

Justice Needs and Satisfaction in **Tunisia** **2023**

Legal problems in daily life

⋮



Justice Needs and Satisfaction in **Tunisia** **2023**

Legal problems in daily life

This study was financed by the Ministry of Foreign Affairs of the Kingdom of The Netherlands and conducted with the assistance from One to One for Research and Polling. HiiL would like to thank the members of the reference group for their invaluable support to this study.

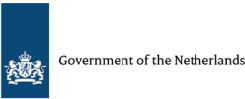


Table of contents

Introduction..... 12

Methodology 16

Justice gap..... 28

Impact 48

Dispute resolution 60

In focus: Employment problems..... 88

Findings & Implications 102

Executive summary

Capturing the voices of more than 5.000 randomly selected Tunisian adults at the end of 2022, this report tells us about the legal problems Tunisians experience in daily life, the impact of these problems, and what they do to try to resolve these problems. It marks the first time such data has been collected since the Justice Needs & Satisfaction (JNS) report we published in 2017 and provides a picture of justice that is truly people-centred.

This report presents the first results of our updated JNS methodology. Unlike previous, stand-alone research projects, this time we recruited a representative panel of Tunisian adults whom we will be following over a period of three years. In the second and third year of the project, we will ask people about new legal problems they experienced since the first interview, but also about problems they reported in previous years that had not yet been resolved. This approach will allow us to track the development and resolution of legal problems over time and explore new questions that come up in the first year of the study.

Around 31% of Tunisians experienced at least one legal problem in the past year. Many experienced more than one. Of the people who experienced at least one legal problem, 43% experienced at least two of these. Altogether, people in Tunisia experience around five million legal problems per year. People who have not actually experienced a legal problem consider themselves more capable of dealing with them than those who have, suggesting that people become more aware of the difficulties of achieving justice when they personally have to do so.

Around 23% of all legal problems are completely or partially resolved at the time of the interview, but only around half of those resolutions are assessed as being fair. As we asked about legal problems that first occurred within the last year, it is not surprising that around 45% of them are still in the process of being resolved. We will follow up on these problems in next year's study to learn whether that has changed. Another 32% of problems are abandoned, with people having either given up on finding a resolution or never having tried in the first place. Based on these results, we estimate

that every year around 4,4 million problems are unable to reach fair and speedy resolutions, illustrating the high demand for justice.

The four most common problem categories experienced by Tunisians are neighbour problems, money problems, problems related to public services, and employment problems. All are experienced by more than 15% of people with at least one legal problem. The high number of neighbour problems (regular and excessive noise is particularly common) could be the result of the COVID-19 pandemic and related lockdowns, with many people spending much more time at home.

Each problem category consists of a number of specific legal problems that people experience. Money problems mostly comprise disputes over borrowing or lending money or debt-related problems, either with another person or from a bank or institute. The most common problems related to public services are disputes over receiving welfare benefits or pension, problems with access to healthcare, or problems with obtaining permits from administrative offices. The types of employment problems people experience are very diverse, with many people experiencing several interlinked employment problems and not one specific problem standing out.

Different demographic groups are more likely to experience certain types of problems, although this by no means implies that only people with such a profile experience these problem types.

- Neighbour problems occur primarily in urban areas and are most common among women with a higher education level who are relatively well-off financially.
- Employment problems occur frequently in both rural and urban areas, primarily affecting younger people who tend to have received a higher level of education. Men are more likely to experience employment problems than women.
- Money problems are equally common in rural and urban areas. They are most common among highly educated men between 25 and 64. Perhaps surprisingly, people who struggle financially are not more likely than others to face financial disputes.
- Problems related to public services are most commonly experienced by older people in rural areas who have not received an education beyond primary level and indicate that they are not able to cover their basic needs. Women experience this type of problem more often than men.

Legal problems have a serious effect on the lives and well-being of Tunisians. On average, people rate their legal problems with a seriousness score of 7,56 out of 10. Problems that are ongoing are assessed as more serious than problems that are resolved. They are also assessed as more serious than problems that are abandoned. This makes ongoing problems particularly interesting to understand, which we will do by following up on them in the next few years.

Some types of problems are experienced as more serious than others. Among the most common problem categories, employment problems (8,09) and problems related to public services (8,00) are seen as particularly serious, whereas neighbour problems (7,13) and money problems (7,01) have seriousness scores below the average. Employment problems and problems related to public services are also among the problem categories with the lowest resolution rates.

Around 70% of Tunisians with a legal problem take some form of action to try to resolve the most serious one. Paths to resolution take many different forms and involve different sources of help. However, the vast majority of legal problems are dealt with outside the formal institutions people typically associate with justice.

The most common strategy is talking directly to the other party in the dispute: one in four people who take action opt for this approach. When turning to a source of help, the most common option is to engage a family member (25% of people who take action). Other common sources of help include friends (9%) and neighbours (6%), showing how important social contacts are for people dealing with a legal problem. Beyond one's social network, the most common sources of help are the police (12%), social counsellors (9%), lawyers (7%), and local or municipal authorities (6%).

There are important demographic differences when it comes to the sources of help people engage. People in urban areas are more likely to contact family members or friends for help, while people in rural areas more often seek help from local or municipal authorities and especially social counsellors.

Women turn more often to family members and neighbours than men, whereas men turn more often to friends. Outside their social networks, both genders are equally likely to engage the police. However, women more often seek help from social counsellors, whereas men are more likely to go to local or municipal authorities. Finally, men are more likely than women to engage a lawyer.

In terms of age, younger people are significantly more likely to rely on people from their social network, while older people are significantly more likely to engage institutional sources of help, including the police, lawyers, social counsellors, local and municipal authorities, and formal courts.

Some of these demographic differences can be explained by the fact that certain sources of help are more often engaged by people facing certain types of problems. In particular, people with employment problems often talk directly to the other party or their employer, but almost never engage an institutional source of help. People with problems related to public services stand out for their high involvement of social counsellors, and to a lesser extent local and municipal authorities.

The sources of help Tunisians engage offer different interventions to try to resolve legal problems. The most common intervention is providing advice (provided by 35% of all sources of help), followed by providing (emotional/moral/financial/material) support (29%). About one in four sources of help did nothing to help resolve the problem. Mediation or deciding on the matter are less common interventions, each provided by less than one in five sources of help.

Of all sources of help engaged, exactly 50% are assessed as either helpful or very helpful. Sources of help that come from people's social network are most often considered to be helpful: 69% of family members and 67% of friends are assessed as helpful or very helpful. Lawyers – although not very often engaged – are also more often considered (very) helpful than the average source of help (58%). On the other hand, courts (37%), social counsellors (36%), and the police (33%) are only seen to be helpful or very helpful in about one in three cases.

Looking at problem categories, people trying to resolve employment problems or problems related to public services are least likely of all Tunisians with legal problems to find the sources of help they engage to be helpful. As noted, these problem categories also have low resolution rates. For this reason we have included a dedicated chapter focused on employment problems in the report.

Based on the insights provided by the people of Tunisia, HiIL suggests several courses of action for policymakers, service providers, and innovators working to ensure access to justice for all. The most important are:

- Continue collecting and learning from people-centred justice data on a regular basis, using it as a foundation for improving legal service provisions and monitoring progress.
- Focus on addressing the most burdensome problem categories: employment problems and problems related to public services.
- Adapt prevention and resolution mechanisms to the target population, taking into account demographic differences in types of problems different people experience and the resolution strategies they typically take.
- Ensure the regulatory environment for legal services enables innovative justice providers to operate, so that they can fill the gap in available services that exists between social networks and the formal justice system.
- Improve justice services provided by sources of help that are accessible but whose interventions do not meet people's needs, such as social counsellors. The development of treatment guidelines could play a role in this.

31%

of Tunisians experienced at least one legal problem in the past year

5 million

legal problems experienced by people in Tunisia every year

77%

of legal problems are unable to reach fair and speedy resolutions



Common and serious legal problem categories: neighbour problems, money problems, problems related to public services, and employment problems

70%

of people with a legal problem take some form of action to try to resolve the most serious one. The most common strategies: talking directly to the other party in the dispute, engaging a family member



1

Introduction

This report is about Tunisians' legal needs and experiences with the justice system. In October and November 2023, we talked to 5.008 randomly selected adults in Tunisia. Together with One to One for Research and Polling, we visited people in all 24 governorates of the country and asked them whether they had experienced any legal problems in the last year, what they did to try to resolve their problems, and how they perceived the resolution process and outcomes. The result is a unique people-centred understanding of the justice needs of people in Tunisia.

At HiIL (The Hague Institute for Innovation of Law), we are devoted to making justice more accessible through the development of people-centred services. We call this user-friendly justice: justice that is easy to access, easy to understand, and effective. Our goal is to ensure that by 2030, 150 million people will be able to prevent or resolve their most pressing legal problems. To achieve this, we stimulate legal innovation and support the most promising innovations to scale. But it all starts with the collection of data on people's legal needs and their justice journeys.

HiIL has worked in Tunisia since 2012, having built solid relationships with key high level stakeholders across the justice sector over the years¹. Throughout these years we have published a Rule of Law Quick Scan, organised a high-level workshop on employment in 2017 and welcomed its first Tunisian cohort of justice startups in 2020. Through its partnership with the Dutch Ministry of Foreign Affairs, HiIL is currently implementing a people-centred justice program in Tunisia (2022-2025) that integrates data collection, research, innovation and stakeholder engagement.

Up-to-date data on justice needs is crucial for allocating scarce resources in a way that is most likely to improve access to justice. Our first and only Justice Needs & Satisfaction (JNS) study in Tunisia was published in 2017, meaning the data no longer reflected the latest realities. As the country has experienced a lot of social upheaval and change since then, the time had come to conduct a fresh data collection exercise. The current report will serve to inform policymakers, justice innovators, and other stakeholders about the nature and impact of the most pressing legal problems

1 Important partners include the Ministry of Justice and the Tunisian Bar Association and international organisations, including the United Nations Development Programme (UNDP) and the International Development Law Organization (IDLO).

in Tunisia, where people facing those problems go for help, and whether they are able to find resolutions.

Chapter 2 introduces the methodology, explaining how we conceptualise, operationalise, and measure justice needs and satisfaction, as well as how we arrive at findings and implications. It also provides a detailed look at the panel of 5.008 Tunisians² who form the basis for this study. Chapters 3 to 5 discuss what the data tells us about, respectively, the justice gap (chapter 3), the impact of legal problems (chapter 4), and the resolution of legal problems (chapter 5). Chapter 6 provides a closer look at employment problems, one of the most burdensome legal problems in Tunisia, while chapter 7 zooms in on the justice experiences of women in Tunisia. Chapter 8 concludes by highlighting the main findings and implications.



Justice Innovation Lab in Tunisia

2 'Tunisians' in this report refers to all adults who live in Tunisia, as we do not ask respondents about their immigration status or nationality. *Development Perspectives*, 24 (100366).



2

Methodology



HiiL's survey is designed to measure legal needs bottom-up, from a people-centred perspective. The survey asks people about their legal problems and their paths to resolution – what we call “justice journeys.” Our methodology corresponds to the legal needs survey guidelines, as defined by the OECD³. To date, we have applied this methodology in more than twenty different countries.

Our approach aims to understand justice in the lives of people. It is based on legal problems as reported by the people who directly experience them and conceives of justice in the broadest sense – meaning it can be delivered not only by formal legal institutions but also by a range of other authority figures, justice providers, and social contacts. We make the case that change needs to happen wherever justice happens. Apart from

delivering traditional legal services in nontraditional settings, changing where justice happens also means recognizing that many important justice actors exist outside the realm of ‘traditional’ legal services and institutions.

