

Annual Impact Report

*Enabling a
Just Society*

A photograph of a young boy with dark skin and short dark hair, smiling broadly at the camera. He is wearing a blue shirt and a black necklace. The background is slightly blurred, showing some greenery and a structure. The photo is positioned on the left side of the cover, overlapping the white and blue background sections.

2022

Author: Supriya Roychoudhury, Research and Impact Director
Editorial Team: Mariam Faruqi, Managing Director; Deeksha Gujral, India Program Director;
and Saundarya Talwar, Communications Manager

Design and Photography: Richa Oberoi, Senior Advocacy Officer

To find out more about our work, visit www.i-probono.in

For any queries, please contact:

Supriya Roychoudhury, Research and Impact Director

(supriya.roychoudhury@i-probono.com)

Deeksha Gujral, India Program Director

(deeksha.gujral@i-probono.com)

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Consent was taken for all the photographs clicked by the iProbono team.

***Names of all children mentioned in the report have been changed to protect their identity.**

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Message From iProbono's Managing Director

2022 saw iProbono India rise to a series of challenges and emerge from a global pandemic with a growing, resilient team well-equipped to tackle some of the country's gravest inequities. iProbono India is a nimble and efficient women-led organisation built upon a mission to enable people to access their rights in pursuit of a just society.



In the pages that follow, we share our story. Milestones in our journey set the scene for a more detailed dive into what we achieved from January to December 2022. We are building our organisation in a dynamic and unequal space where the 'have nots' are often too vast to fathom. When Shireen Irani and Swathi Sukumar planted iProbono's seeds in India in 2012, they were a team of two in New Delhi. It was a time when the Justice Verma Committee and responses to Nirbhaya's case questioned public perceptions of gender, sexual offences, and the death penalty. The Protection of Children from Sexual Offences Act, 2012 came into force, creating a powerful tool for redress in cases of child sexual abuse. Six years later, homosexuality was decriminalised. Our organisational decisions responded to these shifts in the law as well as the needs of those people we know fall through the cracks of the justice system – children who have been abused, residents of local bastis who are made homeless without notice, and members of minority communities who suffer discrimination in silence.

I am grateful for the energy of our Research & Impact Director and Communications team in harnessing the impact of our efforts through storytelling that changes hearts and minds. Together, we impacted over 6,200 lives in India this year.

iProbono's ability to change lives rose alongside the socio-legal landscape of a changing India. Now in 2022, we are a team of 17 working across the country with over 100 advocates on our panels and over 1,000 lawyers as part of our wider pro bono community. Our work would not be possible without our people – Binita Modi, our Operations Director of over ten years, is also part of a proactive India Board; Deeksha Gujral, our India Programs Director, brought new energy to the team together with our program officers, panel advocates, Justice Leila Seth Fellows, social workers, and a tireless finance & operations team who work with integrity and pragmatism. Together, we implement tools for change that encompass litigation, capacity building, professional development, outreach & education, research and policy advocacy, and by extension, comprehensive care – this has included emergency food relief for over 2.4 lakh people during the pandemic.

After a decade of enabling justice in India, I am proud to share our first Annual Impact Report with you. Thank you for your continued support.

A handwritten signature in black ink, appearing to read 'Mariam Faruqi'.

Mariam Faruqi
Managing Director, iProbono
Director, Justice Leila Seth Fellowship

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Shireen Irani,
Founder & Trustee,
iProbono India

Our guiding principle has always been "for the public good", but how that's taken shape has evolved. I am proud to see how the bridges we've built over the years have strengthened, and today they carry a community of mission-driven individuals determined to make society fairer. Looking to the next ten years, we will inject new dynamism into justice movements by supporting tomorrow's enlightened leaders in social and environmental reform. Through the power of storytelling, I hope we can create narratives that change hearts and minds, inspiring a collective shift in mindset. Our team has always been marked out by its tenacity in the justice space, and in this next stage of our evolution, I see us seeking out unusual allies and cross-sectoral collaborations to accelerate even greater momentum.

iProbono India at 10

For over a decade, iProbono has been bringing together the legal expertise of our community of experienced lawyers, the ground-level insights of our grassroots partners, and the ethos of social action litigation in service of social justice and equality in India.



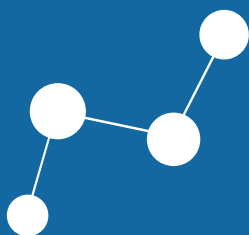
“The Mahindra legal team has been collaborating with iProbono to provide legal assistance to individuals and organisations working in the social sector for several years now. Our team members, who do this work voluntarily, take great satisfaction in knowing that they are contributing their skills and expertise towards causes they care about. We look forward to continuing our engagement with iProbono.”

Naveen Raju

General Counsel & Executive Vice President - Group Legal Services at Mahindra & Mahindra



An iProbono Program Officer reviews the identity documents of Arjun Das Camp residents before advocating for their rehabilitation before the Delhi High Court (2017).



iProbono's Theory of Change

Vulnerable individuals can **access justice** as a result of **affordable and quality legal representation** in court, **comprehensive care** during the judicial process, and **legal awareness of their rights and entitlements under the law**.

This is enabled by a culture of **social impact lawyering**, a **thriving civil society**, and a **rights-based law and policy environment**.

A Decade of Enabling Justice in India



- iProbono, on behalf of its **first major non-profit client, the International Justice Mission**, engages its community of advocates to provide legal counsel to child survivors of trafficking. We also advise lawyers, judges, and prosecutors on best practices in handling anti-trafficking cases in court.
- Mahindra & Mahindra joins the iProbono community as a key supporter.



- Co-founders Shireen Irani and Swathi Sukumar register iProbono as a **Section 8 not-for-profit company** in India.



