



# Family Justice in **Uganda** 2017

Learning from Justice Needs:  
*What works and what does not?*





This research was supported by SIDA in Uganda. We are grateful to the staff of SIDA in Uganda and Sweden for their support and advice.

This study would not have been a success without the considerable support of our informal justice leaders in Apac and Soroti who contributed their time and knowledge.

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# Executive summary I

This report presents the results of the in-depth study on Family Justice that Hiil conducted in Uganda in 2016, including:

- **A deeper understanding of the family-related problems that Ugandans face.**

This includes the processes people follow to solve these problems and the outcomes that they obtain when attempting to get a solution.

- **An agenda for innovation that builds on the needs of users of family justice processes.**

Instead of proposing new legislation or financing additional services, the report outlines terms of reference and user stories: what should the family justice process achieve for women, men, girls and boys? What do justice providers from the informal or formal sector need, in order to help solve family problems more effectively? The results of this study can become building blocks for an action plan to improve the treatment of family disputes in Uganda.

## Chapter 1 outlines the methodology:

We used data from a 2015 Justice needs and satisfaction survey. Here, family issues was identified as one of the most prevalent justice problems in the country. The data were interpreted and enriched in a two-day workshop with experts and representatives of the Justice Law and Order Sector. In addition, we interviewed informal justice providers in two districts,

in order to get a better understanding of how family justice disputes are resolved by clans, religious leaders, Local Council Courts, the police and courts.

## In chapter 2 we explore what family justice problems people have and their impact on people's lives:

More than 1 million serious family justice problems occur in Uganda every year: most of them are domestic violence and separation related. As in other countries, our survey shows high impact of family problems on people's lives: stress-related illness (64%), problems with relationships (47%), and loss of time (35%) are the most widespread consequences. The workshop with experts mentioned also abandonment of children, lack of education, HIV, loss of work and opportunities to maintain the family as likely impacts. Impact on women is more severe than impact on men. 52% of the females respondents declared to have a family problem, compared to just 20% of males. Domestic violence is a huge problem among Ugandan women. Women are 3 times more likely than men to suffer from it. Family issues also arise with higher frequency among young people.

Relationships between men, women and children are complicated. Men may have children with different women during their lifetime, women children from

different fathers. Not all relationships are formalized. The (formal) legal framework for resolving disputes in such relationships is unclear. A domestic relations bill has been pending in parliament for 50 years. The marriage and divorce bill now before parliament is still controversial. Couples, and the providers of justice to these couples, thus have to search for practical solutions often with little guidance from the formal legal system.

## In chapter 3 we investigate where people go first for information and advice after they experience a family justice problem, offering a diagnosis of the ways Ugandan people proceed when facing a family justice problem.

Here we found that most people consult family members, friends and family heads. 61% did not consult formal sources of information. When they did, people mostly went to Local Council Courts or the police. They hardly ever go to lawyers, NGOs or courts for this. Local Council Courts (LCCs), clan leaders and religious leaders have overlapping roles, but are also expected to handle different types of disputes. For instance, domestic violence issues are often first handled at the lowest level of the LCCs and may be brought to police or court if the violence persists or intensifies.

## In chapter 4 we look into the resolution processes for family justice problems:

How do people interact, negotiate and how are their disputes mediated or decided by third parties? We found that people "shop" for solutions. Two thirds of the people adopt some sort of self-help strategy, 50% asks family members, elders, clan leaders or other people in their network to intervene. 40% uses LCCs, police and other "formal" dispute resolution processes. LCCs have the most prominent role in family dispute resolution: 25% of the respondents taking action uses them, compared to 3% going to the courts. When we ask a range of questions about the quality of the process and the outcome, people report rather low satisfaction with voice, participation, respect they receive and informational justice. Women are slightly more dissatisfied than men (averages of 3.2 on a 1 to 5 scale). The effectiveness of solutions is rated more positively (3.8). The report reveals a great number of strengths and opportunities for improvement.

# Executive summary II

Clan leaders and other informal providers of family justice tend to try reconciliation, because they see the risks and possible consequences of separation for the family members. Procedures at the local level have explicit rules for how to conduct hearings and who should be in a dispute resolution panel. In the two districts Apac and Soroti where the interviews were held, disputants are likely to be referred by informal justice providers depending on the nature of the problem to other third parties. They may need a stamped letter confirming that they took action at the clan level before they are allowed to bring the dispute to the LCC. At higher levels of the LCC, a similar letter from the lower level may be required.

All procedures tend to have elements of mediation. Practical rules are enforced, such as the rule that a husband has to ensure that his wife can go to a hospital for treatment. Such rules may include punishment with elements of public exposure of the undesirable actions or remedying of harm with compensation.

**In chapter 5 we zoom in on the people who do not take any action at all and analyse the barriers to accessing family justice.** 35% of the respondents having a family justice problem do not taken any action, which is a high percentage compared to international standards. 48% of this group does not believe it will help and this corresponds with

a rather low level of subjective legal empowerment in Uganda. 36% is afraid to aggravate the relationship with the other party. Women and people from rural areas are more likely to do nothing and feel less empowered to take action. The majority of Ugandans have trust in their local traditional mechanisms to resolve disputes. Almost 65% of them respond positively. The level of trust in the informal system is superior to that in formal courts (42%) or the police (41%).

**In chapter 6 we outline the steps forward towards improving family justice journeys.** Agreeing on the goals of the family justice system does not seem to be difficult. Respondents, experts and stakeholder representatives mentioned: stable families, protection of parents, children and their rights, violence prevented. The process should be child- and human-friendly, fair, equal, peaceful, accountable and enforceable in the real world (not only on paper).

Strong elements that can be built on are the accessibility and scalability of Local Council Courts, as well as the role of family members as sources of information and in assisting with resolution. Generally, the process for family dispute resolution could be more receptive to people's needs, **allowing them** to participate more in the resolution process. According to experts and stakeholders – given the often

complicated family-ties – actual family relations should be the starting point, rather than the formal situation.

The method of improving family justice from the perspective of the users, yielded **a powerful set of terms of reference.** From the perspective of children, workshop participants want a family justice system that help their parents to sort it out peacefully, so they do not suffer from fighting. Children require fast solutions and being listened to. In case of abandonment, they need someone who can take care of them and is trustworthy.

Many other terms of reference were formulated. Fathers, for instance, want their children to be protected from experiencing the emotional costs of disputes between partners. They also want to make sure that family disputes take into account their children's safety and interests, as well as transparency and accountability regarding child support. Mothers want family justice to provide equal treatment for them and their partners, stressing the need to be treated seriously. They want a holistic support, that considers all their needs in combination. And also, they want a system that assures that their children will get economic support from the father of their children.

Because the dispute resolution system is not only made of users, providers of justice also shared their expectation on how the family justice system should work. They argue for greater access to training and capacity building, as well as assistance and better coordination between different third parties. They want a system where they can contribute to reconciliation, and that allows them to refer people to the right actor in case they are not able to provide solutions.

**In chapter 7 we provide the main conclusions from our study.** This study evaluated the Ugandan family justice system from the point of view of its users. This leads to a detailed overview of the needs of women, men, boys and girls, of what works and of what can be improved. Family justice problems, and in particular those connected to separation, have a high impact. Resolving them adequately contributes to the security of children and parents, land- and property ownership, education, health, financial resources and emotional stability. Neglecting these problems puts people's well-being and their future at risk.

# Introduction

**At the end of 2015, HiiL conducted a nation-wide justice needs and satisfaction survey in Uganda, funded by the Swedish Embassy in Uganda and the Hague Institute for Global Justice in The Netherlands. The results of this study showed that one of the most prevalent category of justiciable problem was related to families. Almost 40% of the population declared having experienced a family justice problem in the previous four years.**

More noticeable, 28% of the female respondents declared to have a family problem, compared to just 10% of males. Domestic violence is a huge problem for Ugandan women. Women are almost 3 times more likely than men to suffer from it. Family issues also arise with higher frequency among young people. Also, our estimates suggest that every four years, between 4.6 and 4.8 million family problems occur in Uganda.

HiiL and the Swedish Embassy in Uganda, decided to do a more in-depth analysis of the challenges around family justice with a view to formulating concrete action plans to resolve the problems. This project included a series of interventions and workshops that, through their collaborative approach ensure the

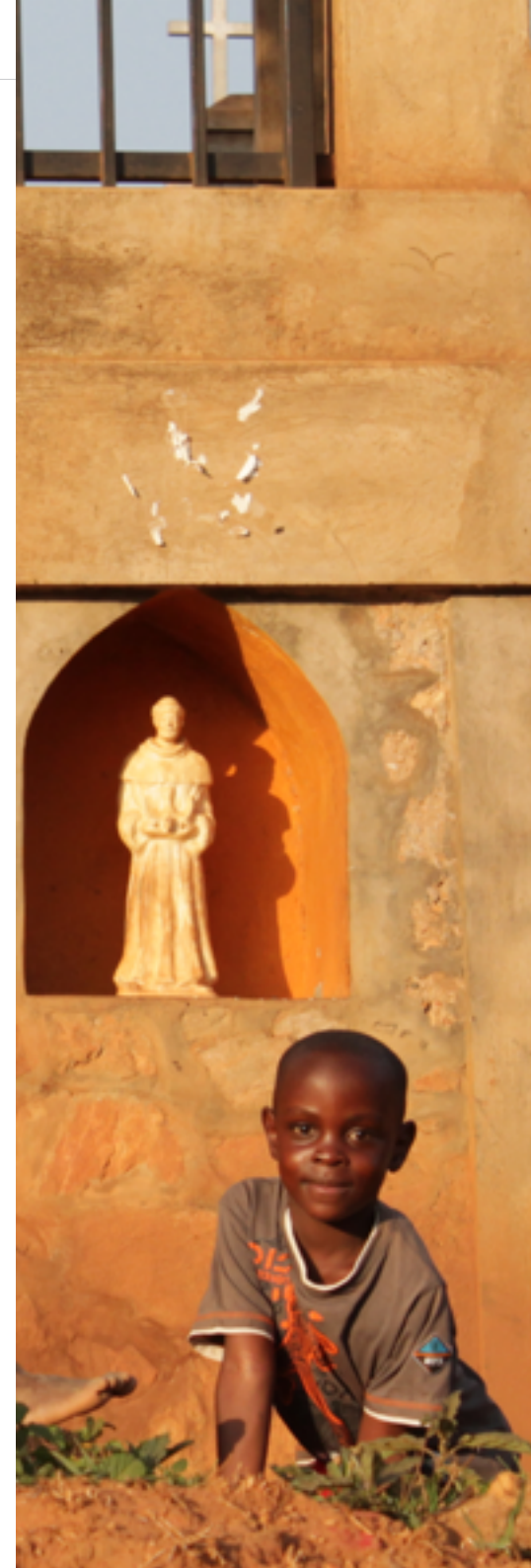
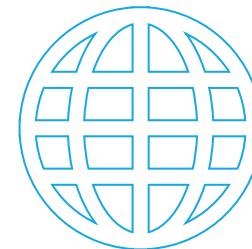
transfer of skills and knowledge thereby ensuring the sustainability of results. The project also included a qualitative component in which HiiL experts conducted in-depth interviews with key actors from the informal justice sector, tackling to the most pressing issues found in the Justice Needs and Satisfaction survey.

The workshops are a 'deep dive' into these problems, aiming to connect policy makers and other stakeholders to the data in detail, showing them how to work with the data and how to draw detailed conclusions from these subsets of the data. The workshops were guided by the HiiL data specialists and adopted a participatory approach to ensure an effective learning process.

The quantitative section of this study, which was part of the materials for discussion in the workshops, consists of an analysis of the subsample that declared having experienced family problems in HiiL's justice needs and satisfaction survey. In this report we conduct a detailed evaluation of the issues and the justice journeys that people follow when trying to solve them, and we also uncover the reasons why a significant percentage decides to disengage without making any attempt to solve the family justice problem.

The qualitative section of this research emerged as a natural step towards a better understanding of the family justice problems resolution process. Family issues are, by nature, private and intimate. We found that the majority of the issues related to family justice are processed in the informal sector locally. The local processes served a substantial amount of people, making them important. It follows then that qualitative, in-depth interviews with key actors are the best suitable methodology to better understand such an intimate process at the local level. Informal sector providers are trusted in Uganda, as our data shows, and therefore we wanted to understand how both informal and formal sectors work together.

We hope that the lessons learned in this report guide the implementation of improvements in the justice sector, towards a better family justice process. The informal sector is perceived as a trusted set of institutions that deliver affordable and accessible justice. Still, more work is needed in terms of professionalization, data management, funding, and training of the Local Council Court. The local systems have served millions of Ugandans, particularly those in rural areas. We invite you to discover more about them in the following pages.



METHODOLOGY

1

# HiiL's approach



**Our mission**

making justice journeys work and universally accessible

**For people**

their problem, their justice journey, towards solutions they need

**Start from**

user survey data, interpretation by experts, what works well

**And then improve**

define terms of reference, design user stories, improved procedures

**Our values**



**Co-creation**

we create together with users and experts



**Non-judgmental**

we do not judge norms, institutions processes. we listen to the justice users



**Evidence-based**

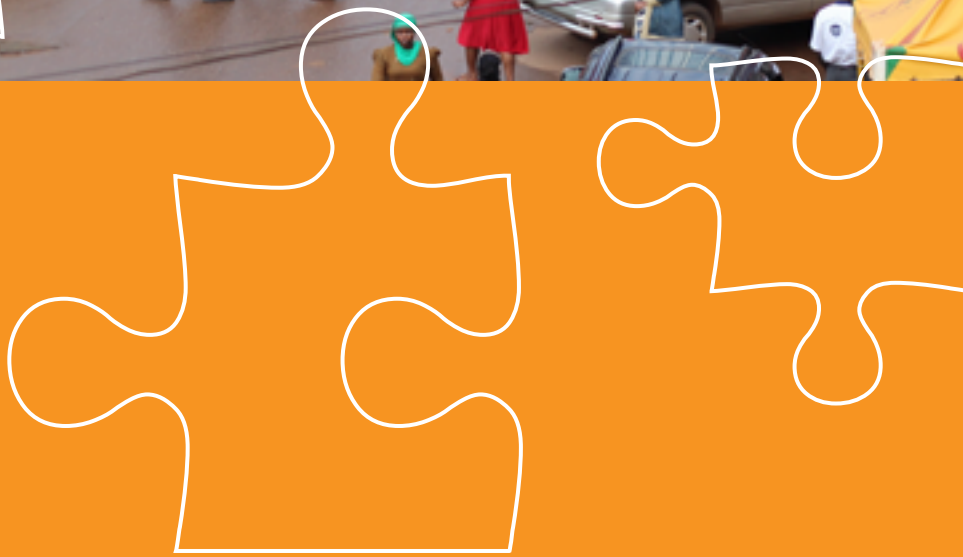
we try to find out what works for people to allow them to move on and continue with stable relationships after experiencing a justiciable problem





# 1

## Methodology



# Quantitative research methodology



## Data collection

Quantitative interviews  
6,202 randomly selected adult individuals were interviewed in the period September–October 2015.

Qualitative interviews.  
26 in–depth interviews have been conducted specifically on family justice, in December 2016.



## Triangulation workshop

Workshops with Civil Society.  
Feedback from policy makers, CSOs and other key stakeholders has been incorporated through 2 workshops, 1 on land rights and 1 on domestic violence.

Workshop with International stakeholders.  
Feedback from public officials and the donor community has been incorporated through 1 'general' workshop.



## Report Launch

Presentation and launch of the final report.



## Data interpretation

Jointly finding out what is happening, what is going well, and what can be improved.



# Project process



Justice Needs  
& Satisfaction  
survey



Focus:  
Family Justice

Stakeholder  
Workshops



Coalition



Developing Fair  
Procedures:  
An Action Plan  
on Family Justice

## METHODOLOGY

## 1

# Qualitative methodology

The qualitative data for this research was collected in December 2016 during two field visits in Soroti and Apac districts. These areas correspond to geographic areas with high prevalence of family justice issues. A second criterion for this selection was based on access to networks and gatekeepers willing to collaborate with HiIL on this research. A snowball method was applied to find all respondents, initiated through a women and property rights project-contact person at BarefootLaw, a grassroots legal aid organisation based in Kampala. Respondents were offered a travel allowance in return for their participation in the research. In total 26 respondents took part in semi-structured interviews and focus group discussions, which took on average half an hour each. All interviews were held and recorded by the authors of this report, while some interviews were live-translated. Informed consent was given by all respondents during data collection regarding the terms of confidentiality.

The respondents interviewed for this study included a broad range of individuals, ranging from clan leaders, LCC1, LCC2 and LCC3 chairpersons and religious leaders representing different churches. This study is not aiming to provide a representative overview of informal justice systems in Uganda. Instead, the information gathered through these interviews provide a first glance into the complex and fascinating mechanisms of informal justice delivery in rural areas of Northern and Eastern Uganda. We conducted 20 individual interviews and one focus group with 5 persons, yielding a total of 26 key informants involved in the process.