Besides information about legal needs and justice journeys, we also collect relevant demographic information. This makes it possible to disaggregate our findings and gain deeper insights into the ways that different Tunisians access justice. These insights help policymakers, justice providers, legal innovators, and donors to identify the justice services that are most beneficial for society as a whole and focus their attention and resources there. All the demographic differences we report are statistically significant with a p-level below 0.05.

JNS Tunisia: A multi-year research project

The JNS is typically a stand-alone research project, asking about people's legal experiences in the past year or past four years. This means the instrument is not very well suited to track the development of legal problems and the steps people take to resolve them over time. It also means that, without regular repetition of the study, the findings might become outdated, especially when there are major societal changes.

In order to address these shortcomings, HiiL developed a new JNS methodology. In what is essentially a panel study, we follow the justice experiences of a panel of nationally representative group of Tunisians over a number of years. Respondents are selected following a multi-stage randomisation process and are representative in terms of age, gender, and whether they live in rural or urban areas.

Each year, we ask the people that make up the panel the same set of questions about any legal problems they may have encountered in the past twelve months. We will also ask panel members about problems they reported in the previous year and at the time were still trying to resolve, providing us unique insights in the development of legal problems over time. Finally, we will ask some new questions related to our findings from the study in the previous year.

Interviews were conducted face-to-face in the first year, but in the following year we will conduct the interviews by phone. This report summarises the first findings of this panel-based JNS study, which in Tunisia will span three years.

3 OECD/Open Society Foundations (2019), Legal Needs Surveys and Access to Justice, OECD Publishing, Paris, <https://doi.org/10.1787/g2g9a36c-en>

Implementing the study

Preparation of the research project started in the beginning of 2022, with desk research and the development of the methodology and questionnaire. In September, we convened a reference group made up of experts and stakeholders from different organisations in Tunisia to adapt our research tool. This adaptation workshop ensured that the survey reflects the local context and provides answer categories that are relevant and valid for Tunisia.

During the same month, HiiL and One to One Research and Polling trained enumerators on how to use the survey tool and conduct the interviews, followed by a pilot study to test the survey in practice.

Data collection took place in October and November 2022, with the enumerators conducting face-to-face interviews in all 24 governorates. After a first round of data analysis, we presented the preliminary findings of the study to the reference group during another workshop in December 2022. The participants reflected on the findings and provided their feedback, interpretations, and explanations. Their expert input greatly enriched the final version of this report.



Operationalising access to justice

This report consists of three data chapters and one chapter focussed on employment problems. Each of the data chapters explores a key concept related to access to justice in Tunisia. We explain how we operationalise these concepts below.

Measuring the justice gap

The first step of our survey is asking people whether they have experienced a legal problem in the last four years. People can select up to ten problems from a list of more than 100 different legal problems. The people we talk to do not say: "I have a land problem". Instead, they mention a specific problem and identify it in the list together with the enumerator. These specific problems are organised into fourteen broader problem categories.

At HiiL, we refer to the difference between the justice solutions people need and the resolutions people actually reach as the 'justice gap'. To measure this gap, we ask people whether the individual legal problems they reported experiencing have

been resolved or not. By counting the number of problems people were unable to resolve and extrapolating this to the adult population of Tunisia, we are able to estimate the size of the justice gap in the country.

Measuring the impact of legal problems

Not all legal problems affect people's lives in the same way. To understand the impact of legal problems, we ask people to rate the seriousness of each problem on a scale from one to ten.

We also ask people who experienced multiple legal problems to indicate which one they experienced as the most serious one. The remainder of the survey is an in-depth exploration of this most serious problem, its effect on their lives, and the actions people take to resolve the problem. For example, we ask whether the most serious problem resulted in certain negative consequences and what actions people took to try to resolve it.

Measuring justice journeys

We refer to the different actors that people engage as “sources of help.” People use both their social network and institutional sources of help to resolve their legal problems. We call the steps people take to resolve their legal problems ‘justice journeys’. This justice journey begins when people first take action to try to resolve their problem and typically ends when the parties involved in the problem come to an agreement, a third party makes a decision, or the person pursuing justice gives up. The JNS survey maps people’s justice journeys and their satisfaction with its component parts. Rather than focusing solely on the formal legal action that people take, justice journeys include all sources of help people engage in the resolution process. In this way, they reveal what people actually do when faced with a legal problem.

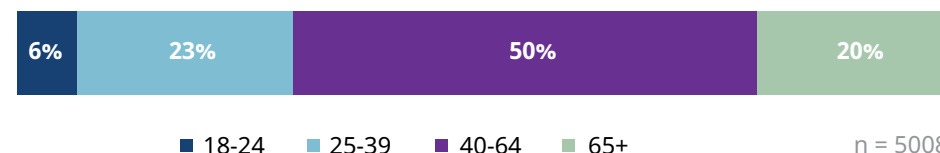
Finally, we ask people to assess their capability to deal with a legal problem (one that they already experienced or – if they have not experienced any legal problems – one that they are asked to imagine). Through a set of four questions, we measure the extent to which they feel that they know their rights and responsibilities, know where to go to get information, advice, and expert help, and are confident in their ability to achieve a fair outcome. The answer categories are organised as a Likert scale from one to five, and the average score of these four questions produces what we refer to as the legal capability score. We make a distinction between people with a lower (below 4) and higher (4 or above) legal capability score.

Introducing the Tunisian justice panel

The panel we recruited consists of 5,008 adult Tunisians, equally divided between men and women. Like the national population, around 32% of the panel members reside in rural areas, compared to 68% in urban areas.

We divide our panel into four different age groups: 18-24, 25-39, 40-64, and 65 years and older. The majority of panel members are between 40 and 64, with both the mean and median age being 49. This is higher than the mean and median of the national population, because we only include adults (18 years and older) in our study.

AGE CATEGORIES



Around 16% of people on our panel have received no formal education and 35% have received only preparatory or primary education. A further 34% have received secondary education, 3% have received professional training, and 11% have a university degree. Younger people have significantly more often received at least a secondary education than older people. There is also a notable gender difference in education levels: 25% of women on the panel have not received a formal education, compared to only 7% of men.

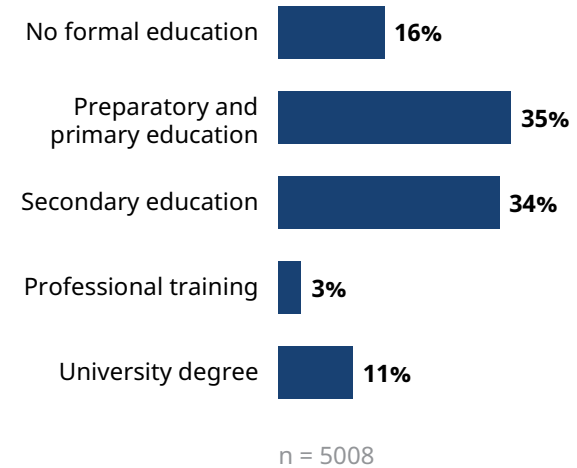
In this report, we will make a distinction between two groups that are almost perfectly equal in size: people with no formal education or preparatory or primary education (51%) and people with secondary education or higher (48%).

In addition to collecting information about their gender, living environment, age, and educational level, we asked panel members to assess their financial situation. Around 17% indicated that they do not have enough money for basic necessities. The vast majority of people reported that they are able

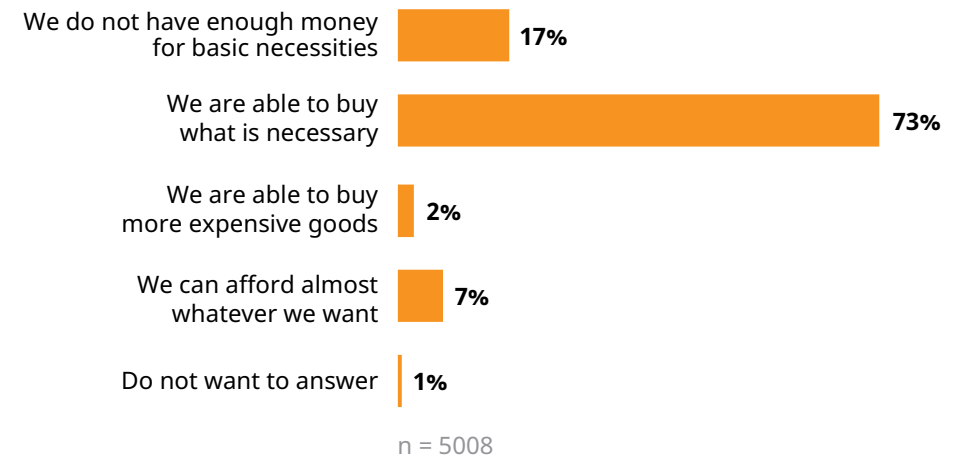
to buy what is necessary, and a small number of people reported that they are able to buy more expensive goods or can afford almost whatever they want. In our analysis, we group these latter three categories together to make two groups: people who cannot cover their basic needs (17%) and people who can cover their basic needs (83%), which includes people who can afford more expensive things.

At the end of the survey, we asked panel members whether they would be willing to be recontacted again next year for a follow-up interview. Around 78% of people agreed, meaning we have a sample of 3.906 Tunisians for the second year of the study⁴. Men (84%) agreed to be contacted again in 2023 at a higher rate than women (72%), and people who experienced at least one legal problem (87%) agreed to be contacted again at a higher rate than people who experienced no legal problem (74%). This means we will be able to follow the development of the vast majority of legal problems that the panel members reported experiencing in the past year.

EDUCATION LEVEL



FINANCIAL SITUATION



⁴ This is the number of respondents who will be contacted in the second year of the study. The final number of respondents will likely be lower because some people will not be reachable or will decide that they do not want to participate again after all.

Limitations

Despite its strong research design – which brings together desk research, quantitative survey data, and input gathered from local experts – our study has some inevitable limitations.

Although the overall sample is large, some of our findings are based on a relatively small number of people. This is especially the case when a problem category or justice provider with a low prevalence rate is analysed in depth. A reliable detailed analysis of people's experiences with specific justice journeys would require different and larger samples, focussing for example on one particular legal problem or one particular justice provider.

It is also important to keep in mind that certain legal problems tend to be underreported due to their sensitivity, such as domestic violence or sexual offences. Cultural norms, shame, and fear might all impact people's – and particularly women's – willingness to report these problems. Enumerators sometimes talked to women who seemed to have experienced domestic violence, but did not perceive it as a (legal) problem. This should be considered when interpreting the findings in this report.





3

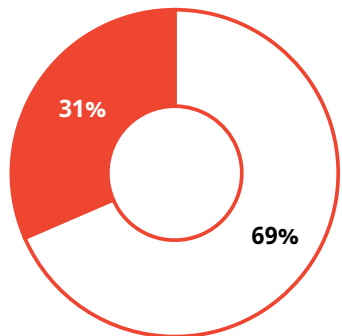
Justice gap

In this chapter we look at the prevalence and types of legal problems Tunisians experience. How many people experience legal problems every year? What types of problems do they experience? And to what extent are they able to resolve these problems?

Almost one in three Tunisian adults experienced a legal problem in the past year

Legal problems are a common occurrence in Tunisians' lives. Around 31% of adults experienced at least one legal problem in the past year. Many experienced more than one legal problem: 43% of people who experienced a legal problem experienced two or more legal problems. The average number of problems experienced by people who reported a legal problem is 1.9.

PREVALENCE OF LEGAL PROBLEMS



- ☐ No legal problems experienced
- ☒ One or more legal problems experienced

n = 5008

There are important differences between demographic groups and their likelihood to experience a legal problem. People in urban areas are slightly more likely to experience a legal problem than people in rural areas, while men are more likely to experience a legal problem than women. People in urban areas and men also have a higher average number of problems (respectively 1.9 and 2 problems) than people in rural areas and women (both 1.7 problems). It is likely that men in general are more active in certain aspects of daily life, thus making it more likely they encounter legal problems. For example, men are much more often employed than women, making it more likely they would experience an employment problem. It is also possible that women are more reluctant to report certain categories of problems.