- iProbono engages **in-house corporate lawyers** to provide bespoke pro bono legal counsel to Indian Civil Society Organisations (CSOs). In Delhi, we organise a convening to connect lawyers to CSOs with legal needs: **The first of its kind in India**.
- iProbono **secures justice for a two-and-a-half-year-old survivor** of a horrific sexual assault. After a Delhi trial court acquits the accused, we appeal the decision in the Delhi High Court and secure a conviction. The high court judgment reiterates **guidelines to assess the competence of a child to testify in court** – to the wider benefit of all future child survivors seeking justice.





2015



- iProbono launches its pioneering “**Panel of Advocates**” model. In collaboration with Counsel to Secure Justice (CSJ), we set up a **Criminal Appellate Panel of Advocates** to provide pro bono legal representation to survivors of child sexual abuse in the Supreme Court and Delhi High Court, sparking a **wider movement to institutionalise pro bono culture** in legal practice in India.
- iProbono ensures that a **child survivor of incest remains under the care of a shelter home** while the accused family member awaits trial. By representing the shelter home as the child’s rightful guardian, iProbono challenges established **notions of what constitutes legal guardianship in India**.



2016



- iProbono begins to **support pioneering social entrepreneurs** across India to help them **achieve impact, scale, and sustainability** through expert advice on a range of legal matters. Clients include STIR Education, Ekgaon, and B2R Business to Rural.
- We launch our **first-ever community outreach** intervention to spread awareness about the benefits of birth registration among residents of Delhi’s Nizamuddin West Basti and Khusro Park. **300 children secure birth registration certificates**.



Birth registration camp set up by iProbono in New Delhi.



- We expand the remit of our child protection work to **secure the future of disabled children**. In partnership with **Luthra & Luthra Law Offices, Khaitan & Co, Action for Autism and Forum for Autism**, we provide parents of disabled children with legal advice on estate planning.
- iProbono's partnership with **Housing and Land Rights Network (HLRN)** begins with a case in which **approximately 350 residents** of Arjun Das Camp and Bengali Camp in East Kidwai Nagar are **protected from homelessness**. It also marks the creation of our **Civil Panel of Advocates**.





2018

- iProbono launches its Trial Court Panel of Advocates, providing legal representation to 26 children whose cases are pending before Sessions Courts in Delhi.
- In partnership with the National Commission for Protection of Child Rights, Ministry of Women and Child Development, iProbono produces a legal toolkit on cybercrime against children, which is recognised by the Government of India.
- After a court battle of almost two years, iProbono helps five pregnant women secure government health benefits previously denied to them.



2019

- Our program to strengthen access to justice for children is **profiled at the World Justice Forum in the Hague, Netherlands.**
- iProbono begins its **legal education program in India** with the inauguration of the **Justice JS Verma Human Rights Advocacy Program.**





- Responding to our grassroots partners' need for humanitarian assistance following the pandemic's second deadly wave, **iProbono launches its first-ever emergency relief program**. We mobilise resources to support the distribution of **11.4 million meals, 1,000 health kits, 1,000 mosquito nets, and 400 supplementary nutrition kits** to over **2.35 lakh people** in **93 districts** across **16 states**.



- In a landmark case, *Reena Jha v. Union of India*, the **Delhi High Court issues guidelines making it mandatory for child survivors, or their representatives, to be present when bail applications are heard** in POCSO trials. This is the direct outcome of the Public Interest Litigation (PIL) filed by HAQ - Centre for Child Rights and iProbono on behalf of aggrieved mothers of child survivors.



- **To empower a new generation of lawyers committed to social justice, iProbono launches the Justice Leila Seth Fellowship (JLSF)**. Co-chaired by her children – Vikram, Shantum, and Aradhana Seth – and stewarded by Maja Daruwala, Amartya Sen, Zhooben Bhiwandiwalla, and Gita Mittal, the fellowship promotes legal education reflecting the values of Justice Seth.
- iProbono **expands the scope of its child protection work by providing direct psychosocial support to child survivors** of abuse via our newly appointed **in-house social workers**.
- iProbono **extends the geographical remit of its Panel of Advocates model beyond Delhi to Bengaluru, Mumbai, Kolkata, Jaipur, and Jodhpur**.





- iProbono provides psychosocial support to over 100 child survivors of abuse.
- A Public Interest Litigation (PIL), Bibi Ayesha Khanum v. Union of India, filed through the joint efforts of iProbono and Enfold Proactive Health Trust, ensures that child survivors in Karnataka have the right to be heard and represented at all bail hearings in POCSO trials. The judgment invokes guidelines cited in the Delhi High Court judgment on Reena Jha v. Union of India.
- A petition is filed by iProbono before the Supreme Court of India to protect those with Autism Spectrum Disorder (ASD) – a developmental disability affecting about 1 in 68 children in India – from receiving unauthorised stem cell therapy.

2022 Impact at a Glance

160

cases **litigated**
on behalf of
vulnerable
individuals

6,282

individuals
impacted by legal
representation

110

child survivors
supported via
psychosocial care

58

civil society
organisations
advised via
bespoke legal
support

938

individuals **influenced** via capacity
enhancement initiatives*

*This includes law students, CSO representatives, members of the judiciary, social workers, and affected community members. By capacity enhancement initiatives, we mean knowledge-sharing, professional development, legal empowerment, and legal education.

Legal Representation for Vulnerable Individuals and Affected Communities

Article 39-A of the Indian Constitution directs the State to provide free legal aid to every citizen regardless of their background. According to the India Justice Report (2019), almost 80% of India's roughly 1.25 billion population is eligible for pro bono legal support from India's state legal-aid system. And yet less than 15 million people had accessed services provided by legal state services institutions until 2019. Lack of public awareness about the availability of free legal aid coupled with a generally overburdened judicial system means that, in reality, few are able to secure the legal representation they need to successfully move the courts. iProbono's pioneering Panel of Advocates model was birthed in 2015 to address this critical gap in the justice infrastructure.