# 2

## Survey results



SURVEY RESULTS

2

# Justice needs in Uganda: an overview

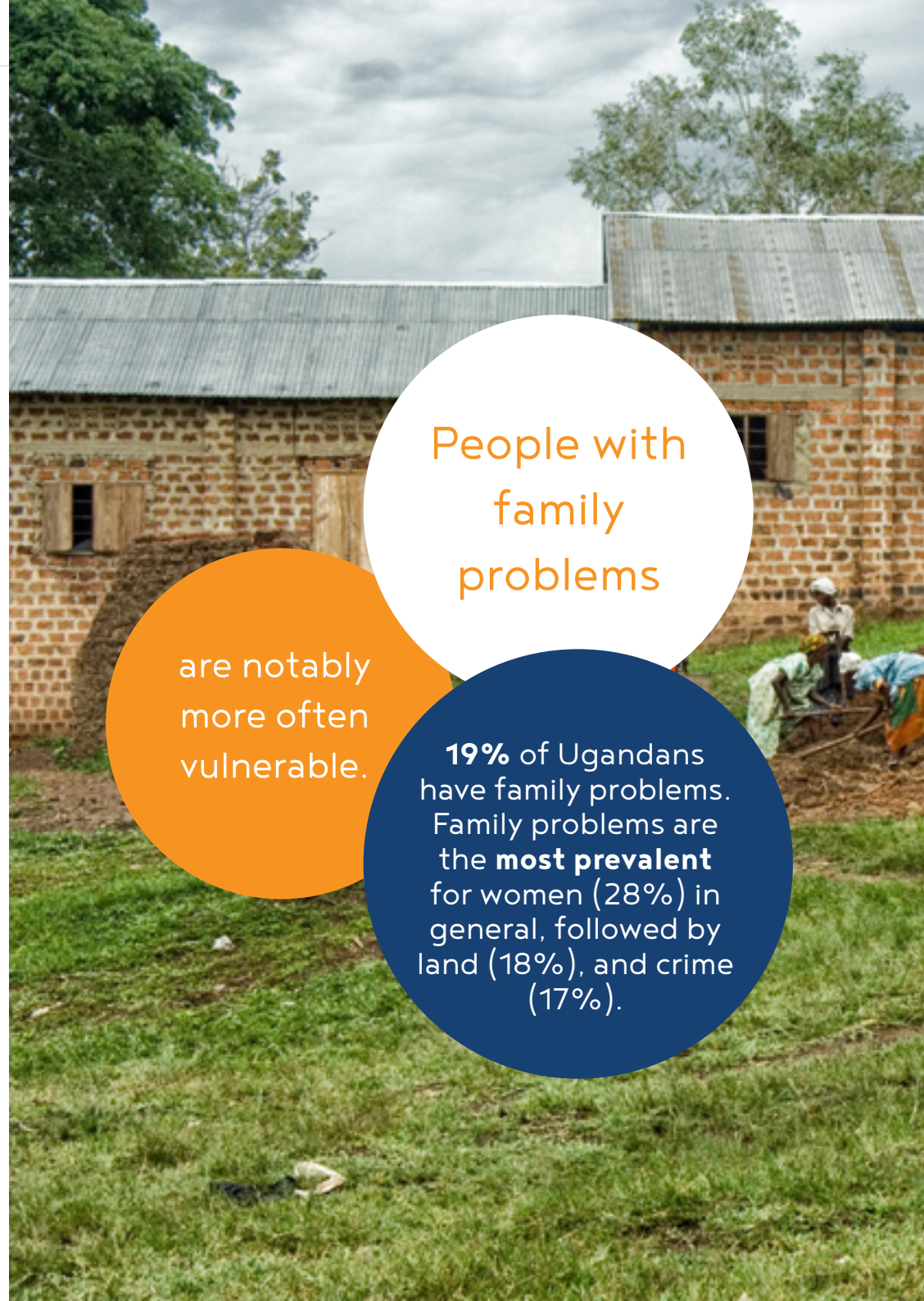
**88%** Had one or more justice problems in the past 4 years



Land, family and crime the most prevalent problems

**37%** (2291 people) had problems related to family justice in the past 4 years

**19%** Experienced family problems as the most serious justice problem in the past 4 years. **An estimated 4.7 million serious family problems occur in Uganda every 4 years.**



People with family problems

are notably more often vulnerable.

**19%** of Ugandans have family problems. Family problems are the **most prevalent** for women (28%) in general, followed by land (18%), and crime (17%).

SURVEY RESULTS

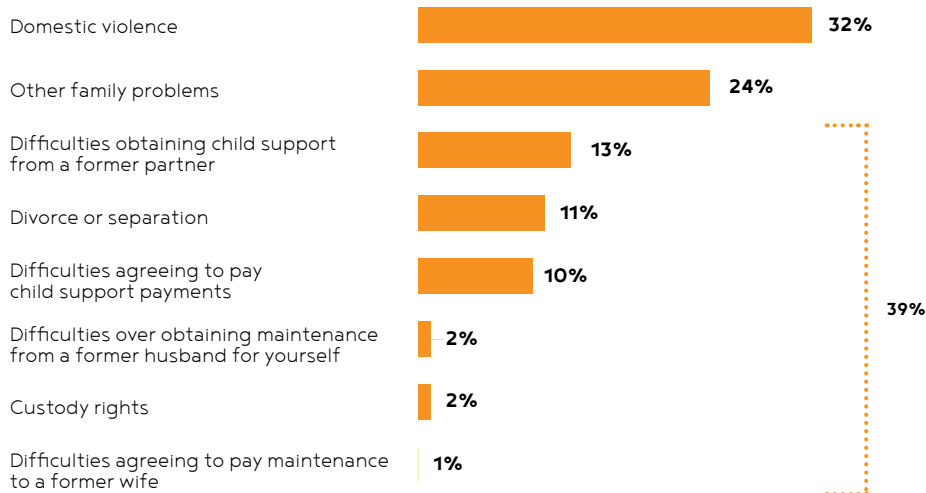
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# Most family problems related to separation/divorce

Besides separation, problems related to the sustainability of agreements between partners after a divorce or separation problems are the most frequent.

Family relationships in Uganda can be complicated. According to the World Fathers report 2015, 45% of Ugandan men have children with more than one woman. This is the 4th largest percentage among the 40 surveyed countries in the sample.

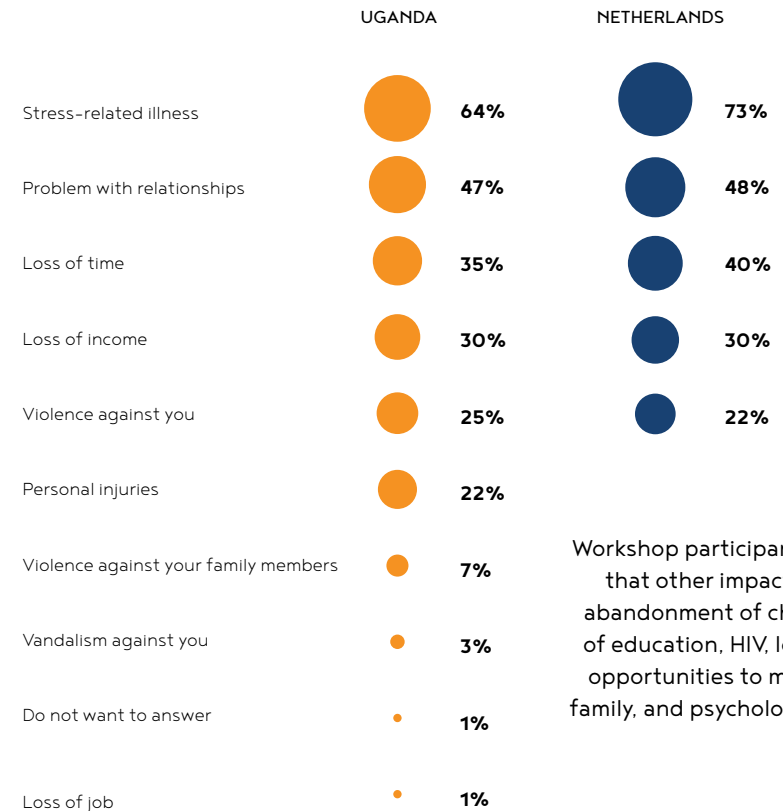
MOST SERIOUS JUSTICE PROBLEMS



Almost three quarters (73%) of the citizens in the Netherlands faced with a family problem suffers from stress-related illness. In Uganda this is 64%. The three most frequently reported

affects as a consequence of family justice problems are the same for the Netherlands and Uganda: stress-related illness, problems with relationships and loss of time.

HOW DID THE PROBLEM AFFECT YOUR LIFE



Workshop participants indicated that other impacts include abandonment of children, lack of education, HIV, loss of work, opportunities to maintain the family, and psychological torture.

SURVEY RESULTS

2

# Different consequences for men and women

Women more often experience stress-related illness (66%), violence (29%) and personal injuries (25%) as a consequence of their family problem, compared to men. Men on the other hand more often experience a loss of time (44%) compared to women.

Many consequences of family issues are felt more strongly by younger people than by older people.

	Female	Male	18 to 34	35 to 54	55 to 74	75 and older
<b>Stress-related illness</b>	<b>66%</b>	58%	63%	65%	62%	45%
<b>Problem with relationships</b>	48%	45%	48%	46%	53%	27%
<b>Loss of time</b>	31%	<b>44%</b>	30%	42%	32%	28%
<b>Violence against you</b>	<b>29%</b>	15%	26%	23%	24%	9%
<b>Loss of income</b>	28%	36%	26%	35%	34%	37%
<b>Personal injuries</b>	<b>25%</b>	13%	24%	21%	15%	0%
<b>Violence against your family members</b>	7%	7%	5%	10%	8%	9%
<b>Vandalism against you</b>	3%	3%	3%	3%	1%	0%
<b>Do not want to answer</b>	1%	1%	1%	2%	0%	9%
<b>Loss of job</b>	1%	2%	1%	1%	1%	0%
<b>Do not know</b>	0%	1%	0%	1%	0%	0%

Family justice problems in people's own words

OBTAINING  
 HUSBAND HOUSE  
 SUPPORT  
 DIFFICULTIES  
 TIRED  
 CHILD PAY  
 FORMER AGREEING



# What should we better understand?

“When families break up, formal justice is not so good”

What we see in Uganda, among many other countries, when families break up:

- Parents suffer, children are traumatized
- Procedures with lawyers and courts intensify conflict
- People feel powerless: little control over process, outcome, time to resolution, costs
- Courts are overloaded



**Feedback from workshop participants:**

- Other impacts of family justice issues mentioned: abandonment of children, lack of education, HIV, loss of work, opportunities to maintain family, access to land/property, psychological torture.
- How much money people spend in pursuit of legal solutions (lawyer, travel...).
- To what extent the justice stakeholders understand the data.
- More information, the results should be enriched with data from other research and from institutions; with qualitative interviews.



SURVEY RESULTS

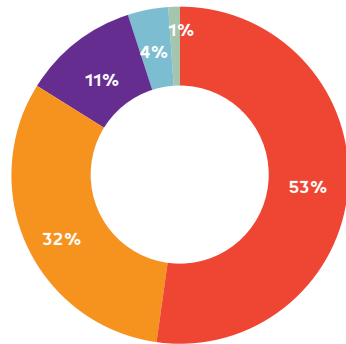
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# Strong negative effect on people's lives

The negative effect of family problems is stronger than for other types of problems.

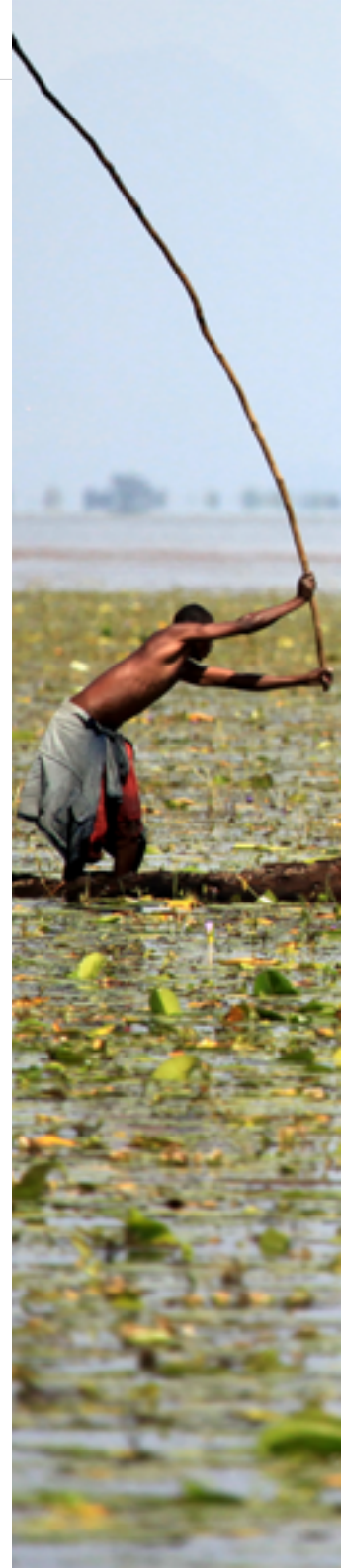
In particular the effects of divorce/separation and the consequences thereof are strong. These problems are not only the most prevalent in the realm of family justice, but also the most severe.

HOW DID THE PROBLEM AFFECT YOUR LIFE?



- Affected me to a very large extent
- Affected me to a large extent
- Affected me to a moderate extent
- Affected me to a small extent
- Did not affect me at all

## High levels of stress, anger and frustration







# 3

## Diagnosis: use of information and advice

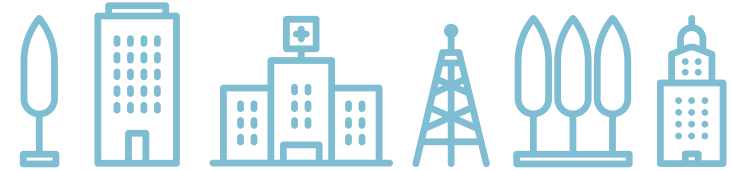
The role of formal and informal sources/organizations



DIAGNOSIS: USE OF INFORMATION AND ADVICE

3

# People mostly use informal sources

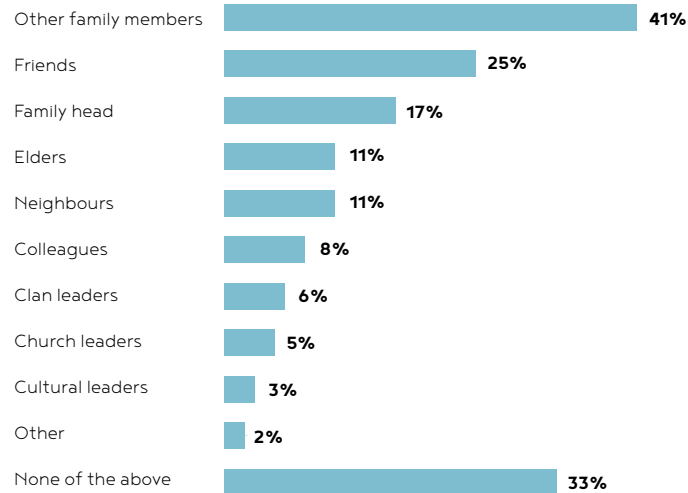


**67% of people faced with a family justice problem seeks information/advice from informal sources. 39% of people seeks information/advice from formal sources**

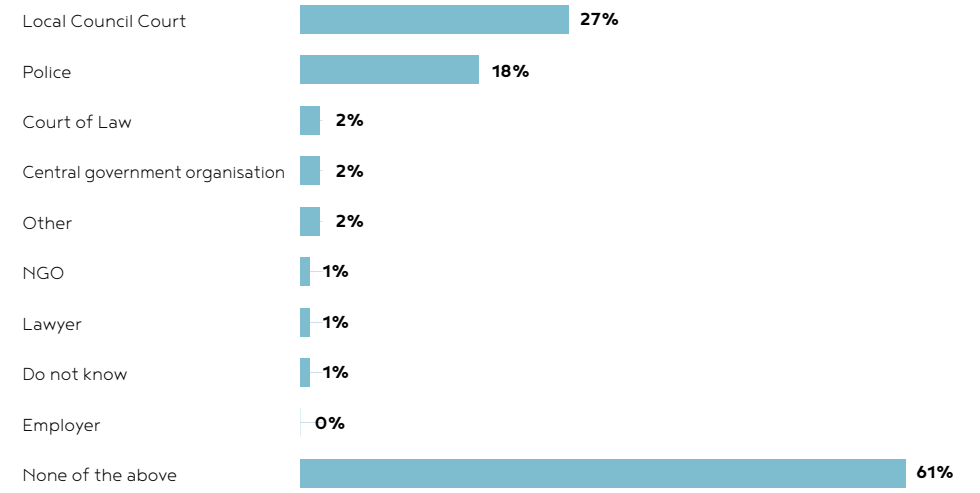
Family members are consulted most often (41%) for information and advice. Friends (25%) and the head of the family (17%) are also consulted frequently.