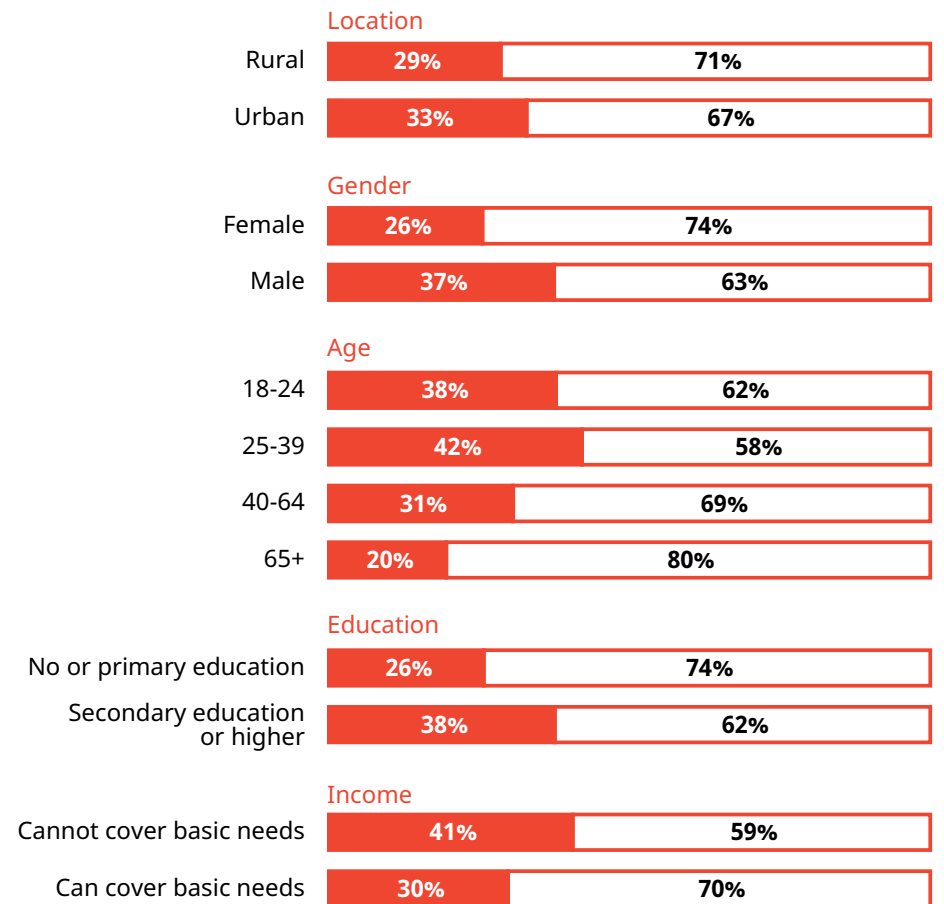
People in younger age groups are more likely to have experienced a legal problem and also report a higher number of problems per person. The youngest age group experiences on average 2.3 problems, compared to 2.1, 1.8, and 1.4 problems for the following age groups.

Probably because of the strong correlation with age, higher education levels are associated with a higher likelihood of experiencing legal problems. Finally, people who

do not have enough money to cover their basic needs are more likely to experience a legal problem than people who can cover their basic needs or have more than enough.

PREVALENCE OF LEGAL PROBLEMS

Demographic differences



- ☒ One or more legal problems experienced
- ☐ No legal problems experienced

The most common problem categories are neighbour problems, money problems, problems related to public services, and employment problems

People in Tunisia experience a wide range of different types of problems. The four most common problem categories are neighbour problems, money problems, problems related to public services, and employment problems.

Neighbour problems are the most common legal problem experienced by Tunisians in the past year. The most common neighbour problems are regular and excessive noise and threats, harassment, or violence. Together, these account for more than half of all neighbour problems. It is possible that the COVID-19 pandemic and related lockdowns are an important factor behind this; for example, a recent study we conducted in the Netherlands found a strong increase in neighbour problems during the pandemic years that were a direct result of covid restrictions⁵. In the next two years we will learn whether neighbour problems remain this frequent in Tunisia.

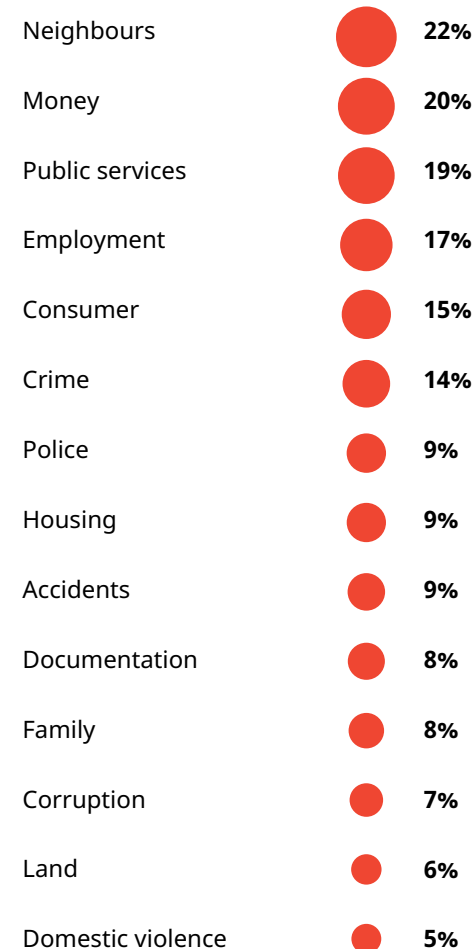
The other most common problem categories are money problems, problems related to public services, and employment problems. Money problems mostly comprise disputes over borrowing or lending money or debt-related problems, either with another person or from a bank or institute. Together these account for over 80% of all money problems.

The most common problems related to public services are disputes over receiving welfare benefits or pension, problems with access to healthcare, or problems with obtaining permits from administrative offices - together these comprise more than 80% of all problems related to public services.

The types of employment problems people experience are very diverse and often interlinked, with not one specific problem standing out. Chapter 6 provides a deeper analysis of the different employment problems people experience, their impact, and the sources of help people engage.

It is noticeable that none of the problem categories are very rare. Even the least common problem categories are still experienced by at least 5% of people with problems, illustrating the wide range of problems Tunisians face.

MOST COMMON PROBLEM CATEGORIES
as % of people with at least one legal problem

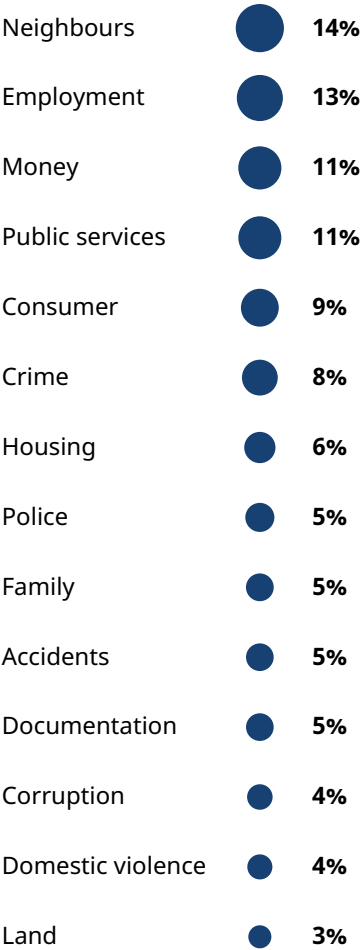


n = 1577

The graph above shows the percentage of people experiencing at least one legal problem in a category. As noted above, many Tunisians experience more than one problem - including people who experience more than one problem in the same category. Another way of assessing the most common legal problem categories is to look at all legal problems people reported. The graph on the right shows this distribution.

No major differences exist in the most common legal problems, with the four most common problem categories staying the same, but appearing in a different order: employment becomes the second-most common problem category. This means that many Tunisians who experience an employment problem experience more than one employment problem, likely due to the fact that many employment problems are intrinsically linked to each other.

MOST COMMON PROBLEM CATEGORIES as % of all reported legal problems



n = 2944 problems

Different demographic groups experience different types of problems

Some problems are more common in rural areas than in urban areas and vice versa. Perhaps not surprisingly, neighbour problems and housing problems are significantly more common in urban areas. Crime, accidents, and domestic violence also are more often reported by people in urban areas. On the other hand, problems related to public services occur more frequently in rural areas. Money problems and employment problems are very common in both rural and urban areas.