Kisan Colony basti on the Yamuna floodplains during a field visit after the residents received an eviction notice.

[1] "INDIA JUSTICE REPORT - Tata Trusts." 11 September. 2019, <https://www.tatatrusts.org/upload/pdf/overall-report-single.pdf>. Accessed 11 March, 2023.

iProbono's Panel of Advocates Model: How Does It Work?

The ability to respond with urgency and empathy to rights violations that have either occurred or are imminent is core to how we operate. Case referrals from grassroots organisations, civil society partners, and state authorities alert us to situations where legal intervention is critical. We then assign the case to a panel advocate with the most relevant expertise and experience. iProbono's Panel of Advocates model ensures high-quality legal representation to vulnerable individuals before various courts in the country. Our panel advocates are steering and strengthening a nascent but growing movement of pro bono lawyering in India.



iProbono Program Officer

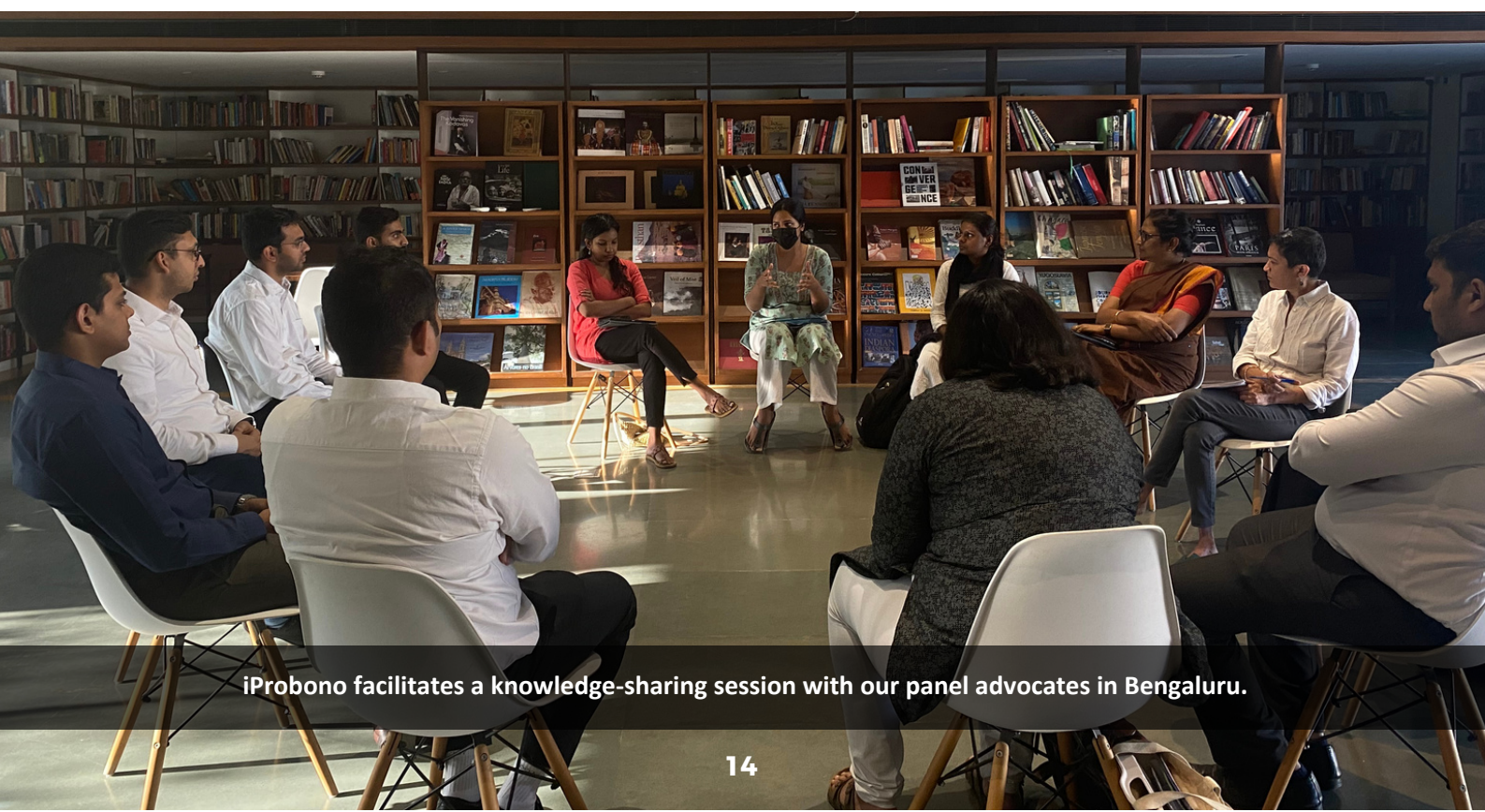


Panel Advocate



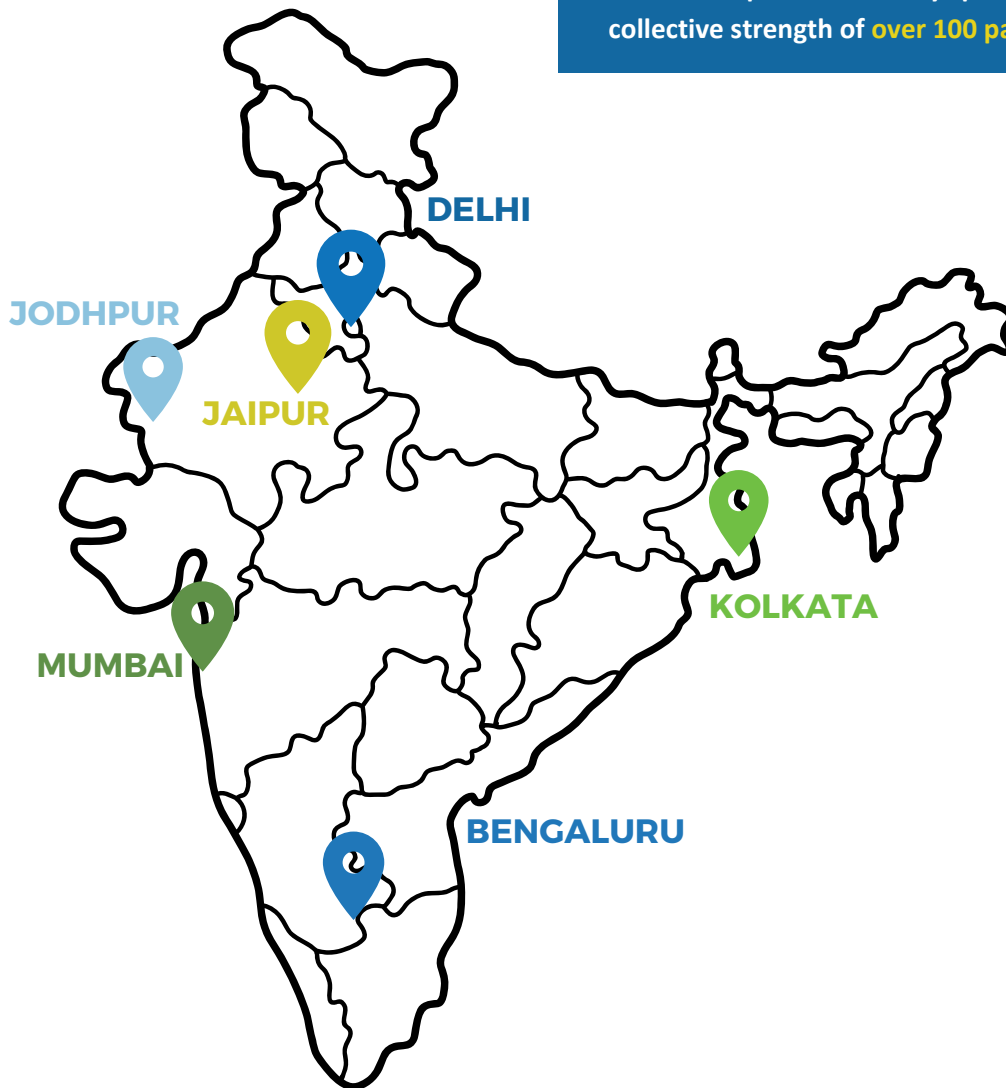
Social Worker

While court appearances are primarily handled by panel advocates, iProbono's in-house lawyers manage client care and liaison, legal research, documentation, collection of testimonies, and general case oversight and strategy. A team comprising an in-house lawyer and an externally appointed panel advocate brings together mutually reinforcing skill sets and areas of expertise, which ensures that clients receive wrap-around support of the highest possible standard. Where relevant, a social worker provides additional support to clients.



iProbono facilitates a knowledge-sharing session with our panel advocates in Bengaluru.

iProbono's panels currently span **six cities** representing a collective strength of **over 100 panel advocates**.



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“iProbono, through its engagement with lawyers, is creating a cadre of lawyers who care, who understand issues of human interest and human rights. They are the same lawyers who will occupy important spaces in the future – some may even go on to become judges, hopefully taking with them this experience and sensitivity.”

Enakshi Ganguly, Executive Director, Housing and Land Rights Network

Gadia Lohar Community Protected From Unlawful Eviction



Gadia Lohar settlements, Manglapuri village, Palam.