The Local Council Courts (27%) and the police (18%) are consulted most frequently for information and advice. Interestingly, NGOs are rather invisible in this landscape.

INFORMAL SOURCES OF INFORMATION



FORMAL SOURCES OF INFORMATION



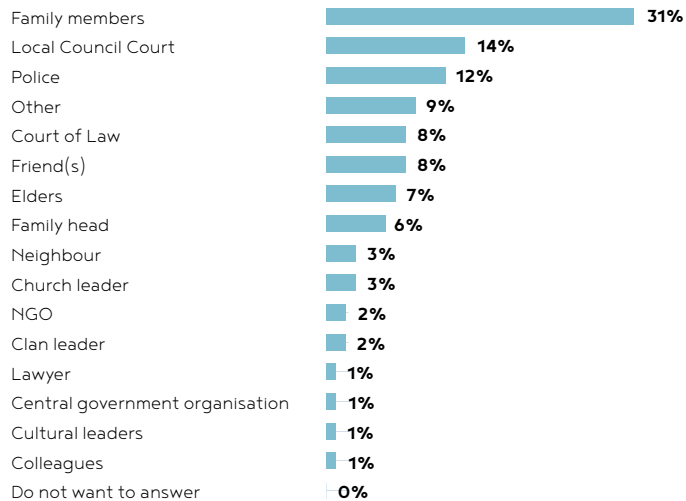
## DIAGNOSIS: USE OF INFORMATION AND ADVICE

3

## Family members most helpful

Looking at all institutions and people that might provide information and advice for legal problems, **family members are most often mentioned as being the most helpful (31%)**. Local Council Courts (14%) and the police (12%) mark the 2nd and 3rd place. Whereas Courts of Law are not consulted often, they do appear to be helpful (8%) when consulted for information and advice. Clan leaders on the other hand, are consulted more often, but seem to be less helpful (2%).

### MOST HELPFUL PERSON OR INSTITUTION



# The informal justice system: who owns it?

The informal justice system, or non-state justice institutions, corresponds to “a wide array of traditional, customary, and religious non-state justice and informal mechanisms that provide dispute resolution and justice related services” (USAID, 2010: 19).

According to the same source, the informal justice system has the advantage of being perceived as “easily accessible, participatory, efficient, flexible, and culturally relevant justice.” However, criticism of informal justice delivery mechanisms arises out of the lack of transparency of such systems, as well as the failure to uphold international human rights and equality standards, particularly with respect to women. In the case of Uganda and based on our survey, we identify as key stakeholders in the informal justice system:

- Local Counsels – LCs
- Clan leaders
- Religious leaders

Earlier research suggests that women may be disserved by the LCCs, due to a gender bias that acts both as a gatekeeping mechanism that precludes them to get to higher courts, and that extracts disproportionate monetary fees (Khadiagala, 2001). In fact, many people still resort to lower level institutions such as LCCs and other traditional institutions for dispute resolution (e.g. clan leaders, village elders), as we found in Hiil’s Justice Needs Survey.

That is why we need to know more about the informal justice system and its components. The section below elaborates on the role of the different actors in the grassroots informal justice system in Uganda, including LCCs.

## Local Council (Courts)

LCCs are the lowest units with administrative, legislative and judicial powers on behalf of the central government of Uganda. There are several levels of these courts, most commonly: level 3 (sub-county), level 2 (parish) and level 1 (village).

People working in Local Council Courts are also referred as Local Counsels (in brief LCs).

In some counties LCCs can reach up to level 4 and 5. The LCCs are formally mandated to deal with civil disputes, work on crimes such as theft, assault, but can also arbitrate in land disputes and matters involving children. The LCC in Soroti comprises of 10 people, of which a minimum 5 (the quorum) are called together when a dispute is at hand: chairman, vice chairman, secretary, secretary for women, secretary for youth and secretary for security, according to a LC1 chairman we interviewed.

LC1s are elected by the clans at the sub-county level<sup>1</sup>. Because of these elections, LCs can be seen as representatives of the people and their local clans, which creates a strong relation between the LCs and the clans.

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[w]hen there’s an issue that two people have committed, the clan leaders call the LCC to come, because the LCC represents the government. Maybe the outcome of the punishment of the clan should be witnessed by the LC so that if anything arises [...], because sometimes people might feel the punishment given to them is not good, they will go ahead to say maybe that the clan leader tortured them. But if the LC witnessed, he can step in and defend [the clan leader].

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**Clan leader, Apac**

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<sup>1</sup> A clan is a group of people united by actual or perceived kinship and descent.

## DIAGNOSIS: USE OF INFORMATION AND ADVICE

3

Importantly, the clan has a mandate to remove a LC1 member or to discontinue their work. According to a vice chairman in Soroti, key activities of the LC1 include to set meetings and dialogues in the LC committee to discuss issues that affect the community and, secondly, to create awareness on specific issues. One important role of the LC is also to observe dispute settlement in the clans. Overall, the work of the LC1 is not always seen as settling disputes.

A religious leader in Soroti remarked that “[t]he work of LC1 is not to settle cases, especially when it comes to land, its work is to observe and see whether they [LC] can handle it, otherwise, its work is to channel it upwards and refer to LC2 or above, police and eventually the court” (focus group session). In addition to responding to issues that members of the community bring to the LCs, LCC members in some cases also actively mobilize people to understand what the issues in the community are. An upper level LCC Counsellor from Apac shared that she attends community meetings such as weddings, church meetings, burials. She would join the people in the villages and listen to them together with the clan leaders. Upper level LCC members and clan leaders might also consult each other and

come to a conclusion about a dispute. Because many LC1s are also part of a clan committee, are chosen by clans and have strong ties with their village members, they seem to take on a community role which sometimes goes beyond that of a formal justice provider.

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*Even people love me... they come to me to get advice. When they come to me, I don't get rude. We share and laugh and do what... they love me very much, because I'm not someone who has bad behaviour. (...) You see, the LC1 is the eye of the president. We work without even salaries. Just work, like that. They don't pay you. But as you're working with the people, you love them. We work like that.*

---

**Vice Chair LC1, Soroti** ”

### Clan leaders and committees

Clan leaders play an important role in dispute resolution at the grassroots level. They are found to be easy to approach by people, because they are around in the villages unlike for example the police, who are in one place (Clan Leader, Soroti). Clan leaders are usually the oldest or most respected people in

villages, and function as a contact person for the people in their clan. They are responsible for dispute resolution, but are also involved in broader issues in their community or clan.

Clan leaders are typically elected every 5 years (with a maximum of two terms) for their positions in the clan. They consist of the chairman, vice chairman, secretary, speaker, advisor. Clan leaders assemble their committee (12 members) when they are approached (according to a clan leader from Soroti). People have to abide by the clan rules. The clan rules are made in agreement with rules of the police. As expressed by some respondents ‘it is not just made in a vacuum, but is embedded in the national Constitution’. Intra-clan marriage is not allowed. Couples who marry across clans are not punished, but are put in front of the whole clan and are told that what they are doing is not allowed, so they are an example to others. When a dispute is being solved by the clan, the clan leader calls together his ‘quorum’: a clan committee made of 9 members. The clan (quorum) also includes one youth secretary, who must be younger than 30 years and is involved when a child/youth dispute is at stake, said a clan leader who is also Vice Chairman LC1.



## DIAGNOSIS: USE OF INFORMATION AND ADVICE

3

**Religious leaders**

Religious leaders have a role in the community that is much tied to rights awareness and prevention of disputes: they teach the community about issues that are frequently occurring in the communities. One religious leader noted as follows:

“We give them knowledge, that you need to do this, and that. We need to teach them, we are always teaching them. And then, when there’s a problem, they call us. (...)” (Religious leader, Apac)

The church council will assemble once they are approached with a complaint, as explained by a religious leader in Soroti. They meet about once a month or less. It depends on the capacity of the church to handle issues. Whether the councils are approached to handle a complaint depends on the capacity of the church to handle them and whether the church has a reputation of dealing with previous cases successfully. According to a clan leader, religious leaders are not included in dispute resolution (e.g. LCC hearings), but they do facilitate reconciliation processes. Generally the role of religious leaders is more preventive or educative.

Most religious leaders travel around the country and settle in villages where they were not originally raised. This makes them less equipped to settle matters concerning land or inheritance which are more known by clan leaders. Domestic violence and separation cases more easily end up with religious leaders, as explained by one leader:

“[t]he role of the religious leader is to find out what the root cause is of these problems. After he finds out, he tries to harmonize the situation, and to urge that violence or separation is not the solution. In general, this is appreciated. People who are deeply religious tend to want their issues to be dealt with by the church first.” (Religious leader, Soroti)

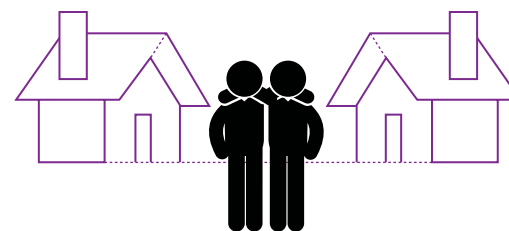
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As a church you need to be friendly to everyone.

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**Religious leader, Soroti** ”

When a person comes to the church to have a dispute settled, the church can call LCC1 chairman, or a clan chairman. If the church is unable to find an acceptable solution to the dispute, cases are sent to the clan chairman, because they know the local context. The church is not allowed to divide the land, but is meant to unite the parties and teach them to reconcile.





# 4

## Quality of family dispute resolution

A detailed look into quality of process, outcomes and costs



QUALITY OF FAMILY DISPUTE RESOLUTION

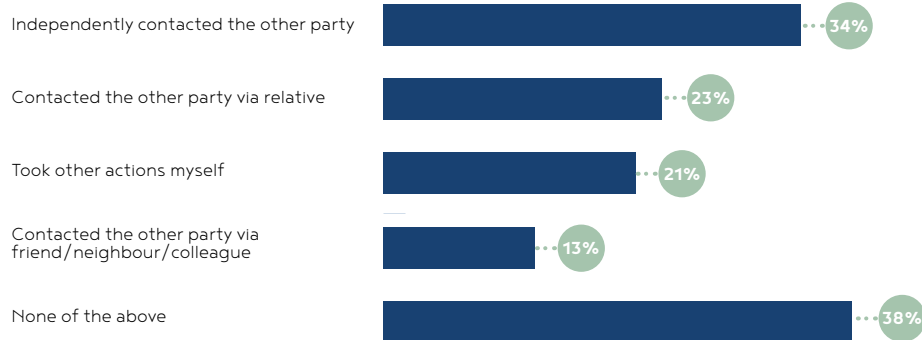
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# Almost 2/3 adopt a self-help strategy

**65% seeks one or more forms of dispute resolution.** Most people adopt multiple strategies: self-help (62%), informal dispute resolution (49%) and formal dispute resolution (40%).

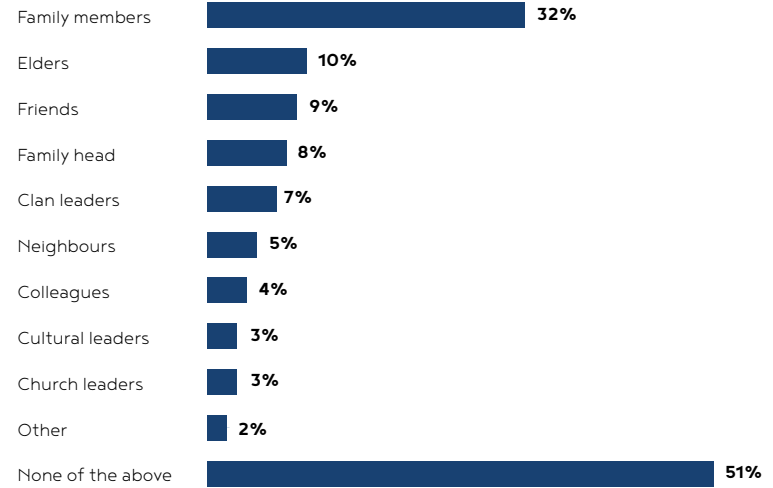
62% of people who are faced with a family justice problem take some form of self-help. Most often they independently contact the other party (34%), and in some cases they do so through a relative (23%).

SELF-HELP



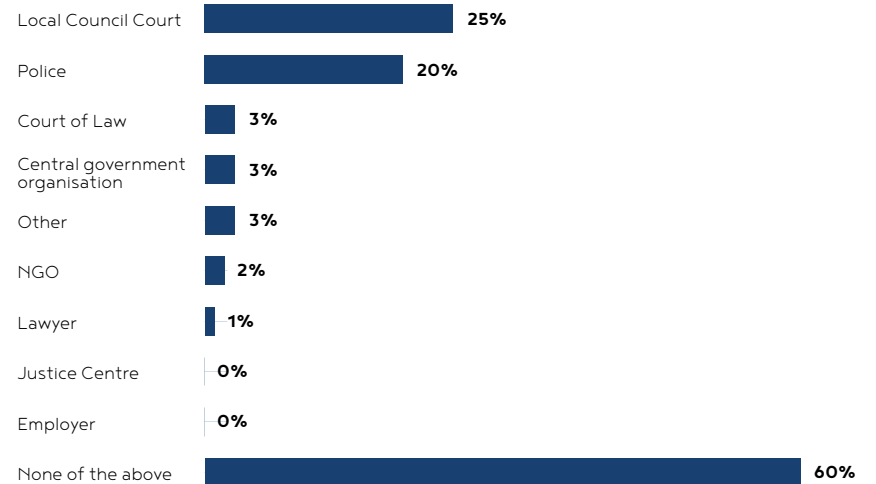
Slightly less often (than self-help) do people involve non-structured mechanisms for resolving disputes such as family members, elders etc. (49%). Family members (32%) are involved most often. Elders (10%) and friends (9%) are involved as well. Whereas the family head and friends are involved more often when people search information and advice, elders apparently have a greater role in dispute resolution.

INFORMAL RESOLUTION



30% of people involve one or more formal institutions for dispute resolution. Similar as for the pattern in seeking information and advice, the Local Council Court (25%) and police (20%) are mentioned most often. Also here, the court of law (3%) and lawyers (1%) are almost invisible in the landscape.

FORMAL RESOLUTION





QUALITY OF FAMILY DISPUTE RESOLUTION

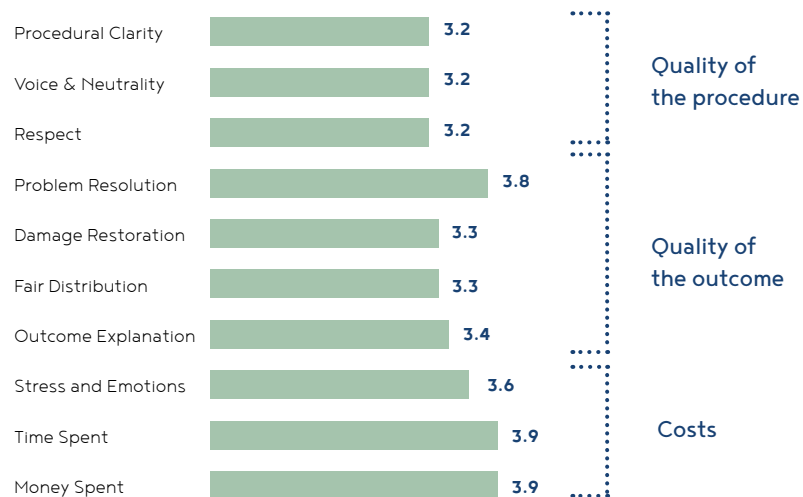
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# Evaluation of dispute resolution

Of the 3 dimensions of access to justice (quality of the procedure, quality of the outcome and cost of the outcome), the quality of the procedure is rated lowest. Both procedural clarity, voice & neutrality and respect are rated lower on the scale than the other 8 dimensions. This relates to the quality of the outcome and the costs associated with family justice procedures.

The costs of the procedure are rated fairly high. Also, the aspect of Problem Resolution (Has the decided result actually been implemented?, To what extent did the result solve the problem?) is highly rated.

Timeliness of the implementation was rated a bit lower (To what extent did you receive the result at the time you needed it?).



SCOPE FOR IMPROVEMENT IN FAMILY JUSTICE



- Respondents answered 40 questions. To what extent...? (Scale 1-5).
- Questions about 10 dimensions (procedure, outcome, access).
- For money and time spent and stress and emotions, a high score indicates a lower burden.
- Scores at around 4 are possible: we found them for some dispute types in other jurisdictions.





Men and women report similar experiences in their justice journey. Whereas men report a slightly higher score on the quality of the procedure (voice and neutrality, procedural clarity & respect), women report spending slightly less money on the dispute resolution process. The latter can be explained by the fact that women involve their social network more often than men, who more often opt for more formal institutions.