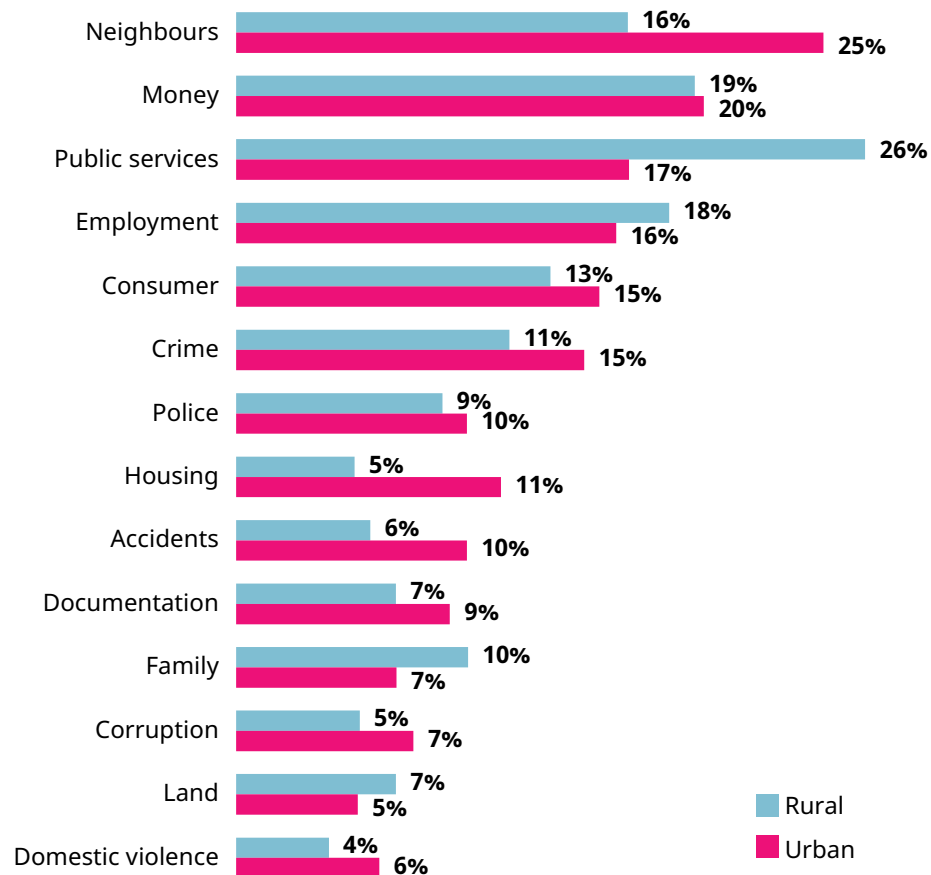




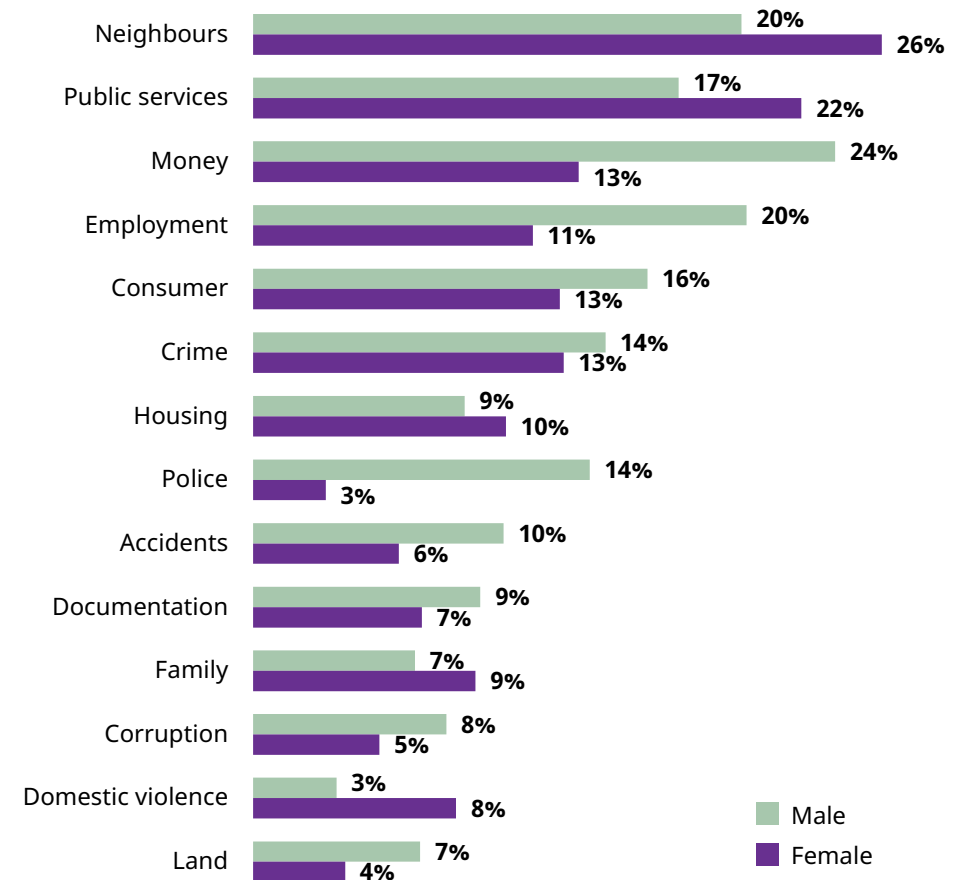
Men are more likely to experience legal problems than women. As shown in the graph below, they encounter employment problems, money problems, and police-related problems at particularly high rates relative to women. Meanwhile, women are

more likely to experience neighbour problems, problems related to public services, and domestic violence. It is likely that domestic violence is even more common than shown here, as this category tends to be underreported.

MOST COMMON PROBLEM CATEGORIES
by location (as % of people with at least one legal problem)



MOST COMMON PROBLEM CATEGORIES
by gender (as % of people with at least one legal problem)



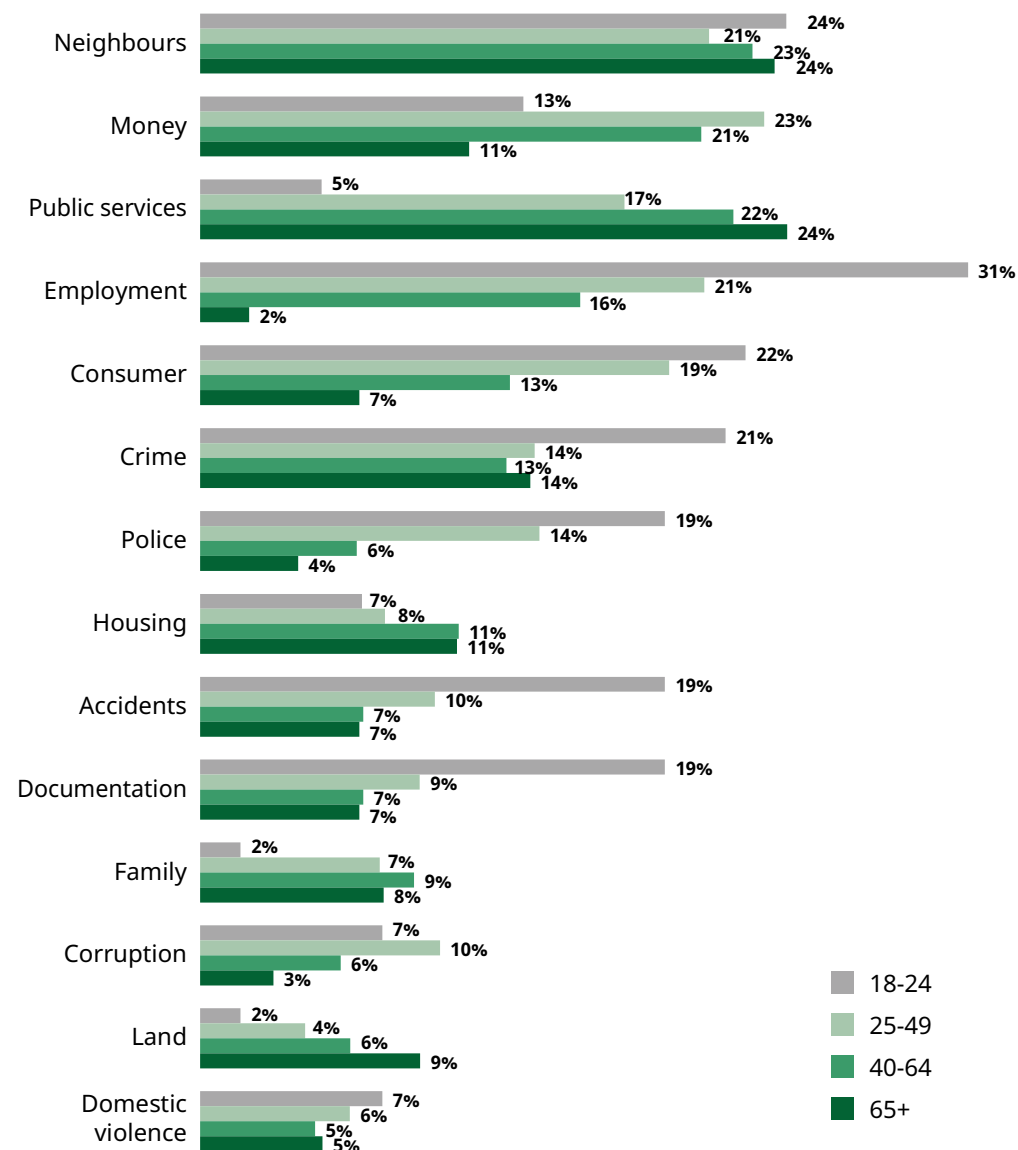
Younger people (between the ages of 18 and 49) are more likely to experience legal problems and also experience on average more problems per person. It is therefore not surprising that most problem categories are common among people in these age groups. Employment problems in particular affect younger people significantly more often than older people. Other problem categories that are more common among younger people are neighbour problems, consumer problems, crimes, police-related problems, accidents, and problems with official documents. Money problems are most often experienced by the middle two age groups (25-49 and 50-64), while problems related to public services stand out for becoming significantly more common as people grow older.

There are also important differences between people who have received no or only primary education and people who received a secondary education or higher. The first group is significantly more likely to experience housing problems, family problems, and problems related to public services in particular. More highly educated people are more likely to experience neighbour problems, employment problems, money problems, consumer problems, and a number of overall less common problem categories.

A final distinction we can make is between people who indicate they can cover their basic needs and those who indicate they cannot. Keep in mind that the last group is relatively small, comprising 17% of our sample, so some caution is warranted when interpreting these findings. People who are able to cover their basic needs are more likely to experience neighbour problems and consumer problems, while people who are not able to cover their basic needs are more likely to experience problems related to public services and housing problems.

MOST COMMON PROBLEM CATEGORIES

by age group (as % of people with at least one legal problem)



From these demographic differences, an understanding emerges of who is most likely to experience certain problem types. This by no means implies that only people with such a demographic profile experience these problem types. Looking at the four most prevalent problem categories, we see that:

- Neighbour problems occur primarily in urban areas and are most common among women with a higher education level who are relatively well-off financially.
- Employment problems are a frequent occurrence in both rural and urban areas, primarily affecting younger people who tend to have received a higher level of education. Men are more likely to experience employment problems than women.
- Money problems are equally common in rural and urban areas. They are most common among more highly educated men in the middle two age groups (25-64). Perhaps surprisingly, there are no major differences between people who assess their financial situation differently.
- Problems related to public services are most commonly experienced by older people in rural areas who have not received an education beyond primary level and indicate that they are not able to cover their basic needs. Women experience this type of problem more often than men.

Almost one in four problems is relatively quickly resolved

For every problem reported, we asked whether it had been resolved. In total, 17% of all problems were completely resolved and another 6% were partially resolved at the time of the interview. This means three out of four problems had not (yet) been resolved.

It is important to take into account that all reported problems first occurred less than a year ago, meaning people

have not had a lot of time to resolve them. This helps explain why 45% of all problems remain ongoing, meaning people are still in the process of trying to get them resolved. We will follow up on these problems in next year's study to see whether that has changed. Another 32% of problems are abandoned, with people having either given up on finding a solution or never having tried in the first place.

RESOLUTION STATUS
all legal problems



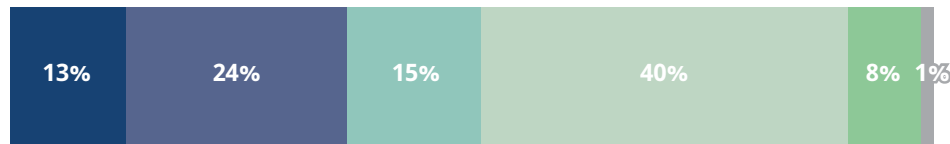
n = 2944 problems

Not everyone is equally likely to resolve their legal problems

For every problem that is partially or completely resolved, we asked whether people perceive the resolution as fair. Almost half of all resolutions are considered fair (40%) or very fair (8%).

Twenty-four percent of resolutions are perceived as unfair and 13% as very unfair. This shows that not everyone who manages to resolve their problem perceives the outcome to be fair.

FAIRNESS OF THE RESOLUTION
partially or completed resolved problems



■ Very unfair ■ Unfair ■ Neither ■ Fair ■ Very fair ■ Do not know

n = 679 problems

Resolution rates differ per demographic group. As can be seen in the graph on the next page, people in urban areas and men are slightly more likely to resolve their problems than people in rural areas and women. The number of ongoing problems does not vary by living environment or gender, meaning that the difference is due to the different rates at which these groups abandon their legal problems.

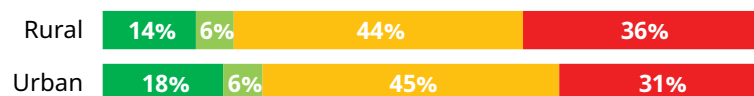
In terms of age, Tunisians are increasingly less likely to resolve their problems as they become older. This is mainly the result of an increase in the percentage of ongoing problems they face. Tunisians are also more likely to resolve their problems when they have received a secondary education or higher, and when their financial situation is better. Here too, the difference stems from ongoing problems, as the percentage of abandoned problems is the same.