Manglapuri village in Palam, South Delhi is home to the Gadia Lohar community. Historically a nomadic and marginalised community from Rajasthan, its members have been living in Delhi's informal settlements for over two decades with little to no access to basic essential services. Since the Gadia Lohar settlements lack formal recognition by state authorities, the community lives under the constant threat of forced eviction.

When the Housing and Land Rights Network informed iProbono about the Delhi Development Authority's (DDA) plans to demolish residents' homes without prior eviction notice or a proper survey of the settlement – as is required by law – we reached out to our panel advocate Vrinda Bhandari to develop a legal strategy to halt these unlawful evictions. Together we succeeded in securing a favourable order at the Delhi High Court.

However, just two days later, a group of people purporting to be from the DDA began to brick up the front doors of the jhuggis in open violation of the high court order. Within 24 hours, our team filed a contempt petition before the Delhi High Court. Although the DDA claimed that the officials were not their representatives, the court emphasised the illegality of the construction of these brick walls and directed that the walls be removed. Nearly 200 residents were protected from homelessness and impoverishment in the middle of a pandemic.

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"हमारा घर लगभग 35-40 साल से है। आज, हमारे घर नष्ट हो गए होते अगर HLRN और iProbono के लोगों ने हमारा समर्थन नहीं किया होता। हम सभी अब शांति में हैं, सभी के चेहरे पर मुस्कान है। हम उन सभी का शुक्रिया अदा करते हैं जो हमारे साथ खड़े रहे।"

"Our house has been around for almost 35-40 years now. Today, our houses would have been destroyed if the people of HLRN and iProbono had not supported us. We are all at peace now, everyone has a smile on their face. We thank all those who stood by us."

Mashala, Petitioner in the case and resident of the Manglapuri Basti, Palam

Child Survivor Receives Interim Compensation

A 13-year-old girl was sexually abused by her stepfather for months on end. After registering an FIR against him, she was abandoned by her family and placed under the care of a shelter home. iProbono's legal team and panel advocate Ujjaini Chatterji provided legal representation to the child. We also filed an application to help her secure financial compensation.

In cases like these, where the survivor belongs to a disadvantaged socio-economic background, monetary relief can go a long way in meeting the child's long-term rehabilitation and welfare needs.