**SOME GENDER DIFFERENCES**



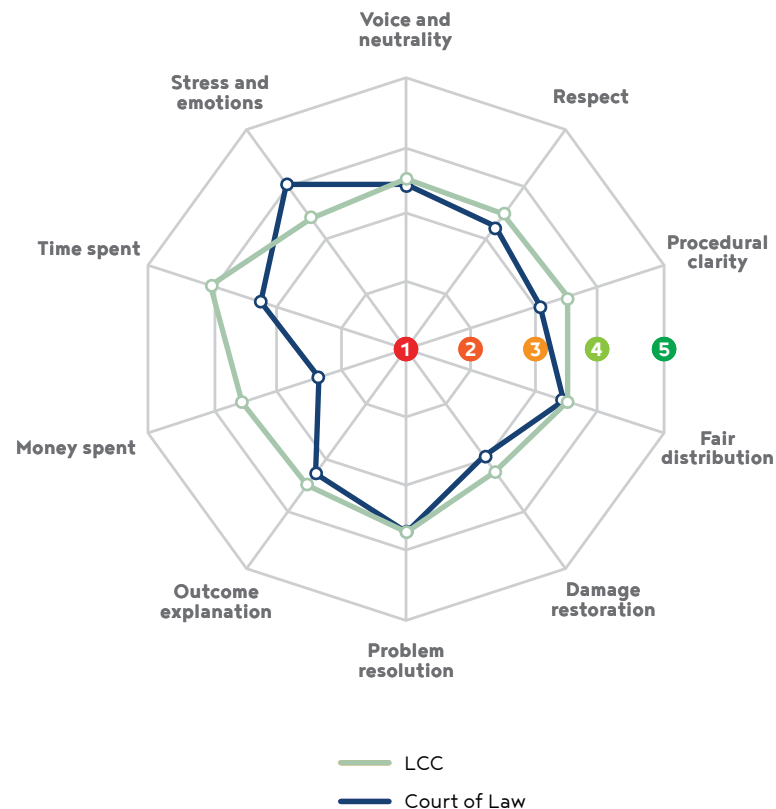
QUALITY OF FAMILY DISPUTE RESOLUTION

4

A number of marked differences can be observed between people who go to Courts of Law, versus people who go to LCCs for dispute resolution. Not surprisingly, people who go to LCCs spend considerably less money than people who go to Court of Law. However, surprisingly, people who go to LCCs also report stronger negative emotions than people who go to court.

# Quality of the procedure I

LCCs VS. COURTS OF LAW ON FAMILY DISPUTES



## Voice

Were you able to influence the final result?	2,8
Were you able to correct wrong information during the process?	3,1
Were the same rules equally applied to you and to the other party/ies?	3,1
Are you satisfied with the process?	3,2
Was the neutral (or other party if there was no neutral) objective and unbiased?	3,2
Did you find the process fair?	3,3
Were these views and feelings appropriately considered during the process?	3,3
Was the dispute resolution process based on accurate information?	3,4
Were you able to express your views and feelings during the dispute resolution process?	3,6
<b>Average:</b>	<b>3,2</b>

## Respect

Did the neutral (or other party if there was no neutral) refrain from making improper remarks or comments?	3,1
Did the neutral (or other party if there was no neutral) treat you in polite manner?	3,3
Did the neutral (or other party if there was no neutral) treat you with respect?	3,3
<b>Average:</b>	<b>3,2</b>

## Transparency (Procedural clarity)

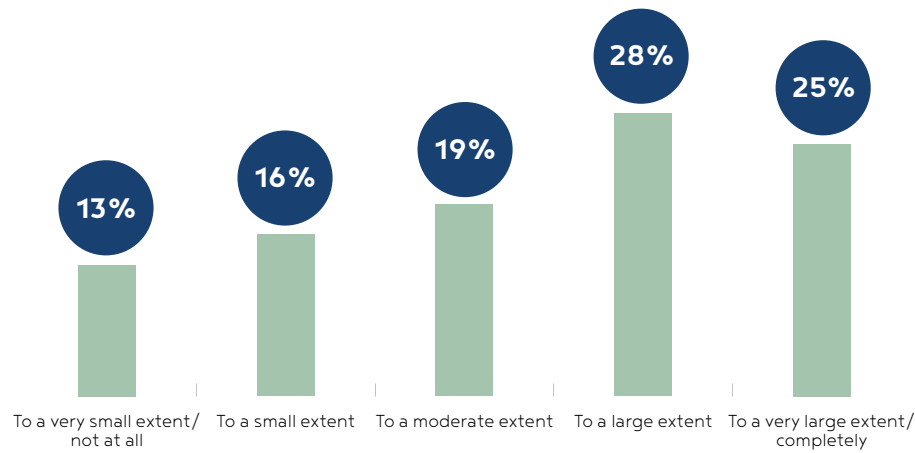
Did the neutral (or other party if there was no neutral) refrain from making improper remarks or comments?	3,0
Did the neutral (or other party if there was no neutral) treat you in polite manner?	3,2
Did the neutral (or other party if there was no neutral) treat you with respect?	3,2
Was the neutral (or other party if there was no neutral) honest in his/her communications with you?	3,3
<b>Average:</b>	<b>3,2</b>

QUALITY OF FAMILY DISPUTE RESOLUTION

4

More than half of those who did something to solve their problem, felt that the procedure was based on the right information

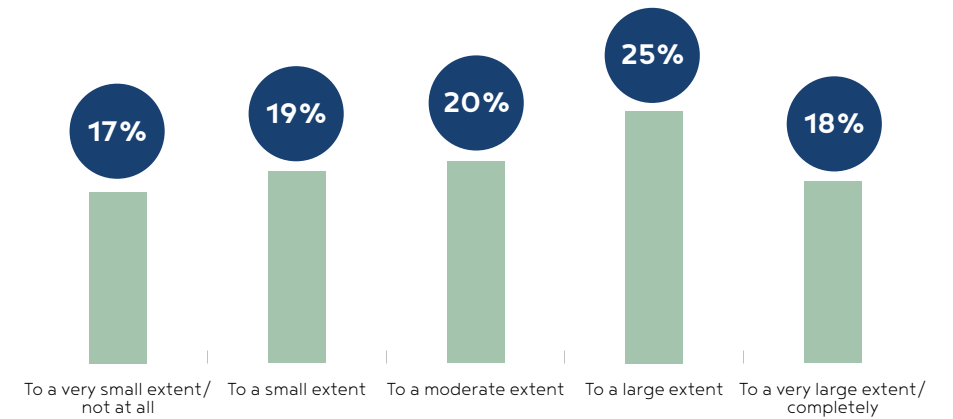
WAS THE DISPUTE RESOLUTION PROCESS BASED ON ACCURATE INFORMATION?



These results are based on all the dispute resolution mechanisms used by those who experienced a family problem.

Opinions about respectful treatment vary greatly

DID THE NEUTRAL (OR OTHER PARTY IF THERE WAS NO NEUTRAL) REFRAIN FROM MAKING IMPROPER REMARKS OR COMMENTS?



These results are based on all the dispute resolution mechanisms used by those who experienced a family problem.

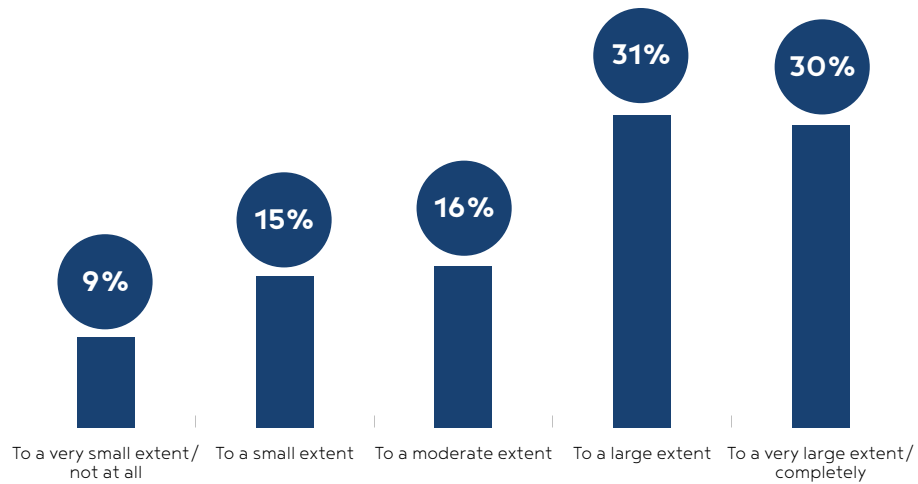


QUALITY OF FAMILY DISPUTE RESOLUTION

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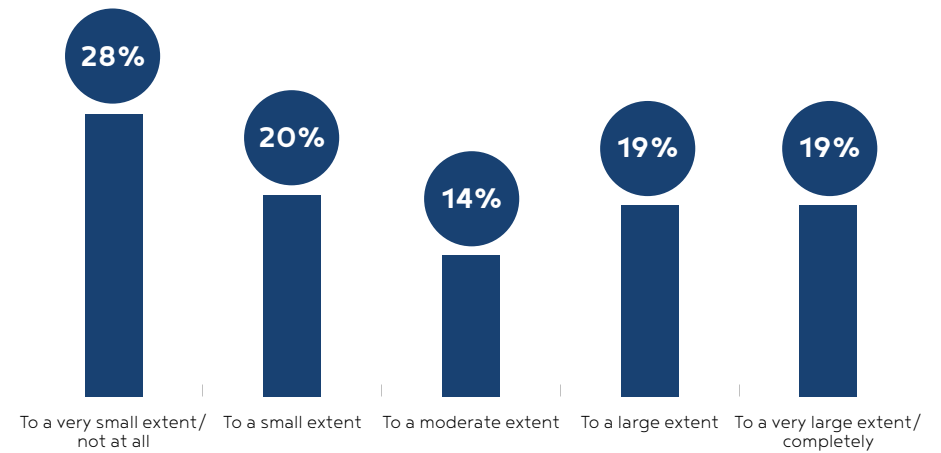
People feel that they can express their feelings to a rather large extent...

WERE YOU ABLE TO EXPRESS YOUR VIEWS AND FEELINGS DURING THE DISPUTE REOLUTION PROCESS?



...But do not feel they are able to influence the final result

WERE YOU ABLE TO INFLUENCE THE FINAL RESULT?



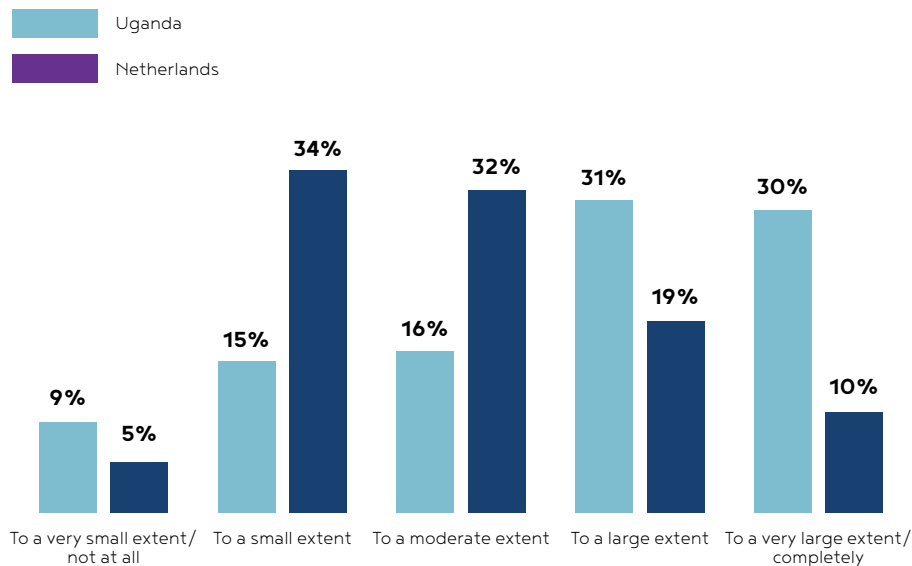
QUALITY OF FAMILY DISPUTE RESOLUTION

4

# Comparing Uganda and The Netherlands

10% of the people who are faced with a family problem in The Netherlands feel they were able to express their views and feelings to a very large extent. In Uganda this percentage is three times higher (30%). Also, the group that feels it can express its feelings and views to a

large extent is bigger in Uganda than in the Netherlands. In summary, in Uganda citizens with a family justice problem feel there is more room to express their feelings and views during the dispute resolution process than in the Netherlands.



# Quality of the procedure II

- Decision to report more often towards informal authorities
- Police not always helpful

*"...I went back to the police and asked her about the arrest the next morning. She became so violent and instead turned against me saying such issues happen in relationships...she advised me that instead of wasting my time arresting my husband, I should be glad that he is still helping with the children. She chased me away saying I was wasting her time."*

- Informal bodies viewed more positively

*"They are very good because they are easy to access and they witness what goes on in the community. It means that they are within the community and can easily make judgments based on what they see, unlike courts of law that pass judgment without looking at the source of the dispute"*

- Biases were often mentioned, for example with regard to gender inequality

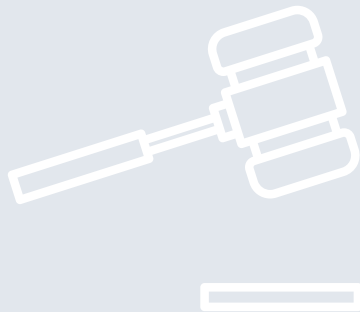
*"The clan will side with the man, the woman will be sidelined, girls cannot get equivalent of what boys get, which at times leads to domestic violence."*

# Quality of the procedure III

- Procedural justice (voice) varied by case

*“The magistrate would not allow us to freely speak about all issues. For example, whenever we wished to ask/raise questions in court, the magistrate would use his powers to shut you down. Then, when you would be elaborating any point, he would put pressure on you, probably in a move to please the other party (which gave a bribe). In the process you would feel inferior and subsequently lose courage to express yourself freely.*

*When they go to court, they are given the opportunity to speak, but they may not have the capacity to speak court language or legal language, and at the same time in most cases they cannot afford to hire a lawyer. This means that whatever they speak individually may not outweigh what the other party with a lawyer speaks. Also the fact that they are illiterate or they do not know court procedures, prevents them from expressing their views the way they would have.”*



## Solving family disputes in the informal justice system

In conversations with informal justice providers, the most frequent family justice issues mentioned included:

- Domestic violence
- Land disputes
- Divorce or separation
- Rights of women within the household
- Child support and schooling
- Property and inheritance problems
- Theft, assault and murder

Many respondents referred to poverty and alcoholism as general root causes of many of these family issues, mentioning that they often lead to inter-relational tensions over land scarcity and crop or food scarcity. For instance, many justice issues relating to child support are frequently related to parents who refuse to pay the school fees for the children, or their clothes or food. Domestic violence is often also tied to adultery or polygamy (also called 'immorality' by some LC1s in Apac).

Interestingly, different informal justice providers feel responsible and authorized to handle different types of family justice issues. This will be discussed in more detail in the next paragraph on how the informal justice system connects to the formal justice system, but in general, we

observe that domestic violence issues are handled within the community (by village elders, the clan or religious leaders), while crimes<sup>1</sup> are directly forwarded to the police. All criminal cases or incidents of bloodshed are referred to the police. Land disputes are usually dealt with by both clan leaders and LCC1. 'Land wrangles' are violent disputes that start over land boundaries or properties, which may lead to capital crimes.

There is a reluctance to let couples separate because of the severe consequences it can have. For instance, one LC1 from Soroti said that when a couple wanting to separate come to her, they first call back for the local religious leader to talk to the couple and try to solve the issue first:

'[i]f I separate these people, who will care for these children? So we try to settle the case, for the sake of the family. Cases of separation are usually handled by clan leaders, religious leaders or, in some cases, mediated by LCC1. If the mediation efforts do not succeed, a formal divorce can only be brought forward to and completed within the formal system, which includes the legal courts system.'

### Mediation efforts in the community

Although many of the mentioned justice issues are solved by community leaders and informal justice providers, a lot of family issues remain unsolved. Many cases of domestic violence in particular are not reported, for fear of the consequences, as a religious leader in Soroti explains: 'You see women who are injured, but they wouldn't mention that their husband is beating them because he is threatening her.'

Nevertheless, many disputes within the family do get noticed and end up being solved in a communal setting by religious leaders, elders, clans, LCs and others. How these justice processes operate differs per stakeholder. When there is a justice problem or dispute, people in the communities first tend to reach the religious leaders, before they continue with the issue to the clan or LCC1. In that sense, religious leaders tend to take the role of dispute prevention and awareness raising during their preaches.