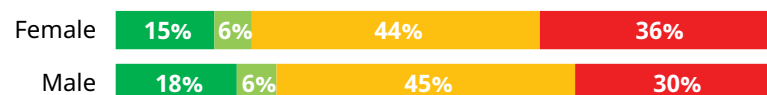
RESOLUTION STATUS

demographic differences (all legal problems)

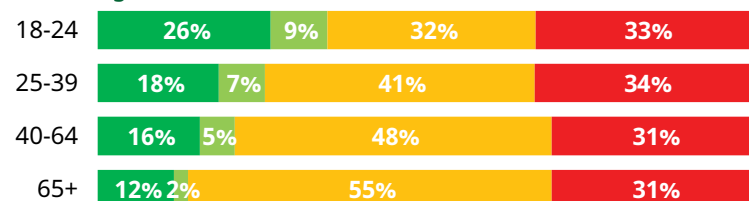
Location



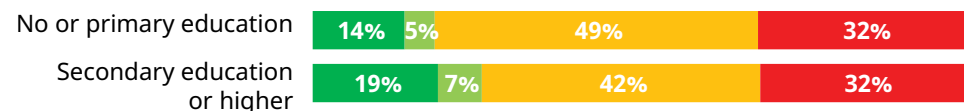
Gender



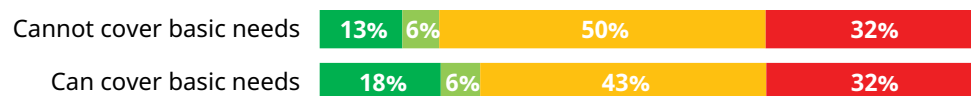
Age



Education



Financial situation



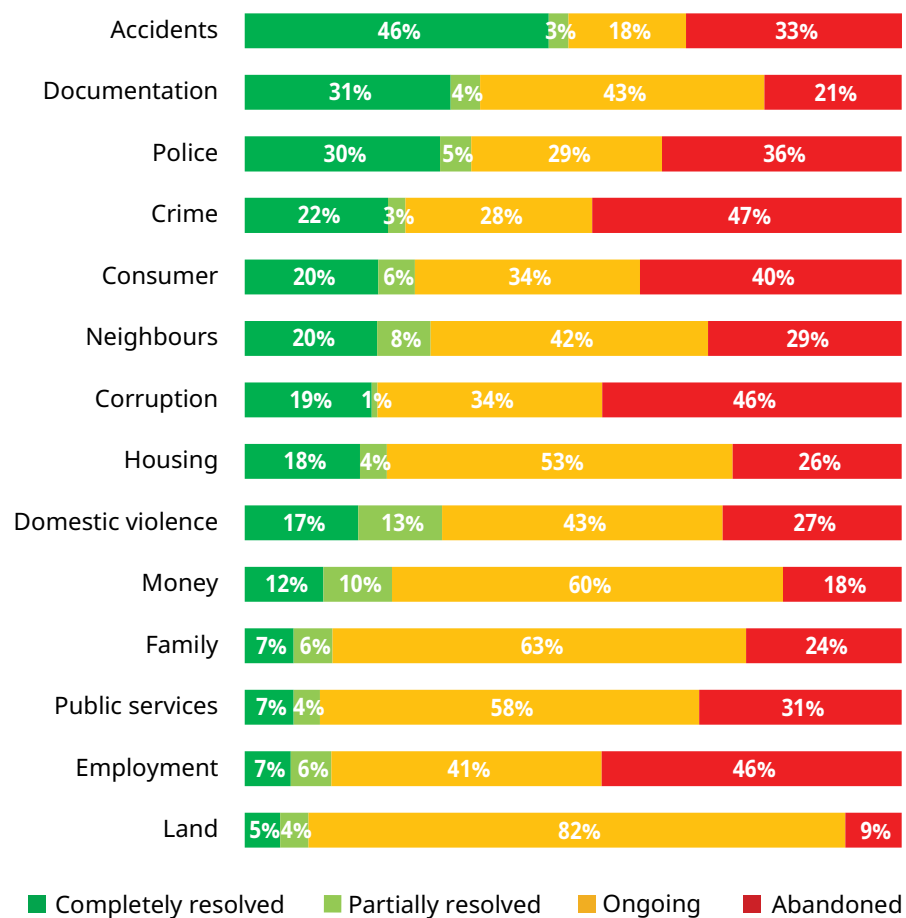
■ Completely resolved
 ■ Partially resolved
 ■ Ongoing
 ■ Abandoned

Some types of problem are easier to resolve than others

One reason (though definitely not the only one) for the demographic differences in resolution rates is that different groups of Tunisians experience different types of problems and these problems are resolved at different rates. For example, the type of problem that is most often resolved is accidents, in almost 50% of the cases. It is likely that many people have insurance and therefore a straightforward path to resolution when they experience, for example, a traffic accident (the most common type of accident).

Looking at some of the most prevalent problem types, neighbour problems are resolved more often than average and money problems slightly less. However, both employment problems and problems related to public services are among the problem categories with the lowest resolution rates. Problems related to public services are more often ongoing, while employment problems are abandoned at a particularly high rate. Being both very common and rarely resolved, this highlights the burden of these two types of problems on people's lives.

RESOLUTION STATUS by problem category (all legal problems)



Quantifying the justice gap

The JNS is a nationally representative survey. The information Tunisians shared with us therefore allows us to calculate the scope of unaddressed legal needs in the country⁶.

Every year (based on a population of approximately 8,5 million adults):

2,7 million
people experience
at least one legal
problem

Tunisians collectively experience
5 million legal problems

1,2 million
of these problems
are resolved.
600.000 (about half)
of those resolutions
are considered fair
or very fair

2,3 million
problems
are ongoing

1,6 million
problems
are abandoned

Summing up ongoing, abandoned and unfairly resolved problems the size of the justice gap in Tunisia amounts to
4,4 million problems that lack a fair and speedy resolution every year.

⁶ Numbers in this section are rounded and should be treated as rough estimates



4

Impact

In the previous chapter we showed how many Tunisians experience legal problems and what types of problems they experience. In this chapter we dive a bit deeper into these problems and assess their impact. How serious are these problems and what are the main consequences people experience because of these problems?

Legal problems have a big impact on people's lives

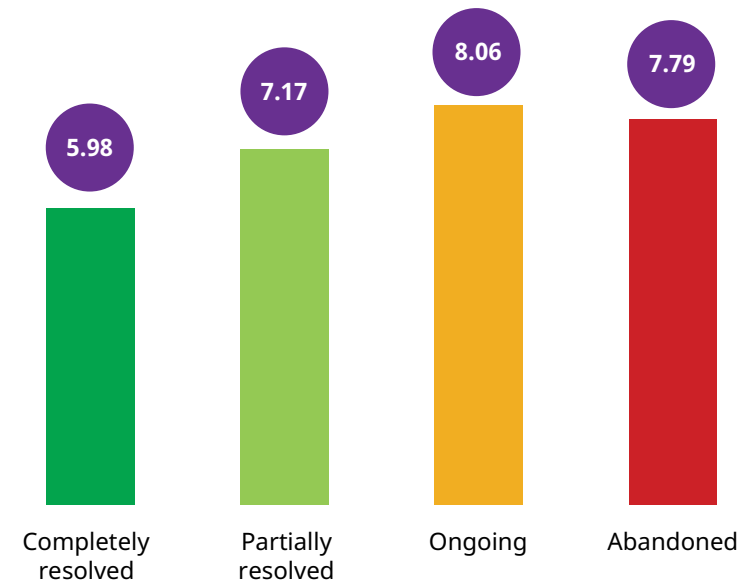
7.56

Average seriousness score
of legal problems

The legal problems Tunisians experience have a serious effect on their lives and well-being. For every problem, we asked people to assess its seriousness on a scale from 1 to 10, with 10 being the most serious. On average, people rate their legal problems with a seriousness score of 7.56, illustrating just how important it is to ensure that people are able to resolve these issues.

Problems that are ongoing are assessed as more serious than problems that are resolved. They are also assessed as more serious than problems that are abandoned. It is likely that when a problem is more impactful, people will go to greater lengths to resolve it and will not as easily give up. Less impactful problems are perhaps more easily abandoned. The effect could also work the other way around: because someone is currently working to try to resolve their legal problem, it has a greater impact on their life.

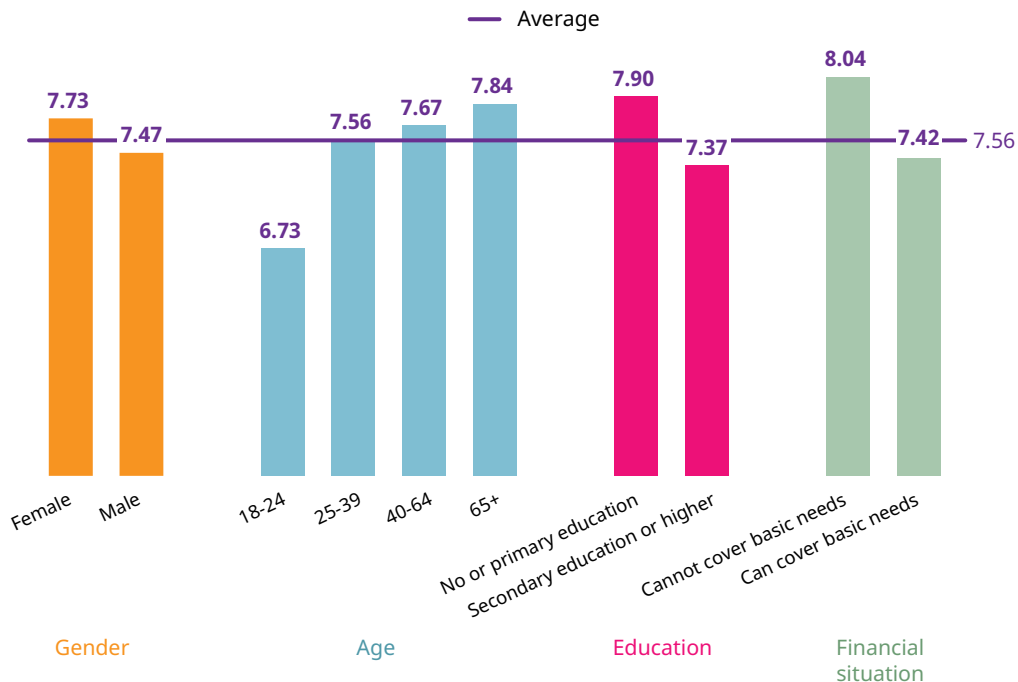
AVERAGE SERIOUSNESS SCORE
by resolution status (all legal problems)



Different demographic groups assess their problems as more or less serious. The graph below shows that women rate their problems as more serious than men, and Tunisians generally rate their problems as more serious as they become older. There are no significant differences between people in rural and urban areas, with both groups having a seriousness score close to the average.

Perhaps most striking is that people with a lower level of education and those with fewer financial resources assess their problems as much more serious than people with a higher education level and more financial resources. It seems that people who are already on the negative side of inequality are hit particularly hard when they experience one or more legal problems.

AVERAGE SERIOUSNESS SCORE
demographic differences (all legal problems)



Employment problems and problems related to public services are not only very common, they are also particularly serious

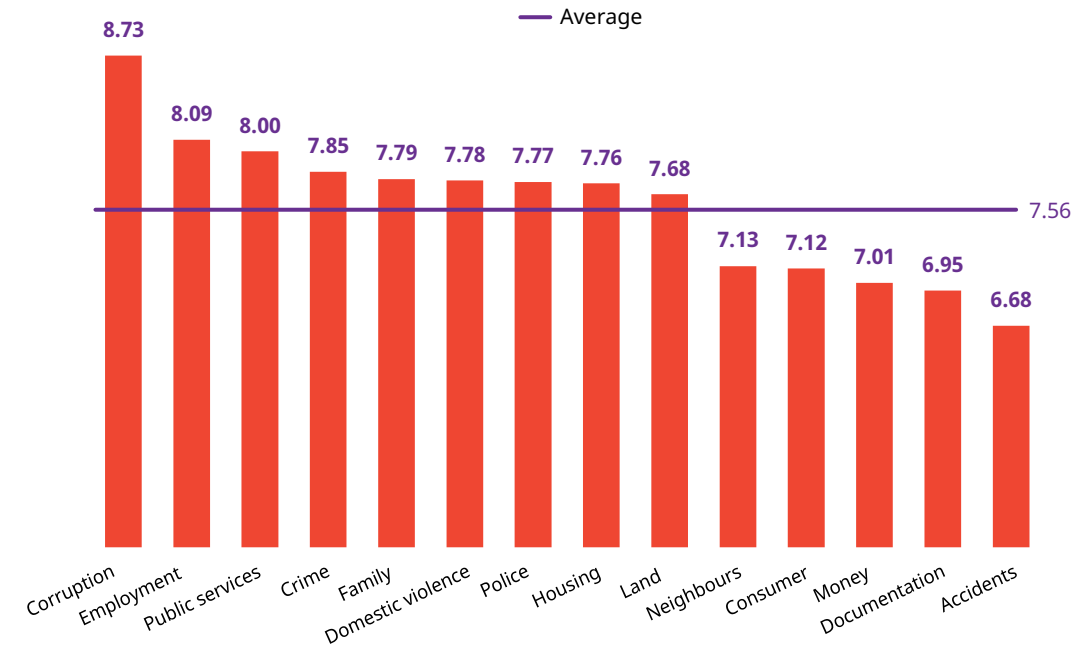
Looking at the average seriousness of problems by category shows the correlation between problem seriousness and rates of resolution. Accidents and problems related to official documents are the two problem types that are most often resolved, and they are also assessed as the least serious. Neighbour problems are resolved more often than average and assessed as less serious.

