national budget by significantly increasing funding to the Legal Aid Commission. This funding should be used to expand office infrastructure, hire additional staff, and provide training on emerging legal issues such as cybercrime and human rights. Increased resources will enable the Commission to address the high demand for services, reduce staff burnout, and improve service delivery, particularly in underserved rural areas.

The Legal Aid Commission, in collaboration with the Ministry of Information and local media outlets, should launch nationwide awareness campaigns to educate citizens about the availability and scope of legal aid services. These campaigns should be tailored to rural and marginalized communities, using local languages and community-based approaches such as radio programs, town hall meetings, and partnerships with traditional leaders. This will help bridge the awareness gap and ensure that vulnerable populations are informed about their rights and how to access legal aid.

The Legal Aid Commission, with support from NGOs and development partners, should expand the use of mobile legal aid clinics to reach remote and underserved communities. Additionally, the Commission should invest in digital platforms, such as online application systems and helplines, to improve access for urban and tech-savvy

populations. However, these efforts must be complemented by digital literacy training and infrastructure improvements, particularly in rural areas, to ensure inclusivity.

The Legal Aid Commission should streamline its application processes by reducing bureaucratic hurdles and simplifying forms to make them more user-friendly, especially for individuals with low literacy levels. The Commission should also establish support systems, such as paralegals and community volunteers, to assist vulnerable groups, including women, persons with disabilities, and low-income individuals, in navigating the legal aid system. This will ensure equitable access and reduce barriers for marginalized populations.

The Legal Aid Commission should strengthen partnerships with the Police Service, Judiciary, and civil society organizations to improve referral systems and coordination in delivering legal aid services. For example, police stations and courts should be mandated to inform individuals about legal aid options, particularly in cases involving domestic violence, child abuse, and other vulnerable groups. This collaborative approach will ensure timely access to justice and enhance the overall effectiveness of the legal aid system.

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## **APPENDICES**

UNIVERSITY OF EDUCATION, WINNEBA  
SCHOOL OF GRADUATE STUDIES  
FACULTY OF SOCIAL SCIENCES EDUCATION  
DEPARTMENT OF POLITICAL SCIENCE EDUCATION

### **INTERVIEW GUIDE FOR RESPONDENTS**

#### **INFORMATION FOR CONSENT TO PARTICIPATE IN RESEARCH**

You are invited to participate in an interview for a research project entitled: *The Effectiveness of Legal Aid Commission in Justice Delivery: A Case Study of Ablekuma South Sub-Metropolitan District*.

Please take note of the below to ensure informed consent for your participation.

#### **Background**

I am Ernest Quophi Poku, a Master of Philosophy student at the Department of Political Science Education, University of Education Winneba. This research is being undertaken as part of the requirement for a Master of Philosophy in Political Science Education at the University of Education Winneba. The study explores the Effectiveness of Legal Aid Commission in Justice Delivery. Your extensive understanding of the study's topic led to your selection as a potential participant. Before committing to the research, please read this form and ask any questions you may have.

#### **Procedures**

If you agree to be in this study, I will ask you to do the following things: Be present for an interview and willing to discuss the Effectiveness of the Legal Aid Commission in Justice Delivery. Be willing to allow audio recording within this interview which may last 40 minutes, and to allow information that was gained from this interview to be placed within a research project. Throughout this procedure, your identity and distinguishing characteristics will remain private.

#### **Voluntary Participation**

Your participation is voluntary, and you are free to decide not to participate. You may withdraw your participation at any time without any negative consequence.

#### **Confidentiality & Data Protection**

Your anonymity and protection of identity is guaranteed throughout the research. Your name is not going to be known to anyone other than myself as the researcher. You may choose a pseudonym (fictional name) for the study. Should the study be published in an academic journal or blog, the name of the participating organization can be mentioned. The interview will be audio-recorded, and the recording transcribed for analysis. This data will be stored safely in a password-protected cloud and used exclusively by myself for the purpose of the research project.

### **Potential Risks**

The risks for participating in this research are considered low. Should you have experienced psychological hardship or trauma, the interview could resurface these emotions if you choose to share them. The interview will not directly ask for any negative experiences. Should you sense a risk of resurfacing trauma, please reconsider your participation. Should you feel uncomfortable or experience emotional distress during the interview, it can be interrupted at any point.

### **Benefits Expected**

Benefits associated with your participation include a learning experience with a qualitative research project and a personal reflection on the Effectiveness of Legal Aid Commission in Justice Delivery which is expected to stimulate an improvement in justice delivery. **No financial compensation can be provided.** You will have access to the research findings through your organization.

### **Communication**

You may ask any questions about the study and your participation before, during or after the interview and can reach me at +233545528636 (Call/WhatsApp)

Your informed consent will be reconfirmed orally at the start of the interview. Thank you very much for your participation.

### **Statement of Consent**

I have read the above information. My questions have been answered to my satisfaction. I consent to participate in the study and to be audio-taped.

\_\_\_\_\_

Participant's Number	Date
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Signature of Study Participant .....