### Gender-based violence:

"Most of the work on the land is done by women and children, in the family. You find the man gets some money, goes to the road, normally when they're going to the garden, you'll find them squatting on the road, but when you're coming back, you'll find them drinking. You wonder where he has got the money from... But the women labour with the children, to bring food in the house, of which this food... he will still come back, and eat. When you dig, whatever you are going to harvest from your garden, he will call it 'his'. He will not even allow you, as a women, to own it. When it comes to selling, he is the boss. And then the beating starts."

(Counsellor and LC, Apac County)

### Women's rights in the household:

"Like taking things without the consent. Not stealing. Like... men always feel, 'this is my home, so I can use something without informing my partner'. Those are some of the issues. Which at the end of the day the woman doesn't feel good, if you took something, without informing her. (...) Cows... goats... When he wants to sell, he just picks, but the woman is not aware of what is gone."

(Religious leader, Apac)

<sup>1</sup> Includes: theft, murder, burning house, trespassing, assault, child abduction (the last not directly reported, hearsay).



## QUALITY OF FAMILY DISPUTE RESOLUTION

## 4

The work of the church leaders is seen as calming down disputes and making people understand their rights, sometimes using biblical quotations. If the justice problem continues, people can decide to bring their case to the clan committee. The clan then brings together the most important village elders, the clan quorum (consisting of 9 respected clan members), LC1's and villagers are gathered together. Clans can form committees around particular issues, such as a land committee. Gender balance is considered within clans, which usually means at least 4 members are female. Minutes are written down during these hearings by a secretary. In the case of a land dispute, the clan leader usually calls the adjacent neighbors of the disputed land and starts with hearing the complainant, after they hear the accused.

"The clan committee first looks at how was the land given. Was it given to her rightfully? Was the procedure followed? Now when children start claiming the land, they look at how long someone has been living at that land. If the person has stayed on the land for like 12 years, they have to start explaining it to the children." (Agricultural Office, Apac County)

Village settlements can take up to three communal hearings. If the case is not settled in these three times, the complainant and accused are sent to the LCC or formal system with a

letter, according to our respondent. Interestingly, the LC1s are usually already involved as a participating member during clan hearings. Decisions are taken by panel members, led by the clan leaders. Consulting the present advisors, LC1s, village elders and other clan members are present. In practice, people raise their hands about who is guilty, and they provide argumentation for why they judge so. The majority of votes then informs the decision, but this is not a final judgment.

"After the seating we ask: 'Can we judge or do you want to go forward?', that's what the complainants is asked. If the complainant says he wants to go ahead, we give him the letter. So complainants are never forced; they have to accept our judgment." (Clan leader, Soroti)

After the hearing in Soroti, clan leaders tell the people to go home and follow the advice that has been given to them. If the same conflict arises, clan leaders can come out with a ruling, according to the constitution of the clan. Although everyone in the village is invited to be present at the hearing and is allowed to speak, and popular cases can have up to 100 people attending, usually not many people can actually attend. As one clan leader explains, a lot of people have no time to go to the hearings, as they have to work on their crops and the clan cannot

give them any compensation for attending the hearing.

The last local stage where a dispute can end up being settled is the Local Council Court. Sometimes villagers go straight to the LC1 without passing by the clan, but in most cases a dispute ends up at the Local Council Court after the clan fails to provide a solution. This passing by is not welcomed by the clans. LC1s are elected by several clans and as a consequence some would not consider them as fully 'one of us'. As one LC1 from Soroti illustrates: "[w]hen you are a LC, you are supposed to lower yourself towards the clan. Since you're higher up, you should be able to lower yourself, in order to understand the community again."

The majority of votes then informs the decision, but this is not a final judgment. In the Soroti area, collaboration between clan leaders and LC1 is said to be very profound. A LC1 may pro-actively engage with the community to investigate whether there are problems with children (e.g. neglect, not going to school), after which they inform the clan leaders. Clans and LCCs thus work very closely together in prevention and solving disputes.

LCCs tend to apply mediation efforts in order to settle the case between the parties involved. A mediation effort by LCCs can involve several members of

its Local Council members, such as a chairman and chief secretary. All parties that are in dispute are gathered for individual talks with the LC1 handling the case. Some are trying to settle the matter many times in order to avoid forwarding the case to the police or court: 'even five times... even ten times. And tomorrow we sit, we settle the matter [again]', as explained by an LC1 from Soroti.

However, in other cases LCs who cannot solve an issue try to refer it back to the clan or community:

"What happens next, we, as the [LCC1] committee, we handle them, we settle them, we try to advise them, we try to see what could be the cause of the problem... Then we see that there is no change there. Sometimes, we refer them. But in most cases these issues are handled at the local level, and they don't go beyond that." (Vice Chair LCC1, Soroti)

## QUALITY OF FAMILY DISPUTE RESOLUTION

## 4

During this field research, both clan leaders and LCs explained how customary law – also referred to as *bylaw* – is applied when disputes are settled at the community level. Different clans in the same region apply the same customs. These rules explain in particular what are, according to custom, the obligations of the disputing parties, such as in the case of domestic violence.

“[If we settle a domestic violence issue] we can work with our secretary, our LC, and [if that does not settle the issue] we can take him to the police. That is our bylaw. If you beat your woman, then that woman has to go to the hospital. Because that woman can even die. (...) We use our bylaw and we force him to take her to the hospital.”  
(LC1 from Apac)

**Punishments within the informal system for certain disputes or crimes are, according to the respondents ‘light’ and are ordered by the clan, while informing the LCC.**

“We settle cases in the committee too, in the clan. The chairman of the clan can decide who is on the wrong side, and if they should be given a fine or punishment. It’s the chairman’s clan that decides (...) sometimes that person will be beaten. Because we want to teach him fast. (...) And the LC1 just sits in, they only

hear. The chairman’s committee can then say that they beat him five strokes. That’s enough. Not many strokes.”  
(Vice Chair LCC1 in Soroti)

“When you disobey the rules there is a penalty for that. And even the police do not intervene with that. (...) One rule is for instance: after a divorce you do not pay back the bride price [dowry]. Even after a divorce, the woman can get custody over the children, but [according to the custom] the man is responsible to take care of his children: education, medical care and housing.”  
(Vice Chair LCC1 in Apac)

**According to the respondents, punishments that are given by clan leaders are usually tailored and in proportion to the particular case at hand.**  
“For example, a woman has collected her husband’s properties and hidden them in the bush. The punishment is to call the parents of the girl, and expose her bad behaviour to the parents. They will then try to talk to their daughter.”  
(Clan leader from Apac)

“If I have a husband, and this husband destroys things from the house. In the clan, he has to bring a goat, and he has to slaughter it in front of the clan leaders, to show harmony and forgiveness. And because it is done in public, it shows

that he will never do it again. The whole village will eat from the goat. And they have to sign a sheet too to confirm this.”  
(Agricultural Officer, Apac County)

**The customary rules that are applied to punishments by the clan can also be an incentive for people to trust other informal justice providers:**

“They trust us. Because we just talk to them, we don’t beat. You know, when you beat a person... the LC1 is not allowed to do that. Human rights do not allow us to beat a person. We don’t beat. [I: But if the clan can do it?] Because the clan has its rules, as a clan. But the LC1 cannot. We can only refer you to the police.”  
(LC1 from Soroti)

**In many cases, the LCC together with the clan members, can decide to give the party at wrong a (small) fine. This is confirmed by all respondents during interviews. In some cases in Soroti, the level of the fine is determined based on the crime. A clan leader explains how for example a thief might be sanctioned to pay back double of what he stole, so that an example is set for the community. An example given by an LC1 is that if you fail to show at the funeral of a member of your clan, or show support in any way, you also have to pay a fine of 100.000 Ugandan Shillings. According to some LCs, these fines can help in settling**

a dispute or provide protection for victims. As explained by one Vice Chairman LC from Soroti in the case of domestic violence, the LC1 can require the man to bring along money to feed the family. After the money is handed over, the LC1 then lets the woman sign a form of receipt, after which they hand it over to the woman.



## QUALITY OF FAMILY DISPUTE RESOLUTION

4

# Quality of the outcome I

## Fairness (Fair distribution)

To what extent was the division of the matter according to what you deserved to receive?	3.4
To what extent was the division in line with what you needed?	3.4
How fair was the matter at stake divided between you and the other party?	3.2
To what extent was the division in line with what the other party deserved?	3.2
Was the matter at stake divided equally between you and other party?	3.1
<b>Average:</b>	<b>3.3</b>

## Harm restoration

Did the result make you feel better?	3.8
If there was a relationship and it was harmed: Did the result improve the relationship with the other party?	3.3
Did the result of the process bring you back all the money you lost or compensate the damages you suffered?	2.2
<b>Average:</b>	<b>3.3</b>

## Problem resolution

Has the decided result actually been implemented?	4.1
To what extent did the result solve the problem?	3.9
To what extent did you receive the result at the time you needed it?	3.7
Will this result guarantee that the other party does not do the same things in the future?	3.5
<b>Average:</b>	<b>3.8</b>

## Outcome explanation

Did you receive an explanation (reasons) about the result from the neutral (or the other party if there was no neutral)?	3.8
Are you satisfied with the explanation (reasons) you received about the result?	3.8
Was your result similar to the outcome of other similar cases?	3.1
Was it possible for you to compare your result with the results in other similar cases?	3.0
<b>Average:</b>	<b>3.4</b>



## Quality of the outcome II

- Enforcement was a main barrier to justice: in several of the studied land disputes the parties did not always comply with the ruling
- Desire for retribution was not addressed entirely in situations when the parties were dissatisfied with the outcome
- Equality, particularly in land cases, appeared to be important
- Domestic violence in most cases did not stop after the justice journey ended (lack of deterrence)

*"...another issue is that you might be in the LCC1 trying to settle a dispute and the suspect you reported just tells you that 'you are free to report me because what will they do to me?'"*

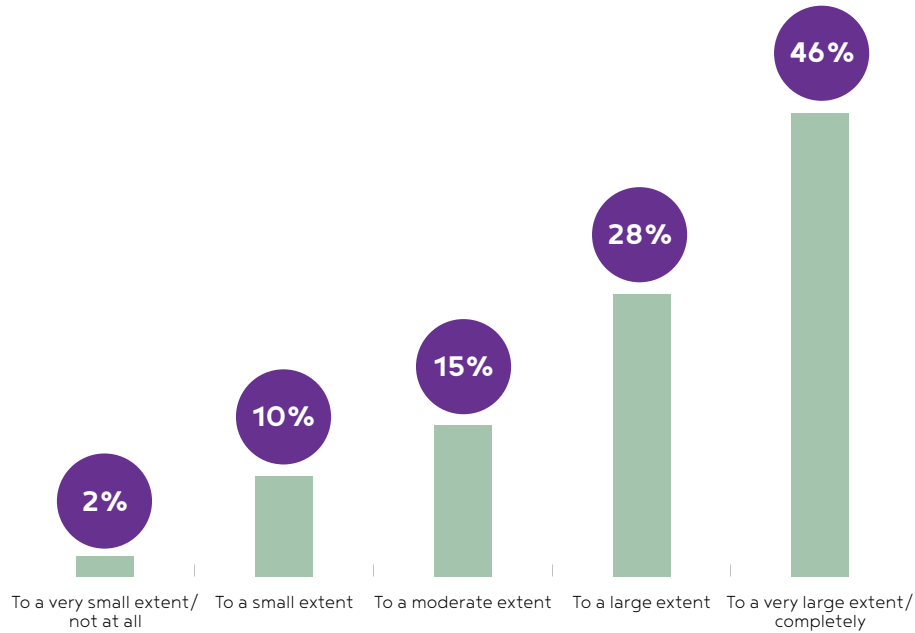


QUALITY OF FAMILY DISPUTE RESOLUTION

4

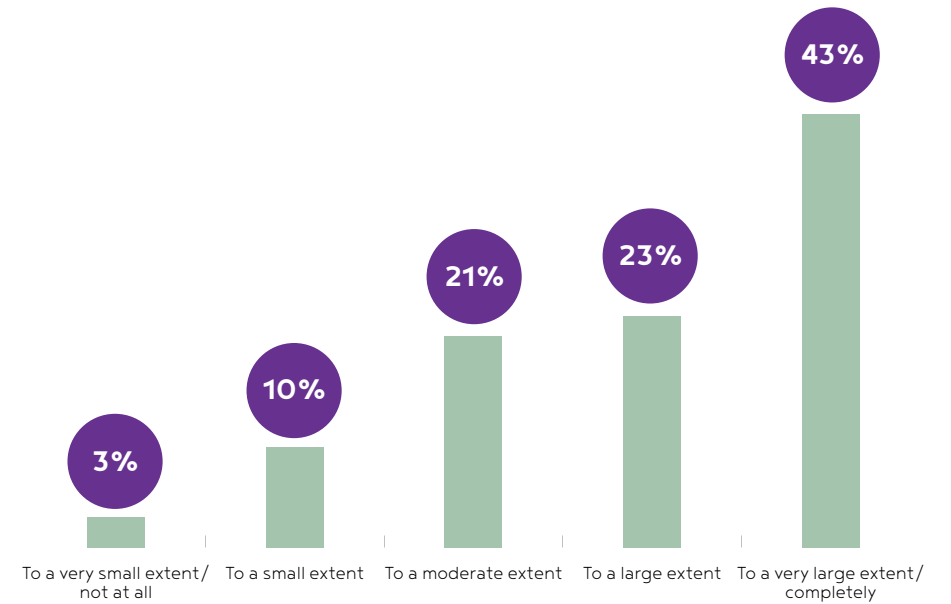
Satisfaction about implementation of decision

HAS THE RESULT OF THE JUSTICE JOURNEY ACTUALLY BEEN IMPLEMENTED?



...Also satisfaction about the extent to which the problem was actually solved

TO WHAT EXTENT DID THE RESULT SOLVE THE PROBLEM?

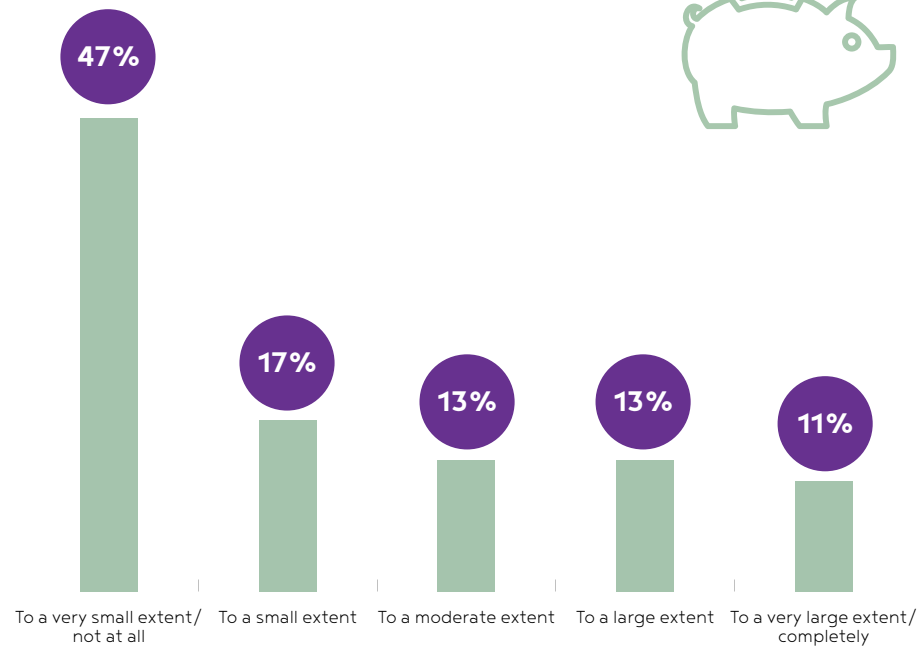


QUALITY OF FAMILY DISPUTE RESOLUTION

4

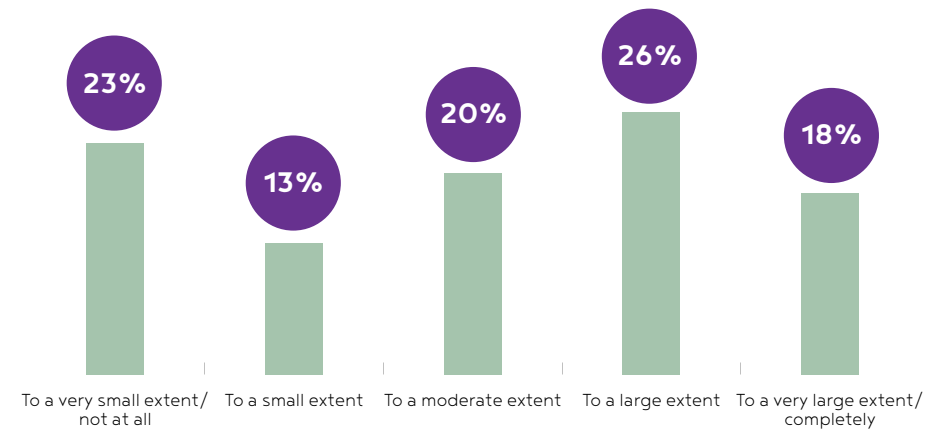
Almost half of the people (47%) did not at all feel they were compensated

DID THE RESULT OF THE PROCESS BRING YOU BACK ALL THE MONEY YOU LOST OR COMPENSATE THE DAMAGES YOU SUFFERED?