Employment problems and problems related to public services are among the problem categories with the lowest resolution rate, and they are assessed

as the second- and third most serious problem categories. This means that in addition to being very common, they are also among the most serious and least resolved types of problem

Not all problem categories show this correlation between resolution rate and seriousness. Money problems are resolved slightly less often than average, but their seriousness is also below the average score. Finally, the seriousness of corruption catches the eye. Although not many Tunisians personally experience corruption, those who do see it as very serious.

AVERAGE SERIOUSNESS SCORE
by problem category (all legal problems)



Legal problems have a wide range of negative consequences

The impact of legal problems on people's lives is also illustrated by the number of negative consequences they experience as a result of these problems⁷. Around 81% of people with legal problems experience at least one negative consequence related to their most serious problem. On average, they experience more than three negative consequences, showing how legal problems affect multiple aspects of people's lives. There are no significant demographic differences when it comes to negative consequences, except among people in different financial situations.

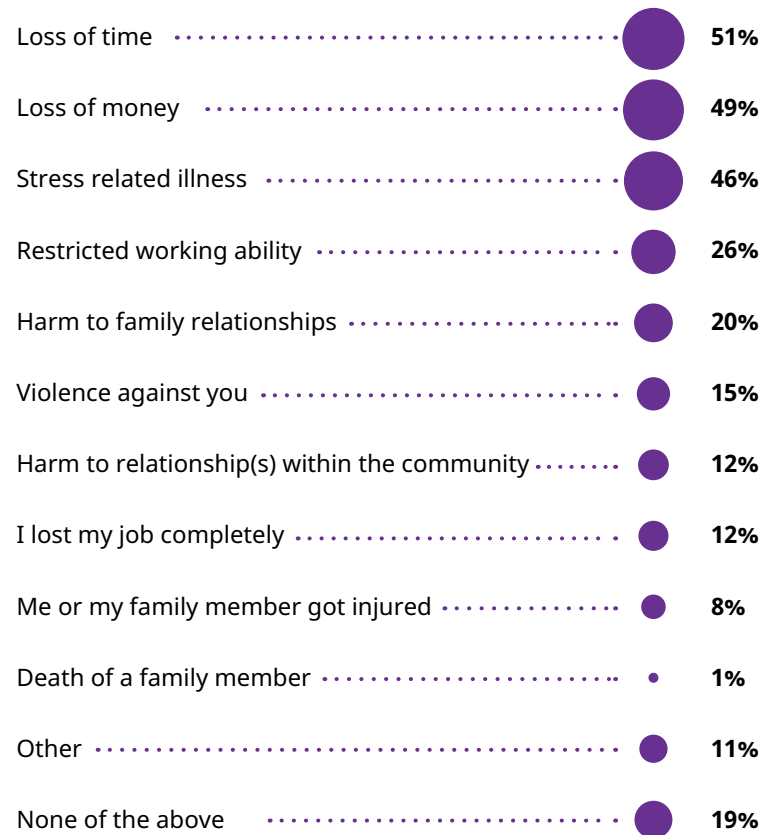
People who cannot cover their basic needs (85%) are more likely to face at least one negative consequence than people who can cover their basic needs (78%).

People experience on average around three negative consequences because of their most serious legal problem. The two most common negative consequences are loss of time and loss of money, which are each experienced by around half of the people with a legal problem. These are closely followed by stress-related illness, which 46% of people with a legal problem experience.



⁷ As explained in the methodology chapter, after exploring the seriousness and resolution status of all legal problems, we ask people who experienced multiple legal problems which one was the most serious and then explore the consequences and resolution strategies of this particular problem. From this point onwards, the report is therefore about this most serious problem.

MOST COMMON CONSEQUENCES as % of people with problems (most serious problem only)



n = 1577

In many cases, negative consequences stem logically from their particular problem categories. The heatmap on the next page illustrates this. The columns present the different problem categories. Darker colours within those columns represent higher percentages of people experiencing that particular consequence. The exception is the last row, where darker green means a higher percentage of people did not experience any negative consequences.

This relationship between problem categories and negative consequences also (at least partially) explains the demographic differences in negative consequences. For example, men experience more often employment problems than women. As a result, they also experience more often the consequences associated with employment problems, such as restricted working abilities and losing their job. Women, on the other hand, more often experience stress-related illness, which is a common consequence of family problems and domestic violence - two problem categories experienced more often by women than by men.

As the last row reveals, some problem categories are more likely to result in negative consequences than others. People who experience domestic violence, family problems, and employment problems are most likely to experience at least one negative consequence as a result of the problem. People experiencing neighbour problems, consumer problems, and problems related to documentation have the lowest chance of experiencing at least one negative consequence.

CONSEQUENCES PER PROBLEM CATEGORY

	Neighbours	Employment	Money	Public services	Consumer	Crime
Loss of time	28%	60%	56%	55%	46%	43%
Loss of money	24%	52%	59%	46%	53%	57%
Stress related illness	42%	56%	59%	41%	19%	47%
Restricted working ability	14%	51%	32%	27%	17%	20%
Harm to family relationships	16%	21%	27%	12%	6%	14%
Violence against you	19%	13%	4%	4%	4%	19%
Harm to relationship(s) within the community	17%	16%	16%	5%	5%	13%
I lost my job completely	5%	34%	9%	8%	6%	8%
Me or my family member got injured	15%	5%	2%	1%	1%	8%
Death of a family member	1%	1%	2%	0%	0%	1%
Other	22%	7%	3%	2%	4%	12%
None of the above	30%	9%	13%	22%	31%	17%

	Housing	Police	Family	Accidents	Documentation	Corruption	Domestic violence	Land	Total
	44%	62%	66%	50%	66%	51%	61%	46%	51%
	49%	55%	60%	61%	44%	49%	44%	52%	49%
	56%	38%	66%	28%	32%	43%	69%	41%	46%
	20%	26%	34%	27%	10%	22%	28%	20%	26%
	20%	23%	52%	5%	10%	14%	51%	24%	20%
	14%	33%	17%	13%	5%	14%	66%	19%	15%
	12%	13%	18%	3%	6%	18%	20%	15%	12%
	8%	15%	16%	14%	10%	10%	21%	7%	12%
	2%	19%	14%	14%	0%	2%	36%	11%	8%
	1%	3%	4%	3%	0%	0%	3%	2%	1%
	2%	24%	17%	17%	0%	4%	39%	13%	11%
	18%	14%	8%	17%	31%	22%	5%	28%	19%

Less common consequence  More common consequence

More likely to experience at least one negative consequence  Less likely to experience at least one negative consequence



5

Dispute resolution

As the previous chapters have demonstrated, legal problems are common in Tunisia and have a serious impact on people's lives.

This raises a few questions:

What do people do to try to resolve these issues?

To what extent are they successful?

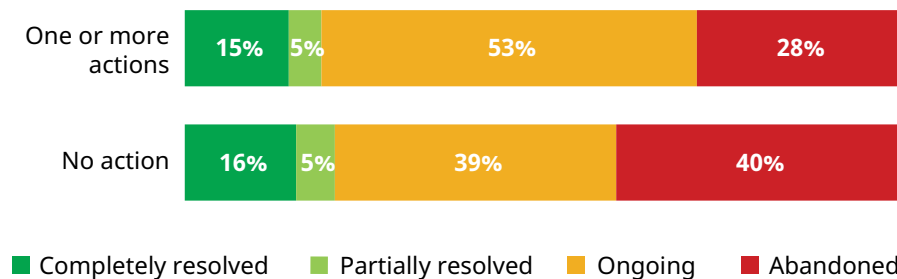
Are there accessible justice journeys available that help people resolve their most serious legal problems?

The majority of Tunisians actively try to resolve their most serious legal problems

Most Tunisians are clearly eager to reach fair resolutions for their legal problems: around 70% of people with a legal problem take some form of action to try to resolve their most serious problem. This also means that three out of ten people do not even begin to try to resolve their problem or that their problem was quickly resolved without any action from their side.

Taking action in itself does not increase the likelihood of a problem being resolved. Resolution rates are the same regardless of whether people take action or not. Especially less serious problems tend to quickly be resolved without going through an actual resolution process.

RESOLUTION RATE
by action

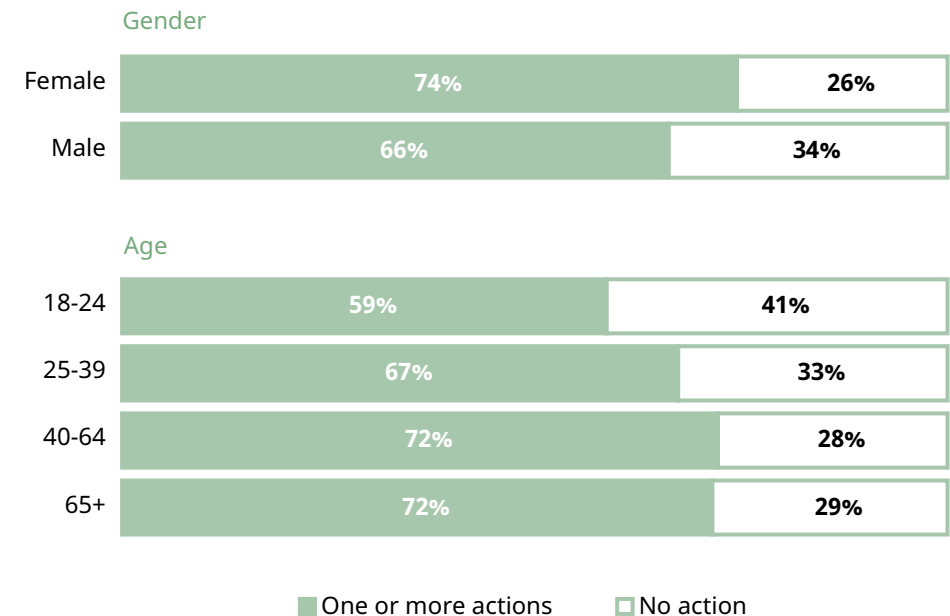


There are few demographic differences when it comes to taking action. Their living environment, education level, and financial well-being have no significant effect on people's likelihood to take action.

The only significant demographic differences are between men and women and different age groups. Women are more likely to take action to resolve their problem than men,

and older people are more likely to take action than younger people. The latter is somewhat surprising, as younger people are actually more likely to resolve their legal problems. One possible reason for this paradox is that younger people have problems they assess as less serious than older people. As shown before, problems that are considered to be less serious are more likely to be resolved, possibly even without taking action.