\_\_\_\_\_

Signature of Researcher	Date
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## **INTERVIEW GUIDE FOR LEGAL AID COMMISSION REGIONAL AND DISTRICT OFFICIALS AND LEGAL EXPERTS**

### **Characteristics of People Accessing Legal Aid Services**

1. Can you describe the typical profile of individuals who seek assistance from the Legal Aid Commission? (e.g., age, gender, education level)
2. Are there specific age groups or genders that are more likely to access legal aid services? If so, why do you think this is the case?
3. How do factors like age and gender influence the types of legal issues clients bring to the Commission?
4. What is the socio-economic background of most clients who access legal aid services?
5. How does income level or employment status affect clients' ability to seek and obtain legal assistance?
6. Are there specific groups (e.g., low-income individuals, informal sector workers) that face greater barriers in accessing legal aid?
7. Where do most of your clients come from (urban vs. rural areas)?
8. Are there regional disparities in access to legal aid services? If so, what factors contribute to these disparities?
9. How does proximity to legal aid offices influence clients' ability to seek help?

### **Ways of Accessing Legal Aid Services**

1. How do clients typically learn about the Legal Aid Commission? (e.g., through community leaders, media, referrals, etc.)
2. What role do community leaders, police stations, courts, and NGOs play in directing individuals to legal aid services?
3. Can you describe the process clients go through to access legal aid services?
4. What challenges do clients face during the application process? (e.g., complexity of forms, documentation requirements)
5. Are there support systems in place (e.g., paralegals, volunteers) to assist clients in navigating the application process?
6. How has technology (e.g., online platforms, helplines) improved access to legal aid services?
7. Are there challenges in using technology to deliver legal aid, particularly in rural areas?
8. What innovative approaches has the Commission adopted to reach underserved populations?

### **Challenges in Accessing Legal Aid Services**

1. What financial challenges do clients face in accessing legal aid services? (e.g., transportation costs, document fees)
2. How do these financial barriers disproportionately affect low-income or marginalized groups?
3. Are there any initiatives in place to reduce these financial burdens?
4. What administrative or procedural challenges do clients encounter when seeking legal aid? (e.g., lengthy processes, lack of clarity)

5. How do these challenges impact clients' ability to obtain timely legal assistance?
6. Are there efforts to simplify processes or make them more user-friendly?
7. What cultural or social barriers prevent individuals from accessing legal aid services? (e.g., stigma, reliance on traditional systems)
8. How do gender norms or societal expectations influence access to legal aid, particularly for women and men?
9. Are there language or literacy barriers that hinder clients' ability to seek help?

### **Conclusion**

1. In your opinion, what are the most critical barriers to accessing legal aid services in Ghana?
2. What recommendations would you make to improve access to legal aid for marginalized and vulnerable populations?
3. Are there any additional insights or experiences you would like to share regarding the delivery of legal aid services?

THANK YOU FOR YOUR TIME

## **INTERVIEW GUIDE FOR PEOPLE WHO ACCESS THE SERVICES OF LEGAL AID COMMISSION**

### **Characteristics of People Accessing Legal Aid Services**

1. Can you tell me a little about yourself? (e.g., age, gender, occupation, education level)
2. Where do you live? (e.g., urban area, rural area, specific region)
3. What is your current employment status? (e.g., employed, unemployed, informal sector worker)
4. How would you describe your income level? Do you face financial challenges in meeting basic needs?
5. What type of legal issue brought you to the Legal Aid Commission? (e.g., family dispute, land conflict, criminal case)
6. Why did you decide to seek help from the Legal Aid Commission instead of other options (e.g., private lawyer, traditional systems)?

### **Ways of Accessing Legal Aid Services**

1. How did you first hear about the Legal Aid Commission? (e.g., through community leaders, media, friends, police, courts)
2. Were you aware of the types of legal issues the Commission could assist with before seeking help?
3. Can you describe the process you went through to access legal aid services? (e.g., filling out forms, providing documents)
4. Did you receive any assistance during the application process? (e.g., from staff, paralegals, volunteers)
5. Were there any challenges you faced during the application process? (e.g., complexity of forms, lack of information)
6. Did you use any digital platforms (e.g., website, social media, helpline) to access legal aid services?
7. If yes, how helpful were these platforms? If no, what prevented you from using them?

### **Challenges in Accessing Legal Aid Services**

1. Did you face any financial challenges in accessing legal aid services? (e.g., transportation costs, document fees)
2. Were there times when you had to choose between seeking legal help and meeting other basic needs (e.g., food, shelter)?
3. Were there any delays or inefficiencies in the process of accessing legal aid?
4. Did you find the application process easy to understand and complete? If not, what made it difficult?
5. Were there any specific requirements (e.g., documents, fees) that were challenging to meet?
6. Did you face any cultural or social barriers when seeking legal aid? (e.g., stigma, gender norms, reliance on traditional systems)
7. Were there concerns about how your family or community would view you for seeking legal assistance?

8. How far did you have to travel to access legal aid services?
9. Were there any challenges related to transportation or infrastructure that made it difficult to seek help?

### **Conclusion**

1. Overall, how would you describe your experience with the Legal Aid Commission?
2. What do you think could be done to improve access to legal aid services for people like you?
3. Is there anything else you would like to share about your experience or suggestions for improving legal aid services?

THANK YOU FOR YOUR TIME