Comparability of the result of cases is limited

WAS IT POSSIBLE FOR YOU TO COMPARE YOUR RESULT WITH THE RESULTS IN OTHER SIMILAR CASES?





## Linking the informal system to the formal system

In the previous chapters we discussed which informal justice providers solve family issues and how they do so. The practice is that if people (complainants) are not satisfied with the solutions proposed, they should be able to proceed to the next level. During interviews it appeared that everyone in the chain of justice agrees on the different flows and structures of justice provision. Whether this is also clear to users of the system, remains to be seen. It is generally understood that if issues cannot be solved at the clan level or by LCs, they will be forwarded to the police, who will then forward to court, or, eventually, send the applicants back to the clan.

### LC's key role and letters

What became clear and will be further emphasized in the following, is that the role of the Local Councils in Uganda is key and unique in how it links the informal justice system with the formalized system. The LC1s can refer cases back to the clans or decide to forward them to the police, a lawyer or the formal courts. As appeared from our interviews, such LCs sit in on community hearings and play a role in how disputes are resolved, but are also looking at international human rights standards and therefore cannot autonomously apply customary rules and punishments. However, LCs that were interviewed for this research explained how in most cases threatening to get the police involved can act as a deterrent.

The key role of LCs in linking to the formal system is strengthened by the fact that a letter from LC is needed for any party to continue solving a dispute elsewhere at the next level (either with police or at the courts). This was mentioned by most respondents during the field work. The LC1 secretary writes the letter, and there is usually a stamp of the LC and, in some cases, also a stamp of the clan.

---

People usually fear the police because they can be put in prison by them. If you take a matter to the police, ah, someone may even run away!

---

LC1 from Soroti

”

## QUALITY OF FAMILY DISPUTE RESOLUTION

4

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Sometimes citizens come straight to LCC1 without passing through the clan first. In some cases we then refer them back to the clan with 'did you get a stamp there?'

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**Vice Chair LC1 in Soroti** ”

Both LCs and clan leaders frequently write referral letters. Sometimes one letter is written where both a stamp of the clan and the LC appears. It depends per county how important the clan's letter and stamps are, but LCs letters with stamps are needed always across counties.

The LC letter with stamps is also needed in order to protect and formalize assets.

“Even if you want to sell an item, like a cow or a car, you better have a letter from the LC1, to prove that this item belongs to you. You did not steal it, no, it belongs to you. So the letter of the LC1 is very important.” (Vice Chair LC1 from Apac)

But not only is the letter needed by the victims or disputing parties, it is also needed by the formal justice providers to be able to take on a case.

One clan leader from Soroti explains how “people [victims] cannot go to the police directly without a ‘calling letter’”. The police then uses this letter to mobilize the community or gather evidence. In these locations, the police cannot go to and do something in the villages without informing the LCC1 or having its letter of approval.

#### Moving beyond the LCC1

The LCC has different levels that represent a hierarchy towards formality. While the LC1s have the closest connection with the clans and informal justice providers, they are not authorised to solve some civil matters. For instance, when you need a passport, you need to continue with your case to LCC2 or LCC3. Divorce can only be formalized at sub-county LCC3 level, because that is also where people usually receive their marriage certificate. At each level of the LCC a letter is needed from the previous LCC. But, as explained by an LC1 from Soroti: “You cannot get a letter from LCC2 if you do not have it from LCC1, and you can't get a letter from LCC3 if you do not have a letter from LCC2”.

Although some cases follow the LCC1-LCC2-LCC3 route before they continue to the police, other cases can be forwarded directly from LCC1 to the police. Particular justice problems related to children are usually forwarded by LCs to the Child and Family Protection Unit, which is a department of the Ugandan police.

In some cases people would want to go straight to the formal courts, because they do not want to have their case handled by a specific clan leader or LC they do not have good relations with. In that case, most courts will still require a letter from the LCC1. Moreover, the courts or police may come back to the community to gather more evidence or talk to the clan leaders, because they know what is going on on the ground for example in cases that involve land demarcations. In some delicate cases, sub-county courts end up referring back cases to the clan.

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Sometimes, they may rule from the court, but if [the court] finds it difficult, they push [the disputing parties] back to the clan... like 'no you go back, and solve the problem at the clan level!'. The court cannot handle [it], because this is internal. Because the court does not know the clan rules, that's why they push them back to the clan.

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**Agricultural Officer, Apac County** ”

While there is generally more reliance on evidence in the formal court procedures, the LCs and clan leaders gather a lot of information during their conversations with disputing parties and during communal hearings. In many instances, the LCs take on an important role in informing the formal system actors of what is happening at the village level.



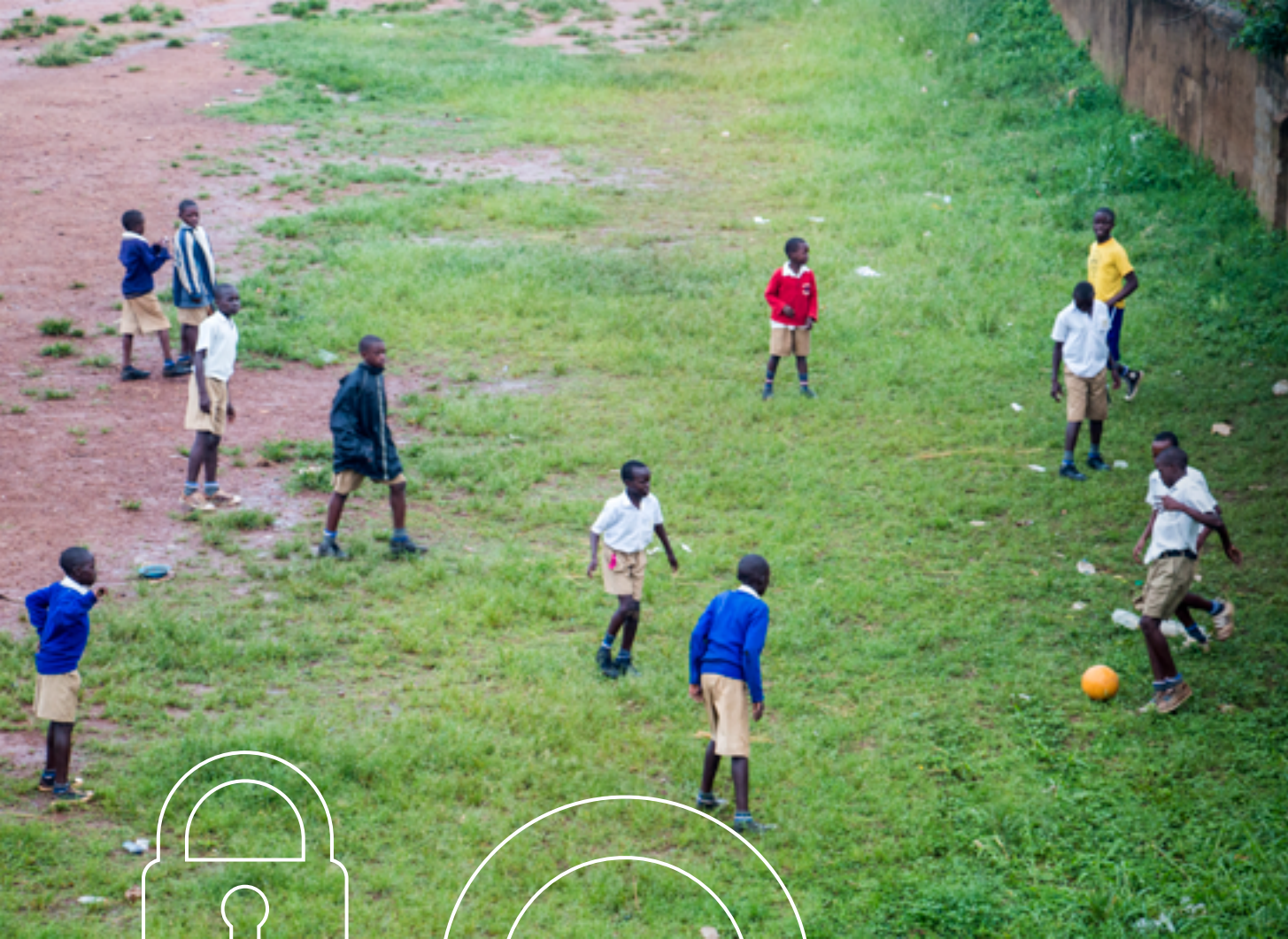


### **The shortcut to the formal system**

“Sometimes cases are so big that we cannot handle them, we refer them to police. But always when things happen within the community, we report them first. For instance with an issue like rape. One of these days (...) a man raped a kid of two years. So that issue was beyond us... so what I did is I wrote a letter... I stamped [it], and I gave a pair to the kid and wife to go straight to the police.” (LC1 in Soroti)

In cases of rape, bloodshed, murder, torture or grave injury, the police is immediately informed by informal justice providers. Such cases are (reportedly) not solved at the community level, as explained by a clan leader from Soroti: ‘that role is not ours’. When there are serious issues with children (e.g. defilement) victims are immediately sent to the police or Child and Family Protection Unit. In all such cases the LC1 is informed but ‘skipped’ in the process.





# 5

## Barriers to accessing justice

People who do not  
take any action  
People who give up



BARRIERS TO ACCESSING JUSTICE

5

# Costs of the procedure I

## Stress & Emotions

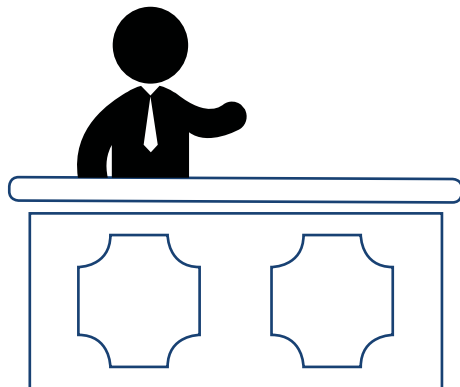
How stressful was the process?	3,8
Did the process make you feel frustrated?	3,6
Did the process make you feel angry?	3,6
At any point during the process, did you feel humiliated?	3,3
<b>Average:</b>	<b>3.6</b>

## Costs

How much time (in days) did you spend in attempting to solve the problem?	3,9
<b>Average:</b>	<b>3.9</b>

## Time

How much money [in Ugandan shillings] did you spend in total, to solve the problem?	3,9
<b>Average:</b>	<b>3.9</b>



# Costs of the procedure II

- Costs of accessing justice often pose a barrier
- Bribes mentioned as main issues

*“At the first stage of [the] police I was received well, but later they kept on asking me [for] small money, which I could not afford, such as money for fueling the police vehicle for arresting the perpetrator”*



22%

of the people faced with family justice problems **do not seek information & advice or dispute resolution**

**30%** do not look for information & advice  
**35%** do not engage in any dispute resolution process

# Low subjective legal empowerment

PEOPLE SUFFERING A FAMILY ISSUE AND HAVE TAKEN NO ACTION TO RESOLVE IT:

DEMOGRAPHIC DIFFERENCES



We asked the 30% of people who did not seek information and advice why this was the case. Lack of subjective belief that anything could be done is mentioned as the most prevalent reason (34%), lack of

belief that information and advice would help to solve the problem is mentioned by 20% and lack of knowledge what to do to receive information and advice by 15%.

MAIN REASON FOR NOT SEEKING INFORMATION AND ADVICE



Legal empowerment

BARRIERS TO ACCESSING JUSTICE

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# Women and people living in rural areas less legally empowered

Especially women and people living in rural areas are less legally empowered. 17% of women and 18% of people living in rural areas did not know what to do to receive information and advice. Also people with no (formal) education and only primary/secondary education

have less knowledge on which actions they should take to receive information and advice. This group also more often indicates not to have the money to pay for information and advice, compared to people with higher levels of education.

What does the data suggest that can be done?

- 54% of people would want to receive legal empowerment, legal advice etc.



	Female	Male
Did not think that anything can be done	35%	29%
I did not believe that information and advice would have helped me in to solve the problem	21%	16%
Did not know what to do to receive information and advice	17%	9%
I was not aware of opportunities for receiving assistance	6%	4%
The problem was not important	5%	12%
I wanted information or assistance but was not able to obtain it	5%	4%
Did not have money to pay for information and advice	4%	4%
Did not have time to seek information and advice	3%	4%
The person who was in position to help me was far away or difficult to reach	2%	4%
I did not need any assistance	2%	10%
Don't know	1%	3%

Rural	Urban	No (formal) education	Primary/secondary education	Vocational training/ diploma	University/ Postgraduate
33%	36%	31%	34%	42%	0%
19%	22%	24%	19%	25%	0%
18%	5%	24%	13%	0%	0%
6%	4%	5%	6%	0%	0%
4%	13%	5%	6%	8%	50%
5%	3%	3%	5%	0%	50%
3%	8%	3%	5%	0%	0%
4%	3%	0%	4%	17%	0%
3%	1%	2%	3%	0%	0%
3%	6%	3%	4%	8%	0%
2%	0%	2%	1%	0%	0%

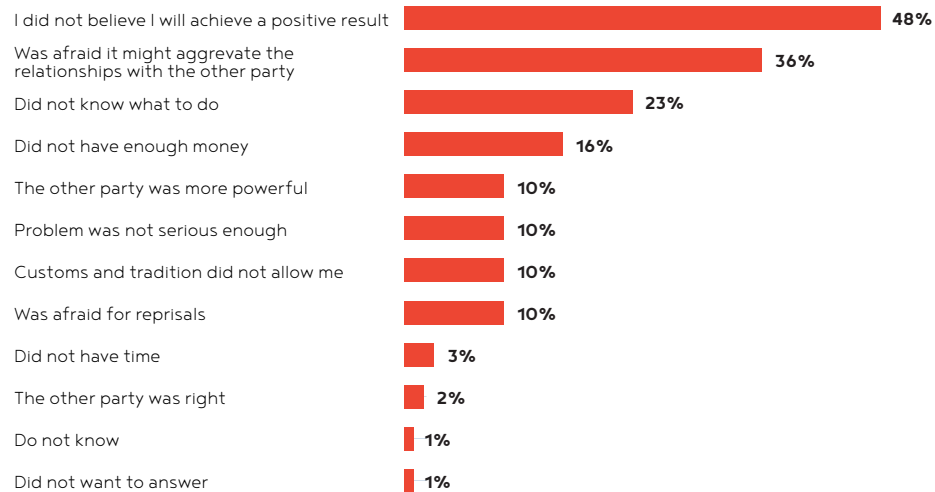
BARRIERS TO ACCESSING JUSTICE

5

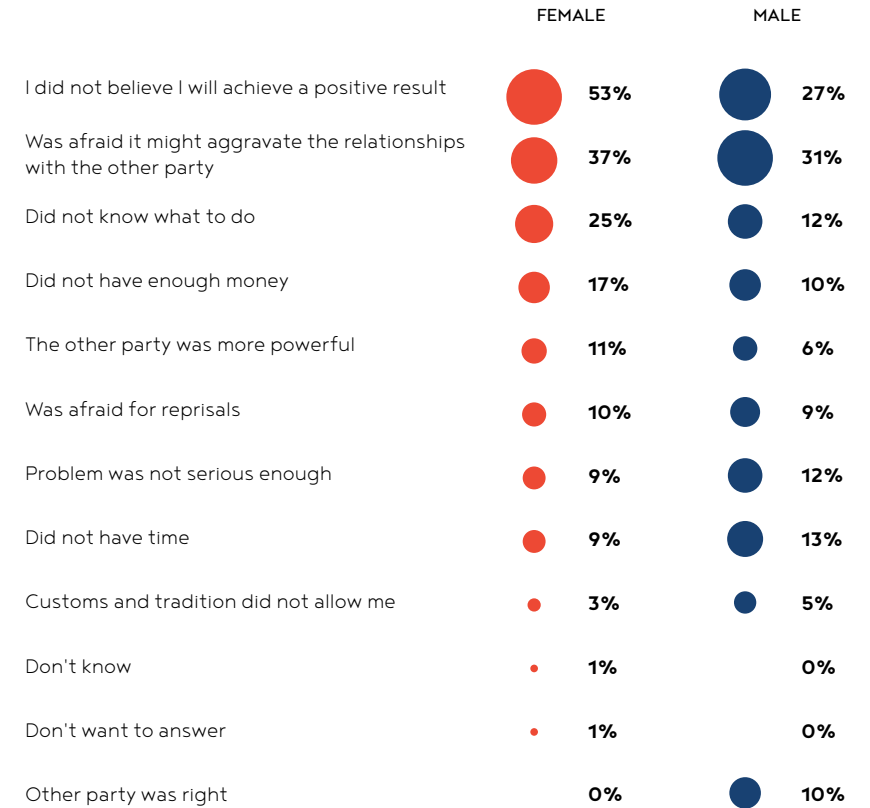
# No further action to resolve the problem

35% of the people faced with a family problem did not engage in any dispute resolution process. For almost half of that group (48%) the main reason for not pursuing action was a lack of confidence in achieving a positive result. 36% was afraid it might aggravate the relationship with the other party, and almost a quarter (23%) did not know what to do.