Our written submissions supporting the child's case were cited in the final judgment. As a consequence of this intervention, the accused was sentenced to 20 years of imprisonment and asked to pay a fine of Rs 40,000. Importantly, a compensation amount of Rs 5 lakh was awarded to the child.

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"उसके साथ अदालत में, बचाव पक्ष का वकील जो पहले एक शेर बन रहा था, एक बिल्ली में बदल गया।"

"With him in court, the defence counsel who was previously a lion is now a cat".

A child survivor commenting on the panel advocate assigned to represent them in court



Psychosocial Support To Aid Children During the Judicial Process

The court can be an intimidating place for children. Child survivors often re-experience trauma when recounting their ordeal at various junctures in the justice process. They may lack the vocabulary to describe what they went through. With this in mind, the POCSO Rules 2012 and Amendment 2020 encourage the appointment of 'Support Persons' to assist survivors during investigation and trial and support them in their rehabilitation.

In 2021, iProbono was appointed as a Support Person Organisation with the Lajpat Nagar Child Welfare Committee (CWC) and, in 2022, with the Kalkaji CWC in New Delhi. With iProbono's appointment of in-house social workers, we assumed the key roles and responsibilities of a Support Person, which include ensuring the safety of the child and family, assisting the family in navigating the legal justice system, facilitating the child's re-enrolment in school, and supporting medical interventions such as termination of pregnancy, where needed.

Child With Special Needs Empowered To Testify in Court

In 2021, Samreen*, a 16-year-old orphan with intellectual disabilities, was sexually abused by a staff member of the shelter home in which she was residing. Unable to process what had happened to her, Samreen did not disclose the incident to anyone initially. When it finally came to light in 2022, she was found to be more than 23 weeks pregnant.

Doctors advised that Samreen undergo a Medical Termination of Pregnancy (MTP). As the appointed Support Person, we helped to organise the MTP procedure and supported Samreen throughout the process.

In line with best practices stipulated in the POCSO Act, we engaged a special educator to assist Samreen in her testimony before the Special Court. This allowed her to be at ease which, in turn, helped her to testify without any hesitation or intimidation. Our social worker also accompanied Samreen to the court and requested the judge for permission to sit beside her as she recounted her statement.

Simultaneously, our team and panel advocate, Faraz Maqbool, successfully moved an application for interim compensation for Samreen. The judge granted an amount of Rs 4,12,500 – the highest interim compensation we have secured to date.

Child Survivor of Abuse Receives Urgent Medical Support

Nikhat*, 17, was sexually abused by her neighbour, became pregnant, and gave birth prematurely. The baby developed breathing difficulties and needed immediate hospitalisation. There were no Neonatal Intensive Care Unit (NICU) beds available in nearby government hospitals, and the police refused to offer any assistance to the family.

Our social worker intervened and located an NICU bed in a private hospital. However, admission was contingent on payment of a hefty deposit that was untenable for Nikhat's family. **Our social worker immediately informed the chairperson of the concerned CWC, setting into motion a series of actions that culminated in the Delhi Commission for Protection of Child Rights (DCPCR) directing the hospital administration to release a bed for the baby.** Our timely intervention ensured that Nikhat's baby survived. We also supported the Delhi Commission for Women with an application to secure interim compensation for Nikhat by developing a plan to address her rehabilitation needs. Rs 3 lakh was awarded to her as a result of our joint efforts.



"In the one year, iProbono has worked with our Child Welfare Committee as a support person organisation, it has taken over a rather significant number of cases and handled all of them with utmost professionalism. Its team of passionate social workers is always sensitive to the needs of its beneficiaries and works with great attention to detail. I especially appreciate the fact that they're able to identify broader issues in the child protection space and engage in advocacy with government stakeholders to try and bring about change".

Vaidehi Subramani, Chairperson, Child Welfare Committee, Lajpat Nagar



"Thanks to iProbono's intervention, the District Patiala House Court passed an order granting interim compensation to the child. This will be an important resource for her to build her future. We would like to highlight iProbono's proactive approach in ensuring that the case reached a successful conclusion.

Kiran Modi, Founder, Managing Trustee, Udayan Care

Legal Empowerment

Empowering lawyers and marginalised communities to understand and use the law is key to our change model. We recognise that rights are of little significance if people lack the knowledge and skills to access or realise them. iProbono harnesses the power of stories and, where appropriate, technology to enhance legal awareness and education.

Engaging Women and Young Girls on Domestic Violence and Child Safety Laws

Our field interventions over the years reveal the close overlap between child sexual abuse and domestic violence. Both often occur in tandem within the same family.

Our bilingual (English and Hindi) audiovisual primer on the Protection of Women from Domestic Violence Act, 2005 is a comprehensive, easy-to-use resource that provides critical information on a woman's rights and legal entitlements in cases of domestic abuse. It has reached more than 2,000 individuals across the country.

Training Lawyers on Representing Children in POCSO Cases

Soon after establishing a Panel of Advocates in Jaipur, we collaborated with AASRA Foundation to organise a workshop for more than 80 lawyers in the city to sensitise them to the nuances of the POCSO Act and best practices in representing children in sexual abuse cases. Panellists included judges of the Rajasthan High Court and POCSO courts.



Educating Young Adults on Gender Justice and Equal Opportunity

For the young residents of child care institute Udayan Care, iProbono ran a legal empowerment training to raise awareness about gender justice and equal opportunity in the workplace. An interactive format, which combined storytelling and popular culture, enabled participants to access and retain this information with ease. By the end of the session, participants had acquired a nuanced understanding of what constitutes gender and how to address gender-based discrimination, including through the implementation of provisions outlined under the Prevention of Sexual Harassment (POSH) Act.



iProbono Program Officer Karuvaki Mohanty conducting a legal empowerment training for the children at Udayan Care.