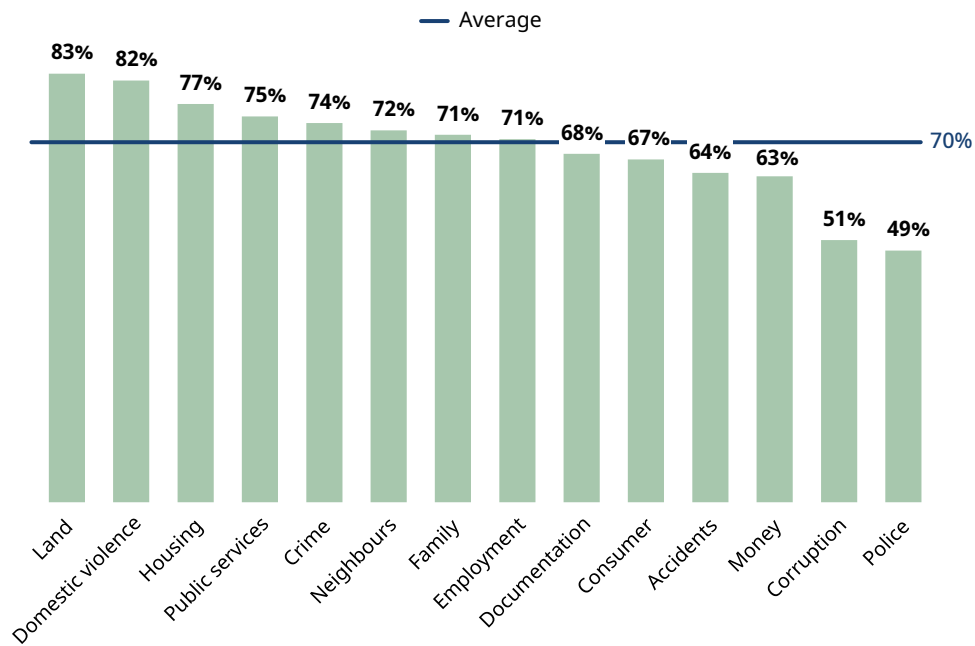
ACTION RATE
demographic differences



People are more likely to take action for some problem categories than for others. The graph below shows the percentage of people taking action when experiencing different problem categories. Action rates are particularly

high for land problems and domestic violence. Corruption and police-related problems, the two main problem categories where the other party is most likely a public official, stand out for their particularly low action rate.

ACTION RATE
by problem category



n = 1577

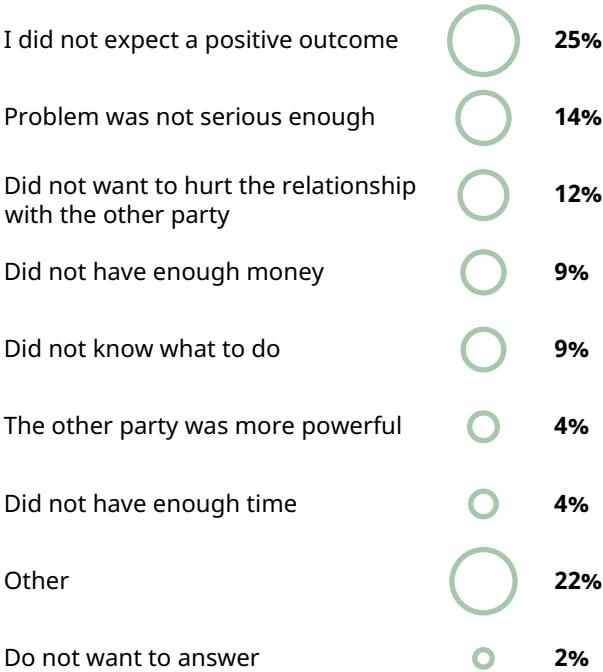
People have a variety of reasons for not trying to resolve their most serious legal problem



To better understand why some Tunisians do not actively try to resolve their most serious legal problem, we asked them to identify the main reason they did not take any action. The reasons provided are varied, with not one main reason really standing out. One in four people do not believe they will be able to achieve a positive outcome, signalling a lack of trust in the legal avenues for redress and the available sources of help. Another 9% of people simply do not know what to do.

Reasons that relate to the nature of the problem or the relationship with the other party are also relatively common. On the other hand, lack of money or time is rarely a primary reason for not taking action.

MAIN REASON FOR NOT TAKING ACTION
one answer per person



n = 480

The majority of legal problems never reach the formal justice system

People try to resolve their problems in many different ways and by engaging different sources of help. The most common strategy is talking directly to the other party in the dispute: one in four people who take action opt for this course of action.

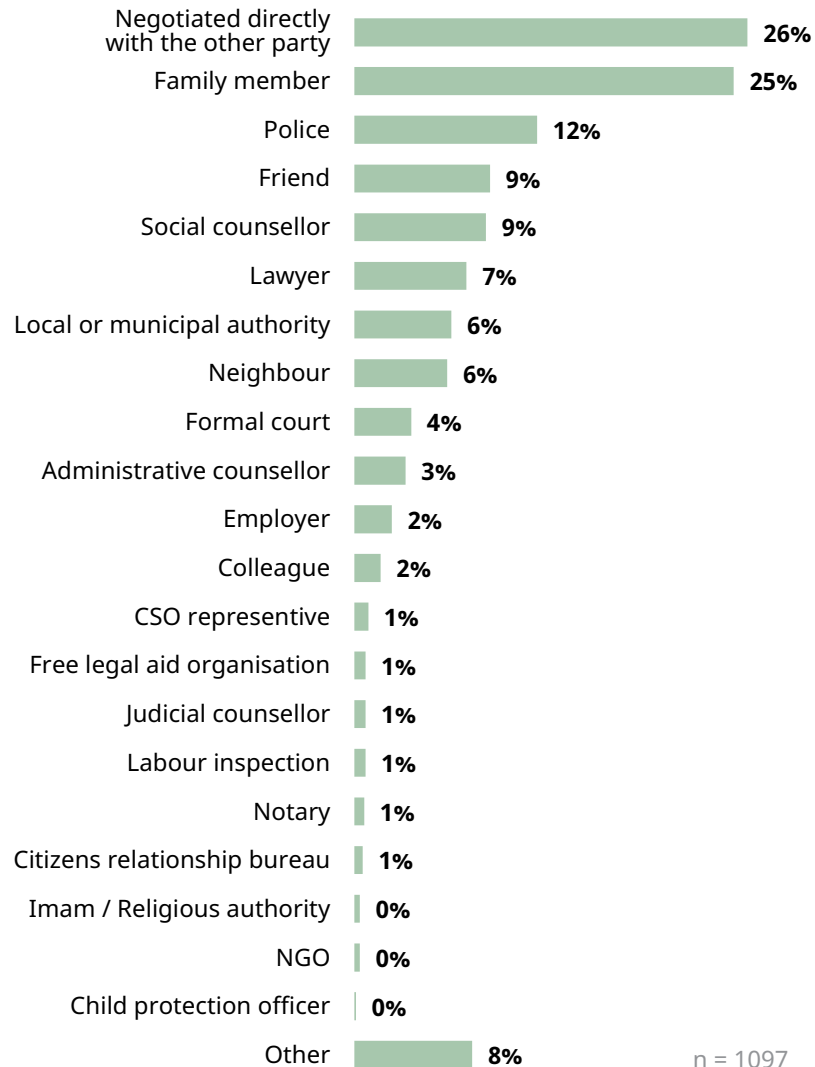
When turning to a source of help, the most common option is to engage a family member. Other common sources of help include friends and neighbours, showing how important social contacts are for people dealing with a legal problem. Beyond family members and social contacts, the most common sources of help are the police, social counsellors, lawyers, and local or municipal authorities.

Actors typically associated with the justice system (lawyers, notaries, courts) are engaged by only a minority of people with legal problems. In other words, the vast majority of legal problems are dealt with outside the formal institutions people typically associate with legal problems.

It is quite common for Tunisians to engage in more than one type of action to resolve their problem: 18% of people who take action do so. Common combinations are talking directly to the other party and also engaging a family member and/or friend or engaging both a social counsellor and a local or municipal authority. A large number of problems are also still ongoing, making it likely that people will engage additional sources of help in the future.

Many sources of help are contacted by less than 5% of people who take action. This does not automatically mean they are not valuable actors, as some of them only work on very specific types of legal problems. However, for reasons of clarity and readability, in the remainder of this chapter we will focus on the most common sources of help, unless there are compelling reasons to take a closer look at a specific actor.

MOST COMMON TYPES OF ACTION / SOURCES OF HELP as % of people taking action



n = 1097

Not everyone has equal access to the justice system

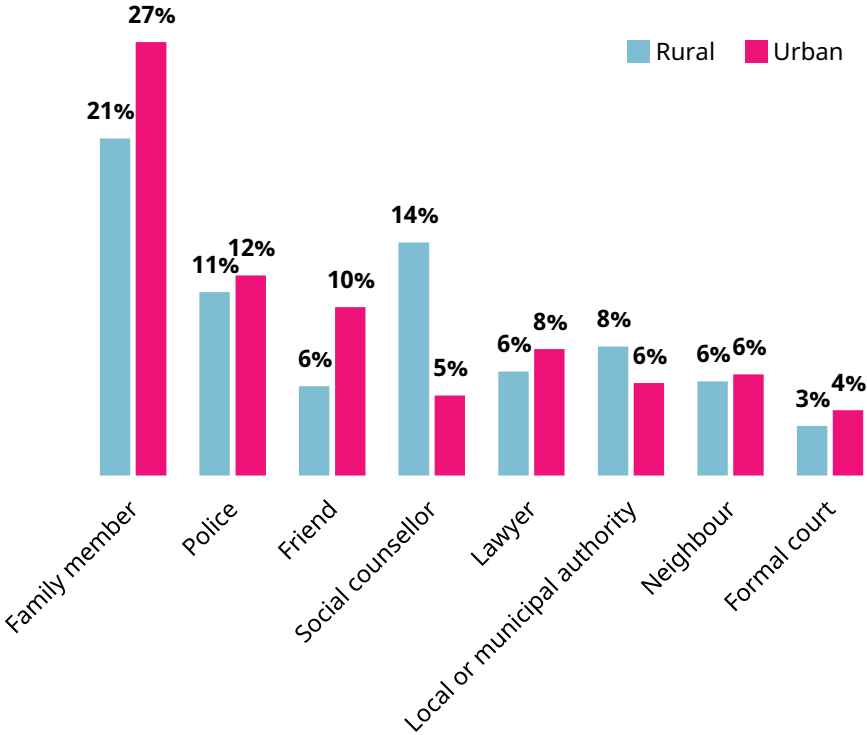
Taking a closer look at the extent to which different demographic groups engage different sources of help reveals more about who is served by whom and who has access to which third parties.



Looking at living environment, it is noticeable that people in urban areas are more likely to contact family members or friends for help. They are also slightly more likely to turn to the police, a lawyer, or formal court, but the differences are small. People in

rural areas more often seek help from local or municipal authorities. However, the biggest difference is in the use of social counsellors: 14% of people in rural areas turn to a social counsellor when they take action, compared to only 5% of people in urban areas.