MAIN REASON FOR NOT ENGAGING IN ANY DISPUTE RESOLUTION PROCESS



MAIN REASON FOR NOT ENGAGING IN ANY DISPUTE RESOLUTION PROCESS



Almost twice as many women (53%), compared to 27% men, believe they will not achieve a positive result, leading them not to embark on a dispute resolution process. Also, women are afraid to damage the relationships with the other party (37%) and they do not know what to do (25%).

Men are more concerned about customs and traditions (13%) that do not allow them to start a dispute resolution process, and also in some cases (12%) the problem is not serious enough for them. In 10% of the cases, men indicate that the other party was right, and therefore they took no action for dispute resolution.

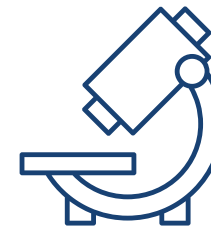
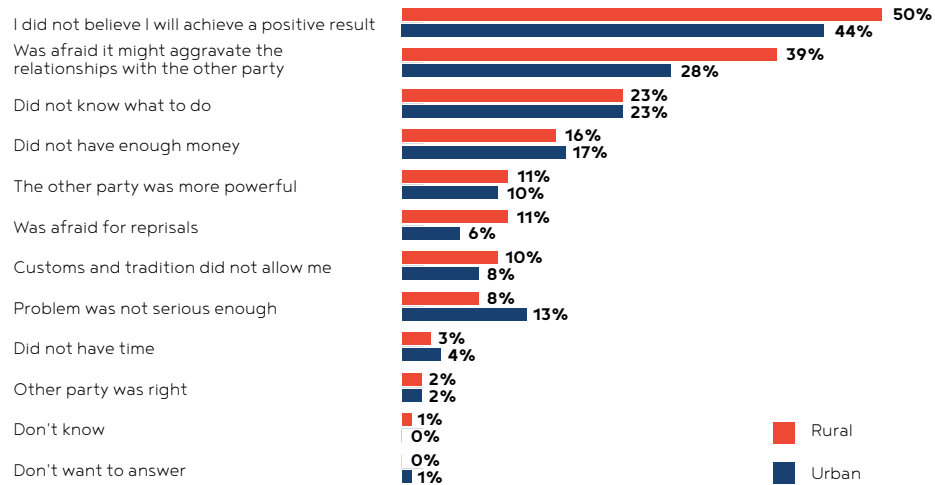
BARRIERS TO ACCESSING JUSTICE

5

# Prevention of harm in relationships is more urgent in rural areas

Particularly in rural areas, people do not take any action to resolve their problem because they are afraid it might aggravate the relationship with the other party (39%), compared to 28% in urban areas. People in rural areas slightly more often (50%) do not believe they would achieve a positive result, compared to 44% in urban areas. People in rural areas are also more often afraid for reprisals (11%), compared to 6% in urban areas. People in rural areas are also more often afraid for reprisals (11%), compared to 6% in urban areas.

MAIN REASON FOR NOT TAKING ACTION

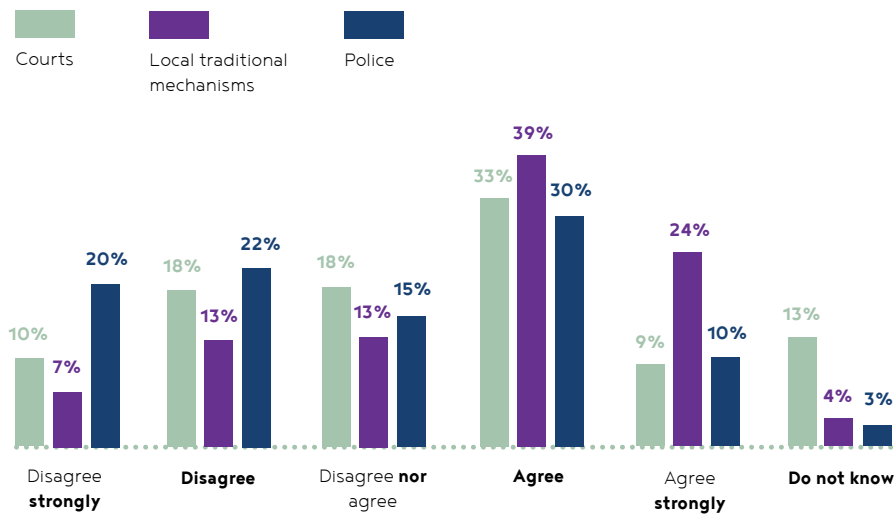


BARRIERS TO ACCESSING JUSTICE

5

# General trust and perception of justice institutions in Uganda

TRUST IN THE JUSTICE INSTITUTIONS IN UGANDA



The chart above shows the trust of the survey participants in various justice institutions in Uganda. The majority of Ugandans (almost **65%**) have trust in their local traditional mechanisms to resolve disputes. The level of trust in the informal system is superior to that in formal courts (**42%**) or the police (**41%**).

As one of the respondents in the indepth interviews argues, the citizens perceive the informal system as more trustworthy because the informal justice actors are seen as “their people”, applying their customs instead of an imported system with complex, difficult to understand rules and procedures.

People trust the clan more than the police, because they are seen as ‘our people’. There is no money involved, and it is faster. Moreover, people believe in customs over formal laws. The majority of people do not understand these formal laws. The formal courts are bureaucratic and too complex: “The majority in the rural they don’t understand. Because if you go there: ‘ah you are missing this, you should bring this! Because you have done A B C D... you have to pay this and that’, and people are like: ‘why should I pay this? I don’t know what I’m pulling this money for.’

Agricultural Officer, Apac County ”

Ugandan community members generally have a lot of trust in the Local Council committees and courts. From interviews with local leaders we distinguish two main reasons for this high level of trust: (1) perceived unbiased, local approach, democratic legitimacy and (2) affordable, generally free service.

People seem to trust clan settlements because they apply mediation techniques that reconcile people. During interviews it appeared that at the community level people prefer generally this approach, instead of formal court procedures with an adversarial nature.



**BARRIERS TO ACCESSING JUSTICE**

5

“In court you depend on witnesses, but the clan leaders ‘just’ mediate. In court, there is a winner, but in the clan there is no winner and no loser. You make sure everything is equal for both parties. So if you lose, you are losing forever, but if you mediate, you can even be given a portion. In Court however, it is only given to one person, that is the difference.” (Local community leader in Soroti)

Other challenges for the formal court system include bureaucracy in terms of money and time lap. As expressed by one County, Agricultural Officer from Apac, It takes a very long time for cases to be solved. Moreover, formal procedures tend to be more corrupt: if you have the money you can also solve a case.

“If LCs or clans ask money, it is affordable, but if you go to Court, immediately they will start asking for millions [Ugandan shillings], which people cannot pay. Even if you pay the money, the lawyers can still agree and decide against you. They keep getting money from you.” (Focus group, Soroti).

As frequently mentioned, people seem to distrust the police’s use of force. Among our respondents, clan leaders urge locals not to rush to the police when they have a problem. Only when clan leaders cannot manage the situation at hand, people are referred to the police (with a document of the clan leader), said a Clan leader from Soroti.

However, some people still go straight to the formal courts, because they do not want to deal with a specific clan chairman or LCC they do not trust or have good relations with. But the court will still require you to bring a letter from the LCC or clan. But even then some people ask someone else to get the letter, so they don’t have to deal directly with the people they’re on bad terms with. The reason some people want to bypass a community member, is that they may think that this person will not help them after all, because they are unknowledgeable.

One respondent (Focus group, Soroti) expressed that the Local Councils could gain more trust if not only the LCC chairman, but the whole committee was trained or educated, so that the resolutions are not dictated by the chairman.

On the other hand, workshop participants from the formal system in Kampala, expressed worry about the legitimacy of the LCCs, saying there have not been LCCs elections recently and citing a lack of legal knowledge.

Why people trust LC1? Because there’s free and fair justice with LC1. People don’t pay anything. Even if you go to the police, you have to pay an arrest fee. Because they were voted for, they are representative of the people. The police doesn’t take time to get ‘true’ information; they should take more time for people – no rush. The courts should base more judgments on the information they get from the client(s); investigate a little more.

**LC1 Vice Chair, Soroti** ”

You try to be in the middle with disputes between two parties. The police can sometimes be not fair, because they only pick one side.

**Female LC1 Vice Chair, Soroti** ”

[Going to] court is a waste of time, you can even go to court for 10 years (...) without even counting on that land will be yours. That’s why we come realize, what? That it’s good to settle cases at home. Rather than going to court. (...) Just sit in peace.

**Clan Leader & Vice Chairman LC1, Soroti** ”

There’s more respect for the clan leaders than for the LC1, because clan leaders are people who are old, and we just know they know more than us. If you elect a clan leader, you elect someone who is 60 and above, someone who knows more than you.

**Counsellor, LC Apac** ”





# 6

## Building blocks for an improved justice system

Goals  
Terms of reference  
User stories

# Building blocks for an improved justice system



Looking for solutions starts with knowing the problem. In the previous chapters we provided an in-depth analysis of the bright spots and the challenges in getting to a more effective family justice system, based on the 2016 JNS survey data and subsequent qualitative interviews. In this chapter we move from data to action. Based on a two day workshop conducted in cooperation with JLOS and 24 leading experts in the field family justice of family justice, the goals that an effective family justice system should achieve for the different users – a child, a mother, a father, and third parties – were explored. The workshop participants also identified the steps such an optimal procedure might follow and provided useful feedback on the user-based methodology we applied.

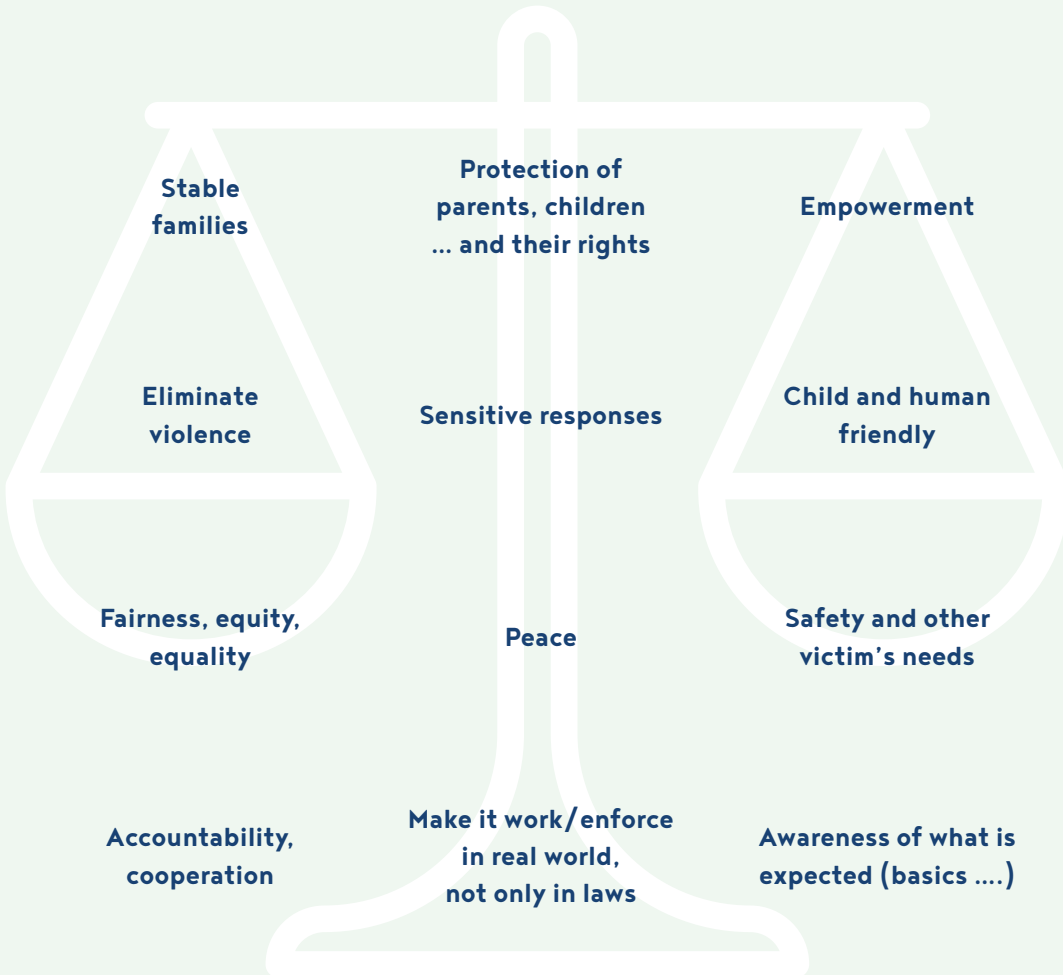


BUILDING BLOCKS FOR AN IMPROVED JUSTICE SYSTEM

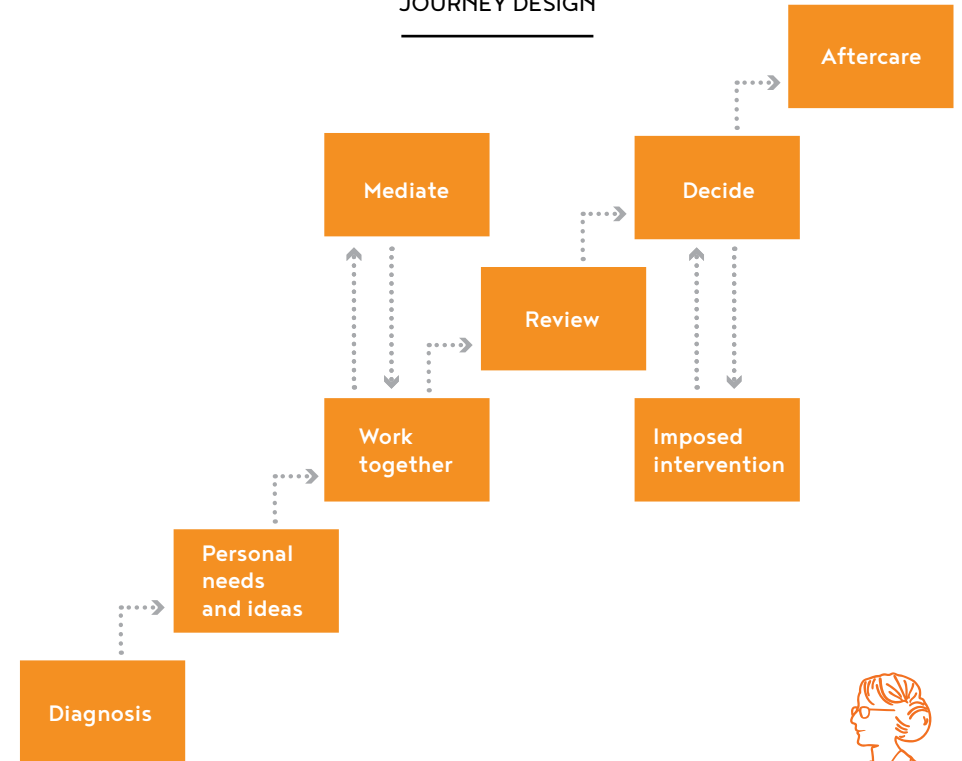
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# Goals

GOALS FOR FAMILY JUSTICE  
SET BY THE GROUP



## FAMILY JUSTICE JOURNEY DESIGN



Terms of reference:

1. Results? For whom?
2. Stages/steps? When, what, how?
3. Building on community, Local Council Court, formal court? Because?
4. Costs? Resources? Timing?



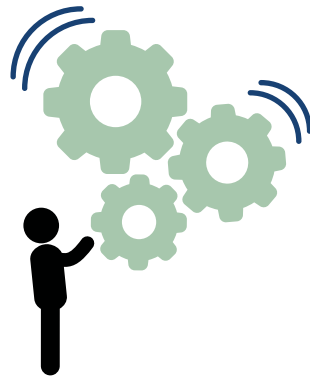
## BUILDING BLOCKS FOR AN IMPROVED JUSTICE SYSTEM

6

## What should we keep?



- Information by courts, easy access to courts
- Family members helping to resolve disputes, unless in situations of crime
- Continued sensitization by police, and its accessibility
- Low cost Local Council Court type of solutions in the community, but no unofficial fees



## What should we improve/let the procedure do?



- Provide information to institutions how they can be receptive to their users
- Consider actual family relations, not the ones “imposed” by the law or the church or culture
- Change public perspectives about what is normal and fair
- Enhance protection and ensure the rights of all children, mothers and fathers
- Improve the acilitative role of Local Council Courts
- Provide participatory procedure (currently people feel that their views are heard, but not so much that they could participate in solutions)
- Clarify procedure/process (through media, advice etc.)
- Create community champions of the good family justice process (issue by issue)
- Integrate existing dispute resolution guidelines and develop new ones (only if necessary)
- The procedure should resolve disputes at the lowest possible level
- Take into account disadvantaged groups
- Have a sustainable funding model



BUILDING BLOCKS FOR AN IMPROVED JUSTICE SYSTEM

6

## User stories: as a child

I WANT (FAMILY JUSTICE) TO ....