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"I think this session opened my mind to the fact that I have been exposed to materials that have conditioned me to think about men and women conforming to certain gender norms. It made me realise how I have normalised many inappropriate things, such as sexist jokes. It has helped me understand how I can conduct myself in line with what POSH dictates. It would be of help when I intern and work at an organisation myself. It was a fun session!"

Participant

Training Residents of Informal Settlements on Housing Rights

As the first point of contact for basti residents facing illegal evictions, community representatives and grassroots housing advocates play a critical role in disseminating important information about their rights and entitlements under the law. At the request of the Basti Suraksha Manch, an informal housing rights coalition of community workers and grassroots advocates, iProbono conducted a legal awareness training to deepen their understanding of basti residents' rights under the Delhi Slum and JJ Rehabilitation and Relocation Policy and Draft Protocol. The training provided an overview of the types of legal interventions needed both to stall an illegal eviction and, where it has already occurred, seek accountability or redress from the state.



iProbono Program Officer Karuvaki Mohanty conducting a legal empowerment training for Basti Suraksha Manch members.

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हमने प्रशिक्षण को अत्यंत उपयोगी पाया। एक महीने के भीतर, हमारे स्वयंसेवकों ने सत्र से प्राप्त ज्ञान का उपयोग करके प्रगति मैदान (दिल्ली) में एक अवैध बेदखली को सफलतापूर्वक रोक दिया। वे बस्ती के निवासियों से दस्तावेज और साक्ष्य एकत्र करने, अदालत में बस्ती का प्रतिनिधित्व करने के लिए याचिकाकर्ताओं की पहचान करने और प्रभावित निवासियों की संख्या निर्धारित करने के लिए एक सर्वेक्षण करने में सक्षम थे - लगभग 64 परिवारों को बेसहारा और बेघर होने से बचा लिया।

"We found the training extremely useful. Within a month, our volunteers successfully halted an illegal eviction in Pragati Maidan (Delhi) using knowledge gained from the session. They were able to gather documentation and testimonies from basti residents, identify petitioners to represent the basti in court, and conduct a survey to determine the number of affected residents – saving approximately 64 families from destitution and homelessness."

Akbar, Member, Basti Suraksha Manch

The Justice Leila Seth Fellowship

Inspired by the indomitable legacy and spirit of Justice Leila Seth, the Justice Leila Seth Fellowship brings together a cohort of conscientious young lawyers to enhance their legal education in an environment that nurtures integrity, professional development, and network building. It is rooted in a wider mandate to encourage socially responsible lawyering and social impact litigation as tools to accelerate access to justice for all.

Leila Seth



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"It began as a seed. An idea shared by Shireen and Mariam to honour our mother's life and legacy by establishing a fellowship in her name. To the world, our mother was a barrister and a Chief Justice, but to us, she was a mother who shared and taught us ways of thinking, ways of seeing. In the stories she told us when we were younger, we continue to find insightful truths about justice, about courage and compassion and curiosity, about rigour and hard work. These were her values and the way she moved through the world, her dreams for this India. The fellowship embodies all of this and so much more. Our mother would have been proud. "India is changing in many respects, but the change in mindsets is slow," she had once written. "The movement for change has to be continued and, in time, bear fruit. It is for the youth to take it forward and build." To see her wisdom and life's work energise today's bright young minds, to break the silence, as she had done in her own lifetime, fills us with hope."

Vikram, Aradhana and Shantum Seth, Co-Chairs, Justice Leila Seth Fellowship



“When the two Fellows first came, the dominant thought in my head was that I would rattle on and they would find me irrelevant. So, I asked them what their dilemmas were and told them my fears. At first hesitant, we just took each other on trust and talked about all the issues. I promised no solutions, only pathways that came from my own experience. The honesty, intensity and plain goodness I saw in the Fellows inspired me more I think than I could ever inspire them.”

Maja Daruwala, Co-Chair, Justice Leila Seth Fellowship



An Interview With Krishna Sharma, Inaugural Justice Leila Seth Fellow 2022-2023

What were the highlights of your journey as a Justice Leila Seth fellow?

There have been many highlights. My secondments, first with grassroots NGO Protsahan India Foundation and then with one of iProbono’s panel lawyers Faraz Maqbool, gave me very different perspectives on the law. My interactions with experienced and inspiring lawyers like Maja Daruwala and Anant Asthana opened my eyes to fresh ways of thinking. I also have the iProbono team to thank; it is a highly motivated team with a work culture that I really value.

During the course of your fellowship, you developed a research study on children in adult jails. Could you tell us more about that?

The Juvenile Justice Act prohibits the incarceration of children in adult jails. My research reveals that between 2016 and 2021, over 5,000 children were lodged in adult jails across 10 states in the country. The law calls upon Juvenile Justice Boards (JJBs) to inspect adult jails to ensure that children are not being held there. But it is clear this is not being implemented. My study documents these systemic failures.

You are a vocal supporter of the Right to Information (RTI) Act. How did your time as a Justice Leila Seth fellow help you to cultivate your interest in this area?

Right to Information is one of the strongest accountability tools a citizen possesses. Facilitating easy access and understanding of its use is key to a healthy democracy. During my fellowship, I drafted an RTI guide to enable users to maximise their chances of successfully filing an RTI. It provides a state-by-state breakdown of RTI rules, fees required to file applications, the modes of payment, and other administrative details. This information ensures your application is not rejected on administrative grounds.



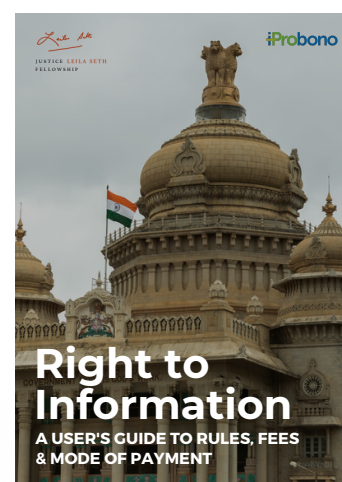
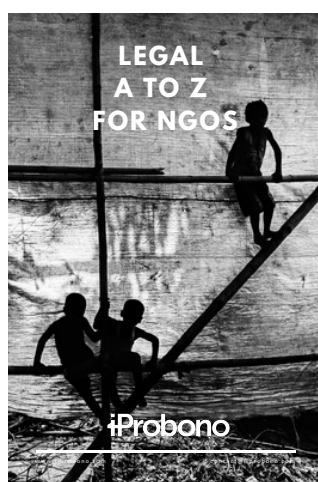
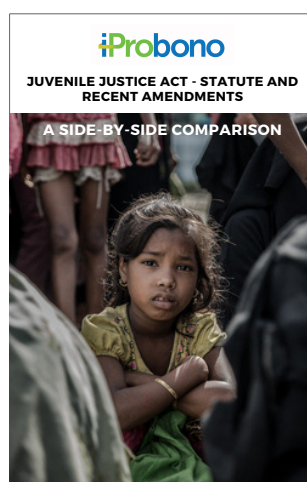
Strengthening Law and Policy

iProbono engages in law and policy reform to address systemic failures, which often create the circumstances that necessitate legal representation in the first place. We engage in direct advocacy at different levels and in varied ways, harnessing insight and stories from our litigation practice and psychosocial support work to identify and close gaps in the system.

Through strategic litigation, we select and bring a case to court with the goal of creating a wider societal impact.

The rights of child survivors in Karnataka strengthened

In January 2022, iProbono and Enfold Proactive Health Trust worked together to file a PIL, *Bibi Ayesha Khanum v. Union of India*, before the Karnataka High Court. The purpose of this PIL was to strengthen the rights of child survivors during bail proceedings. Within a month of filing this PIL, the Karnataka High Court issued directions making it compulsory for the survivor, the survivor's caregiver, or the legal counsel (if appointed) to be notified before bail applications of an accused are heard – in line with the provisions of the POCSO Act and Rules. The judgment stands to benefit all POCSO cases in Karnataka in which bail applications have been moved. Significantly, iProbono's panel advocate Rohan Kothari invoked as legal precedent guidelines cited in the Delhi High Court judgment on *Reena Jha v. Union of India* (2020), which was itself the direct outcome of a PIL jointly filed by iProbono and HAQ - Centre for Child Rights.



Through written and oral representations before various state bodies, often at their invitation, we provide policy recommendations to improve the enforcement of existing laws and policies.

Committee established to investigate pendency of juvenile justice cases

The Juvenile Justice (Care and Protection of Children) Act, 2015 stipulates that a high-level committee review the status of case pendency before the Juvenile Justice Boards (JJBs) every six months. Upon discovering that no information was publicly available about the committee,

our team filed an RTI application with the Department of Women and Child Development (WCD) alongside a written submission before the DCPCR to enquire about its status. Since our intervention, the DCPCR has nominated candidates to serve on this committee. A prominent stakeholder has suggested that iProbono's advocacy played a critical role in prompting this shift.

Submissions before DCPCR-appointed panel to strengthen legal aid for children in conflict with the law

iProbono, in collaboration with HAQ Centre for Child Rights, Counsel to Secure Justice (CSJ), Yuva Ekta, lawyer Anant Asthana, and Project 39-A, made submissions before the inquiry panel constituted by the DCPCR and chaired by Justice Madan Lokur, to advocate for improved legal representation for children in conflict with the law.

Policy recommendations presented at Jharkhand High Court consultation to improve POCSO implementation

To mark the 10-year anniversary of the POCSO Act (2012), the Supreme Court directed High Courts across the country to conduct state consultations to assess progress on the law's implementation. At the Jharkhand consultation, iProbono presented POCSO best practices and recommendations to an audience of over 200 stakeholders that included High Court and District Court judges, police officers, Child Welfare Committee members, and government officials. Key recommendations included providing child survivors with quality pro bono representation, developing child-friendly court procedures during prosecution, and conducting preliminary assessments to ascertain that children in conflict with the law are able to comprehend the consequences of the alleged offence.

These recommendations were subsequently amplified in an op-ed published in *The Quint*. We also presented a case for the reduction in the age of consent from 18 to 16 to prevent the criminalisation of consensual relationships among minors – a position that has been shared by other stakeholders in the justice system, including Chief Justice of India DY Chandrachud, the Karnataka High Court, the Madras High Court, and other child rights organisations.

India Needs to Lower Age of Consent (And Stop Misuse of Child Protection Laws)

The age of consent results in the law criminalising adolescent sex rather than focusing only on child sexual abuse.

DEEKSHA GUJRAL & NIMISHA MENON
Updated: 15 Dec 2022, 11:23 AM IST

GENDER
4 min read





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“iProbono’s initiative to create a community of knowledgeable, compassionate, and reliable lawyers ensures that children in the state of Karnataka are supported as they navigate a complex criminal justice system.”

Kushi Kushalappa, Enfold Proactive Health Trust

The dissemination of legal insight to key stakeholders in the justice system enhances their capacity to better implement the law.