Enable me to participate in decisions

Provide a person to consult/go to in case of violence, who listens, believes my story

Provide generally child-friendly procedures

Provide a person to go to the family and look at what would be best (Shelter? Medical care? Many interventions?)

Help my parents to sort it out peacefully, so that I do not suffer from them fighting

Provide a fast solution (even if temporary)

Provide someone (who I know and can trust) that can take care of us in case my parents abandon me

Let my parents receive counselling and sensitization and take their responsibilities



## BUILDING BLOCKS FOR AN IMPROVED JUSTICE SYSTEM

6

## User stories: as a mother

I WANT (FAMILY JUSTICE) TO ....

Facilitate that the father delivers maintenance/support of my children

Deliver a process that doesn't take too long

Recognize my role as a mother who tends to take on most tasks for caring for the children and who feels very responsible for their well-being

Provide equal treatment for me and the father (voice, financially etc.)

Take me seriously, not trivializing my practical problems

Assess the role of the new mother if children are to stay with my ex-partner

Support me when I start afresh without the father and need to secure a home/income

Look at all my needs in combination, not just the ones for which your particular organization is responsible (holistic support)



## User stories: as a father

I WANT (FAMILY JUSTICE) TO ....

Ensure safety and interests of the children

Keep the children away from the dispute between me and my partner

Ensure good relations with my children, especially my daughters, without interference of my (ex-)partner

Give me certainty about being the father of children

Give me assurance that child-support is used well and in a fair manner (accountability)

Protect my dignity as a man (brother, friend)

Ensure that the mother takes her responsibility

Help me in coping with the situation (in case of many children from different mothers)

Help me and my partner to establish a fair amount for child support, with the court

Give transparency on the calculation for child support



## BUILDING BLOCKS FOR AN IMPROVED JUSTICE SYSTEM

6

## User stories: as a third party

I WANT (FAMILY JUSTICE) TO ....

Contribute to reconciliation (because of the impact of separation/divorce)

Provide privacy, careful sharing of information, so that media and the broader community do not become a party in the conflict

Provide information needed to take decisions from the parties

Information about what laws say and what works for the people

Prevention of own ideas (bias) taking over

Judge on evidence on the balance of probabilities

Provide knowledge about violence, laws, human rights, property rights (LCC)

Provide capacity and funding (LCC)

Access to updated laws in understandable words (LCC)

Training for my role (LCC)

Better coordination to deliver justice between different third parties

Ensure that if I am not allowed to provide solutions, somebody else is actually available for the parties

## Workshop evaluation

### What was good:

- Research broad, evidence
- Relevant for interventions
- Meet new people from the family justice sector; new perspectives
- Put it before you: how the system actually works; you know it is there, but now you see the numbers

### What needs to be improved:

- Contextualize the language of the questions: difficult to understand concepts in questions
- More focus in the project: where are we going to?
- Make clear how the work we do fits in the bigger picture





6

# Improving informal justice system delivery

**From our interviews with various stakeholders in the Ugandan informal justice system two main issues arise as challenges: (1) internal power relations influencing outcomes, and (2) untrained personnel and archaic archiving methods putting files and the efficiency of justice delivery at risk. In addition, the lack of formal funding schemes for informal justice providers may result in or aggravate corruption incidents.**

In HiiL's quantitative research (JNS Report) we found that whereas Ugandan citizens experience the LCCs as an effective dispute resolution process, they also report that existing power relations within communities affect decision-making in LCCs. This situation was also reflected in our qualitative interviews. Religious leaders in Soroti remarked that:

"[b]ecause the LC is the brother of your husband, they are related, that is their clan, they know their issues. Here we say: a woman is just brought into the family, which means you do not have anything, men have always treated women as assets." (Focus group, Soroti).

More importantly, many of the LCC members are reported to be overstaying their position. Just like in democratic governance alternation is a sign of accountability, the lack of turnover may be another symptom of corruption.

*They have stayed in their LCC position for more than 5 or 10 years, then this can cause tensions, because people will start relying on their power position instead of their knowledge. Rotation of the LCs is needed to solve this; a more democratic approach.*

**County, Agricultural Officer from Apac**

”



Finally, a more practical challenge that was found is that many of the LCCs are short in human resources ('more people as well as LC1s are needed', as said by a LC1 Vice Chair). When asked what is most needed, LCs continuously expressed that civic education is a dire need: both on rights education as well as on how to interact with the police. In general, it appears that LCC members are untrained, and their archiving methods are archaic.

**"They are trained on the job, and that's the dangerous part. They should be given elementary law guidance. And the government should think about it. LC's representing the President, but also the court in the community. They should be given a guide on how to handle meetings, handle cases and take decisions." (...)**  
**"Local community leaders need to be trained on rights, then the other way forward is: the radio. The media needs to be used, and the easiest is radio. People need to be informed about those who received training so they know where to go when they need help." (Focus group, Soroti)**

## BUILDING BLOCKS FOR AN IMPROVED JUSTICE SYSTEM

6

In addition, a lot of information that is filed by LCs in dispute settlement gets lost in cases when files get stolen, burned or deteriorated. According to the LCs interviewed in this field work, they would benefit a lot from having a better or digital file storage system that may be connected to the internet. “[I]t is difficult to access technology solutions for the LCC1. But the information is currently stored on paper and in files; but that is vulnerable to fires or other loss,” pondered a LCC1 Vice Chair from Soroti. Finding better ways to find information and store information for LC1s would make their work more efficient and transparent.

Lastly, an important challenge for effective informal justice delivery is the persistence of corruption related to scarcity of funding for, in particular, LCs.

“If LCs are biased, you can go to the human rights office, and sometimes we connect them to church. People trust the church because the church does not demand anything. The moment you approach a LC1, they ask you for something [money] so that they can hear your case. But the church does this for free. Please come and the church will help you freely.” (Religious leader, Soroti).

When asked about the monetary sustainability of LCCs, some respondents acknowledged that they are charging a small fee, or commission, particularly in land ownership issues. We identify this as a potential risk factor for corruption, as the fees are not formalized nor publicly stipulated:

“[W]hen you sell a piece of land, the LCC1 gets a commission. Or when a stamp is given by a LC1, they can ask for some money. Or in some ‘rare’ cases of settling disputes, they can ask a small commission.” (LC1 Vice Chair, Soroti)





# 7

## Making change happen

Towards an improved family justice journey

# Three steps



## Deep listening to needs

Collecting and disseminating goals, terms of reference and best practices.

**Stakeholders:** family justice providers and users.



## Building ownership and a coalition

Building a leadership coalition around resolving the most urgent justice problems, user and expert testing, implementing and scaling up.

**Stakeholders:** informal and formal family justice providers.

**Deliverables:** an improved prototype justice journey (based on what works).



## Building an open space for improved justice journeys

Innovating the tools and services.

**Stakeholders:** informal and formal family justice providers.

## What “is” an improved justice journey?

1. It describes in detail the stages and steps in the dispute resolution process, providing information about each step and the tasks connected with each step.
2. It provides guidelines for all participants (parties, adjudicator, mediators, legal helpers, etc.)
3. It provides a sustainable funding model for the justice journey
4. It provides for smart ways to make it happen: innovations
5. It makes sure that all the necessary laws and regulations are in place to support it.

## MAKING CHANGE HAPPEN

7

# Conclusion

## Summary of the results

This study evaluated the Ugandan family justice system from the point of view of its users. This leads to a detailed overview of the needs of women, men, boys and girls, of what works and of what can be improved. Family justice problems, and in particular those connected to separation, have a high impact. Resolving them adequately contributes to the security of children and parents, land- and property ownership, education, health, financial resources and emotional stability. Neglecting these problems puts people's wellbeing and their future at risk.

Family justice problems are addressed by a great number of different helpers. For information, advice and dispute resolution, people are most likely to go to family members, friends and others in their network. Local Council Courts, the police, clan leaders and religious leaders are the most prominent sources of interventions (in that order of usage). Only a small proportion of Ugandans goes to lawyers, NGOs or courts. We found that people "shop" for solutions at various providers of family justice, combining a range of

self-help, informal and formal dispute resolution processes. In the districts where we did qualitative research, we found that the different providers of informal justice have developed a division of labour. They have rules for who deals with what types of disputes and systems of referral between religious leaders, clans, LCC's and the police.

When we ask a range of questions about the quality of the process and the outcome, people report rather low satisfaction with voice, participation, respect they receive and informational justice. Women are slightly more dissatisfied than men. The effectiveness of solutions is rated more positively. However, 35% of the respondents having a family justice problem do not take any action, which is a high percentage compared to international standards. They believe this will not help, will aggravate the situation or lead to retaliation. Women and people from rural areas are more likely to do nothing and feel less empowered to take action.

## Next steps

The report reveals a great number of strengths and opportunities for

improvement. The results of the study suggest the following next steps for relieving the needs of Ugandan families:

- Collecting and disseminating goals, terms of reference and best practices among the providers of family justice and the users of the family justice system;
- Innovating the tools and services for delivery of family justice, including the linkages to the informal and the formal justice system;
- Building a leadership coalition that takes responsibility for the family justice system.

## Goals and best practices

The workshops provided a number of goals and detailed terms of reference and user stories for a well functioning family justice system. These can be further elaborated and tested, leading to a clear picture of what the system should be able to achieve for men, women and children using this system.

Then, a collection of best practices for family justice can be formed, so these goals can be achieved. This can inform couples and their advisers how to enhance the quality of processes and outcomes in the direction of the terms of reference. Most family justice is provided by people relying primarily on

their own experience and those in the group where they live: people in the network, volunteer members of Local Council Courts and elders or leaders in the village. They expressed a need for more knowledge in the interviews. Mediation, negotiation and local forms of adjudication are the most prominent processes resolving family disputes locally.

Collecting best practices for these processes and for fair, effective outcomes, is likely to yield a rich knowledge base about what works. Police, courts and other organizations already use guidelines for issues such as family violence, which can be built on. This knowledge base can also be informed by international best practice. For controversial issues, such as the ones that hold up the enactment of a marriage and divorce law, the guideline can provide practical solutions currently used when such issues arise, informing users of the guideline in a non-judgmental way, and providing a basis for further debate.

A possible format for this knowledge base is a guideline or protocol such as the ones used in the healthcare sector. This guideline could be made available in a version for volunteers and professionals, and in a version for end-users and their network.

## MAKING CHANGE HAPPEN

7

### Innovating tools and services

The family justice system in Uganda also needs innovative solutions for the many practical problems that arise and are reflected in qualitative research and the terms of reference. For instance, how to collect information from disputants and to record processes and solutions? How to provide children with a person to consult/go to in case of violence, who listens, believes their story? How to give men assurance that child-support is used well and in a fair manner? How to recognize the role of a mother who tends to take on most tasks for caring for the children and who feels very responsible for their well-being, taking them seriously, not trivializing their practical problems, and their difficulties in setting up a new home?

Innovative solutions to these problems can best be developed by people who know the situation. At the same time, innovative tools need capital, scalability and the skills related to successful innovation. Stimulating (family) justice innovation in Uganda is therefore a second recommendation.

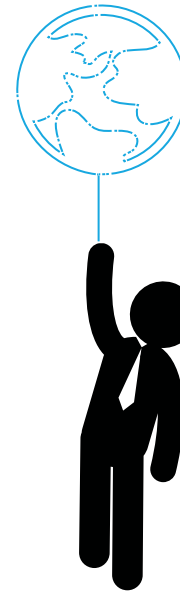
### Leadership coalition

In Uganda, as in other countries, there is no clear and centralized responsibility for a well functioning family justice system. Family law is a matter for parliament, supported by the Uganda Law Reform

Commission, courts offer their procedures, police and prosecutors have their guidelines for family violence and local dispute resolution providers do what they can do.

A coalition of leaders taking joint responsibility for the quality of family justice for end-users can provide coordination for pursuing the goals. They could be the owner of a monitoring system and an evidence-based guideline with best practices. And the owner of the many ways in which the Ugandan family justice system can build on its strengths and of the many opportunities for improving the quality of life for men, women and children suffering from separation and other family disputes.

At the conference of 14 April 2016 during with the JNS Study was launched that forms the main data foundation for this study, family justice was declared one of the key justice priorities. His Honour Principal Judge Bamwine, who was presented with the first copy, appealed to use the data from the study to understand, learn and improve. Subsequently, the JLOS Secretariat and the JLOS family justice working group were pivotal for drafting this report. It is obvious: the beginning of such a coalition is already in place.



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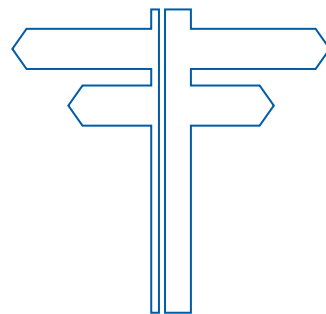
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# Annex I

## List of Interviewees

Interview no.	Role	Gender	Location
1.....	Clan leader & Vice Chairman LC1.....	M.....	Soroti
2.....	Religious leader.....	M.....	Soroti
3.....	LC1 Vice Chair.....	M.....	Soroti
4.....	LC1 Vice Chair.....	F.....	Soroti
5.....	LC1 Vice Chair.....	F.....	Soroti
6*.....	LC1 Security: religious leaders x 3 (Reverend, wife, church youth leader), clan speaker (women's issues).....	FFFMM.....	Soroti
7.....	Clan leader.....	M.....	Soroti
8.....	Clan leader.....	M.....	Soroti
9.....	Chairperson LC1.....	F.....	Soroti
10.....	LC1 Chairman.....	M.....	Soroti
11.....	Local Community leader.....	M.....	Soroti
12.....	Church Pastor (religious leader).....	M.....	Soroti
13.....	County, Agricultural Officer.....	F.....	Apac
14.....	Religious leader.....	M.....	Apac
15.....	LC1 Publicity Officer.....	M.....	Apac
16.....	LC1.....	M.....	Apac
17.....	Religious leader.....	M.....	Apac
18.....	Counsellor LC.....	F.....	Apac
19.....	Clan leader.....	M.....	Apac
20.....	Chief clan .....	M.....	Apac
21.....	Youth leader (in clan chief office).....	F.....	Apac

\* Focus group

## Annex II

### List of Participants: Family Justice Workshop

Name	Organization	Position
<b>Barbara Kitui Cobbinah</b>	Justice Law and Order Sector (JLOS)	Resource Person, Family Justice (RPFJ)
<b>Nicola Brassil</b>	UNICEF	Justice for Children UNV
<b>Rachel Odoi-Musoke</b>	JLOS	Senior Technical Advisor (STA)
<b>Viola Ajok</b>	LASPNET	Research & Knowledge Management Officer
<b>Beatrice Stella Atingu</b>	High Court Civil Division	Assistant Registrar
<b>Jeroline Akubu</b>	Uganda Law Reform Commission (ULRC)	Assistant Commissioner
<b>Jane F. B. Kiggundu</b>	Family Division	Judge
<b>Isaac Jonathan Otim</b>	Barefootlaw – WPRI	Head Legal Services
<b>Diana Kagere Mugerwa</b>	CEDOVIP	Advocacy Officer
<b>Rebecca Tino</b>	Uganda Human Rights Commission (UHRC)	UHRC
<b>Tina Musuya</b>	CEDOVIP	Executive Director
<b>Rose Etit</b>	Naguru Remand Home	
<b>Florence Nakachwa</b>	Law Development Centre (LDC)	Deputy Director
<b>Rosette Kamanyi</b>	National Council for Children	
<b>David Batema</b>	High Court	Judge
<b>Brenda Oyullu</b>	MIA – NGO Bureau	SDCDO
<b>Susan Labwot</b>	Uganda Women's Network (UWONET)	Programme Coordinator

## About Hiil



Hiil (The Hague Institute for Innovation of Law) helps turn the most promising and disruptive ideas into effective innovations by bringing together the best legal experts, cutting-edge technology, and new types of funding. We differ because we put the users of the justice system first. We constantly scan the latest available knowledge and work to help our clients understand people's justice needs and develop effective strategies based on what works. We do not consult from the sides but co-create. We help to integrate new technologies for resolving conflict in time-honoured legal procedures, linked to effective institutional structures. Hiil Innovating Justice works with courts, legal aid boards, NGOs, ministries responsible for justice, and, companies that are looking for fair and innovative solutions that can be sustainably funded and can catalyse systemic change.

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