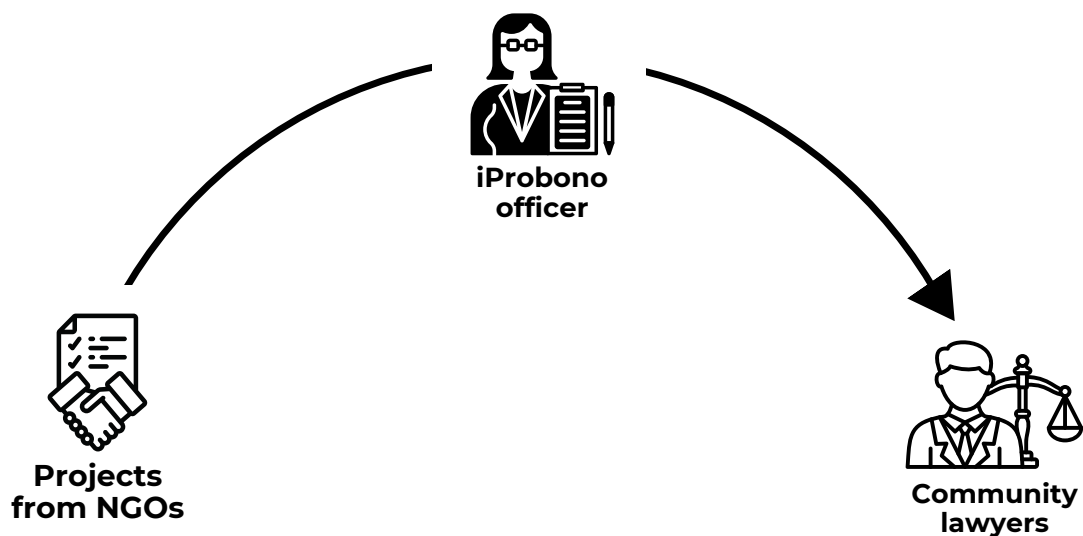
Capacity enhancement of state stakeholders involved in POCSO implementation

At the invitation of the LNJJN National Institute of Criminology & Forensic Science, Ministry of Home Affairs, iProbono's India Program Director shared legal insight on the causes and consequences of delays at the stage of bail in POCSO cases with an audience of approximately 30 Additional District and Sessions Judges, Public Prosecutors, and Jail Superintendents. Knowledge-sharing sessions allow iProbono to equip representatives of the state machinery with nuanced insights, sensitivity to ground realities, and practical recommendations that can lead to the effective implementation of POCSO legislation.



Enhancing the Impact of Indian Civil Society Organisations

Strengthening the operational capacities of NGO partners underlines iProbono's Theory of Change. Our model is demand-driven: When we receive a request for legal assistance from a civil society organisation, we activate our network of 1,016 community lawyers and assign the case to an advocate with the relevant experience and expertise. By meeting the legal, administrative, and other organisational needs of CSOs in an increasingly complex operating environment, we are able to amplify their capacity to operate more effectively as an organisation, which in turn, enables them to better serve their target beneficiaries.



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“The success of non-profit organisations depends in large measure on handholding by like-minded associations. From advising us on governance-related matters to drafting our organisation’s Prevention of Sexual Harassment (POSH) policy and supporting the team with its implementation, iProbono’s support to Mijwan Welfare Society has been invaluable.”

Shabana Azmi, President, Mijwan Welfare Society



iProbono conducts a POSH awareness-building session for the staff at Prerana, an anti-trafficking organisation based in Mumbai.

The majority of requests for direct legal support come from partners whose work intersects with our own. Child rights organisations reach out to us to ensure that they have internal safeguards in place to prevent staff abuse, exploitation, and negligence of children placed under their care. We receive requests from NGOs working closely with women, children, and gender-diverse groups to institutionalise guidelines and best practices to prevent sexual harassment at the workplace. One quarter of the requests we received in 2022 came from partners seeking assistance to create Child Protection Policies (CPPs) and Prevention of Sexual Harassment (POSH) policies.



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"The session conducted by the iProbono team on creating a more gender-inclusive organisation was phenomenal. As an organisation working with the transgender community and having trans community employees, TWEET required a customised intervention. They made sure that our team understood the nuances of community dynamics, using case studies that were contextual to our workplace."

Shaman Gupta, Co-chair, Tweet Foundation

[iProbono reviewed TWEET's POSH policy and conducted a training to introduce its staff to the revised policy]

Our Team

Senior Management Team



MARIAM FARUQI
Managing Director



DEEKSHA GUJRAL
India Program Director



SHIREEN IRANI
Founder/Trustee



BINITA MODI
Operations Director

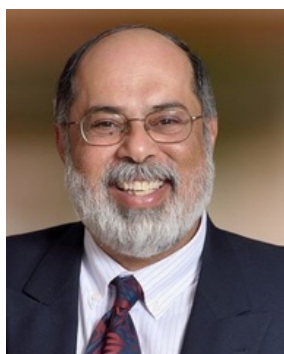


SUPRIYA ROYCHOU DHURY
Research and Impact
Director



SAUNDARYA TALWAR
Communications
Manager

Advisory Committee



**ZHOOBEN
BIWANDIWALA**
CEO & Executive
Director, Mahindra
Holdings Ltd.



HIMANI GUPTA
Visual Artist



GITANJALI PRASAD
Program Manager, Access
to Justice,
Azim Premji Foundation

Board of Directors



SUMIT GARG
Board Director



SALIM INAMDAR
Board Director



BINITA MODI
Chair, India Board
of Directors

India Team



NIMISHA MENON
Program Officer



SUVRAT MISHRA
Office Assistant



KARUVAKI MOHANTY
Senior Program
Officer



RICHA OBEROI
Senior Advocacy
Officer



SATISH OJHA
Senior Operations
Officer



YAMINA RIZVI
Program Officer



KRISHNA SHARMA
Justice Leila Seth
Fellow 2022



AISHWARYA SINHA
Social Worker



MADHULIKA T.
Program Officer



PRIYA WATWANI
Senior Program
Officer



ABHISHEK YADAV
Social Worker



Some of Our Network and Supporters



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& CO** ADVOCATES
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N
ROHINI
NILEKANI
philanthropies





CONTACT US

www.i-probono.in

contact@i-probono.com

+91 11 4751 3134



/@iprobono



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