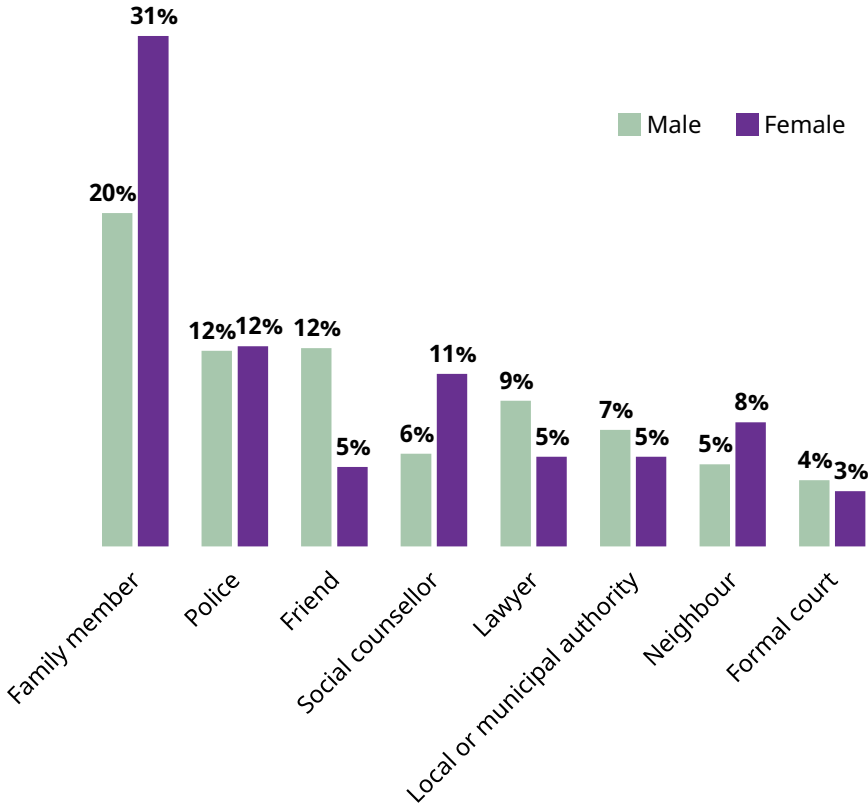
MOST COMMON SOURCES OF HELP
by location



Significant differences also exist between men and women when it comes to the sources of help they engage. Within their social networks, women rely more often on family members and neighbours than men, whereas men turn more often to

friends. Outside their social networks, both genders are equally likely to engage the police. However, women turn more often to social counsellors, whereas men turn more often to local or municipal authorities. Finally, men are more likely than women to engage a lawyer.

MOST COMMON SOURCES OF HELP
by gender

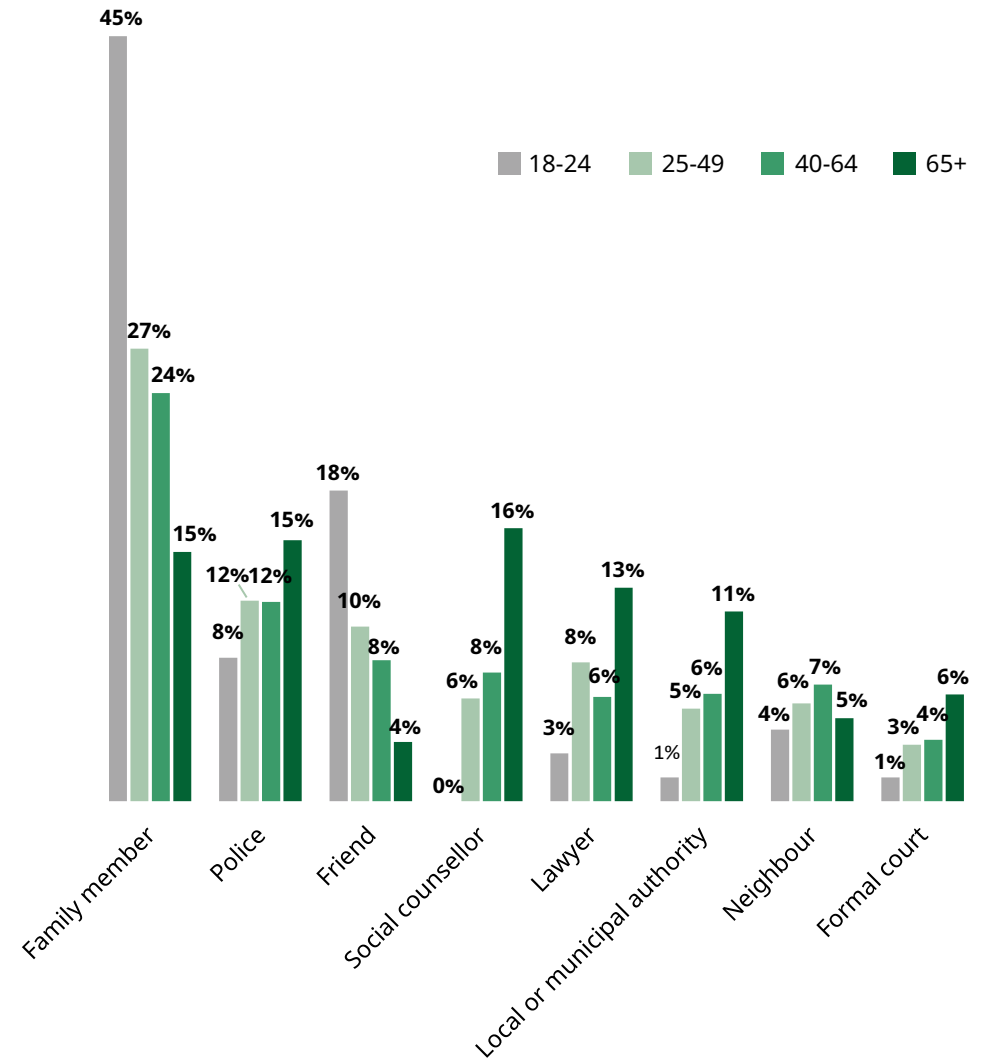


Finally, looking at the sources of help that different age groups engage reveals a clear pattern. Whereas younger people are significantly more likely to rely on people from their social network (family members and friends), older people are significantly more likely to engage institutional sources of help, including the police, lawyers, social counsellors, local or municipal authorities, and formal courts. As seen above, younger people are already less likely to take action to resolve their problem in the first place. These findings show that even when they do take action, they are much less likely to engage an institutional source of help and more likely to rely on more informal forms of help from their social network.

Because of the strong correlation between age and education level (with younger people more often having a higher education level), the differences in terms of sources of help follow a similar pattern, with more highly educated people being more likely to rely on their social networks. Finally, financial well-being has no significant effect on the sources of help engaged. This is consistent with the earlier finding that a lack of money is not the primary reason that people do not take action.



MOST COMMON SOURCES OF HELP by age category



Some problem categories seem to lack accessible institutional sources of help

The sources of help that people engage are very dependent on the type of legal problem they face. Looking at the sources of help engaged for the four most common problem categories makes this clear.

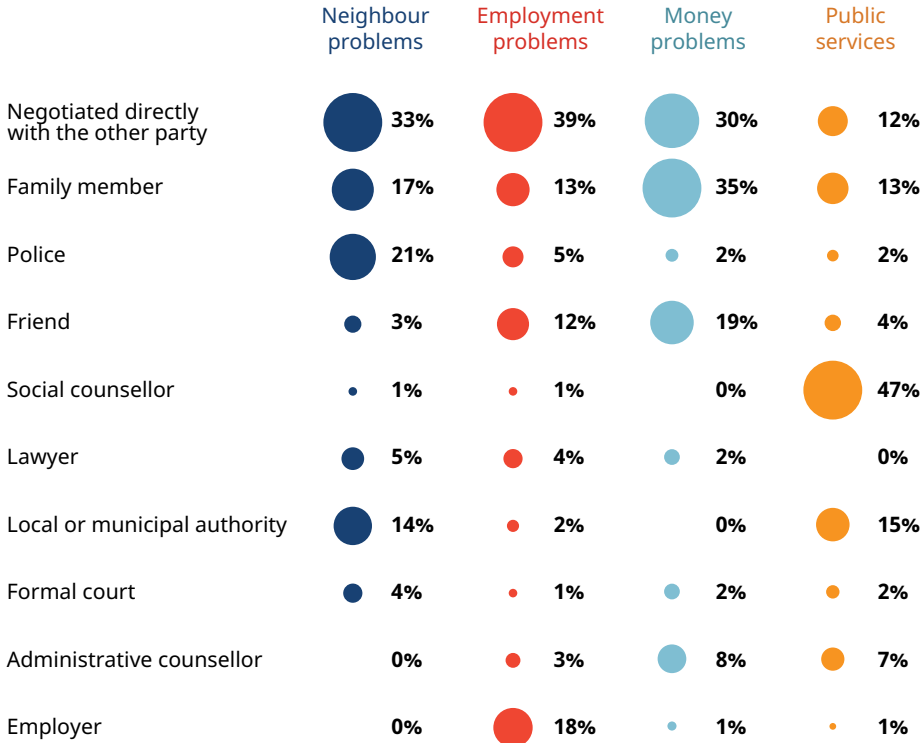
People with a neighbour problem first try to talk directly to the other party to resolve the issue. If that does not work, they are most likely to involve either the police or a local or municipal authority.

People with employment problems also often talk directly to the other party or their employer, but do not seem to have many alternatives. A few people with employment problems involve a family member or friend, but almost

nobody engages an institutional source of help outside their social network. Something similar is visible among people with money problems. This suggests there is a lack of accessible institutional third parties to help people experiencing these types of problems.

Problems related to public services stand out for the high involvement of social counsellors and to a lesser extent local or municipal authorities. As shown previously, these problems are more prevalent in rural areas and among older people. In combination with the nature of the problem, this seems to have a direct effect on the sources of help engaged for these types of problems.

MOST COMMON TYPES OF ACTION / SOURCES OF HELP
by problem category (most common problem categories only)



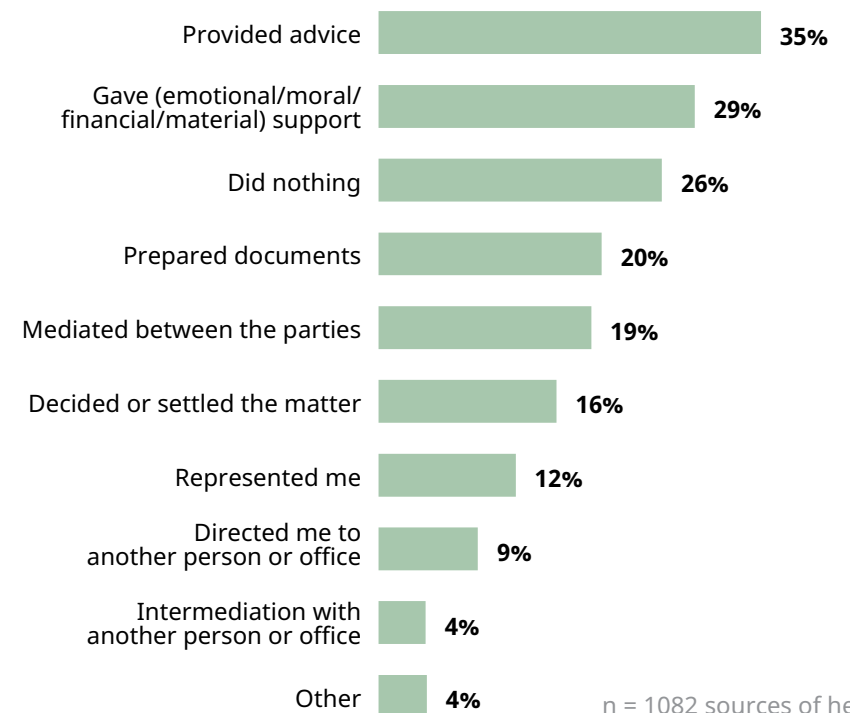
Most sources of help provide advice or support

The various sources of help that Tunisians engage offer different interventions to support people in the resolution process. Not every source of help is helpful. Of all sources of help engaged, 26% did nothing to help people resolve their most serious problem. The other 74% often offered more than one form of help: on average they intervened in two ways. The graph on the right shows the distribution of all interventions by the sources of help Tunisians engaged.

The most common intervention is offering advice: 35% of all sources of help provided people with advice. This is followed by providing various (emotional, moral, financial, or material) types of support. Although both interventions can be helpful in their own way, previous research has shown they are usually less directly associated with resolving legal problems. Interventions that do tend to lead to problem resolution, such as mediation and making decisions, are offered by roughly one in five sources of help.



MOST COMMON INTERVENTIONS as % of sources of help



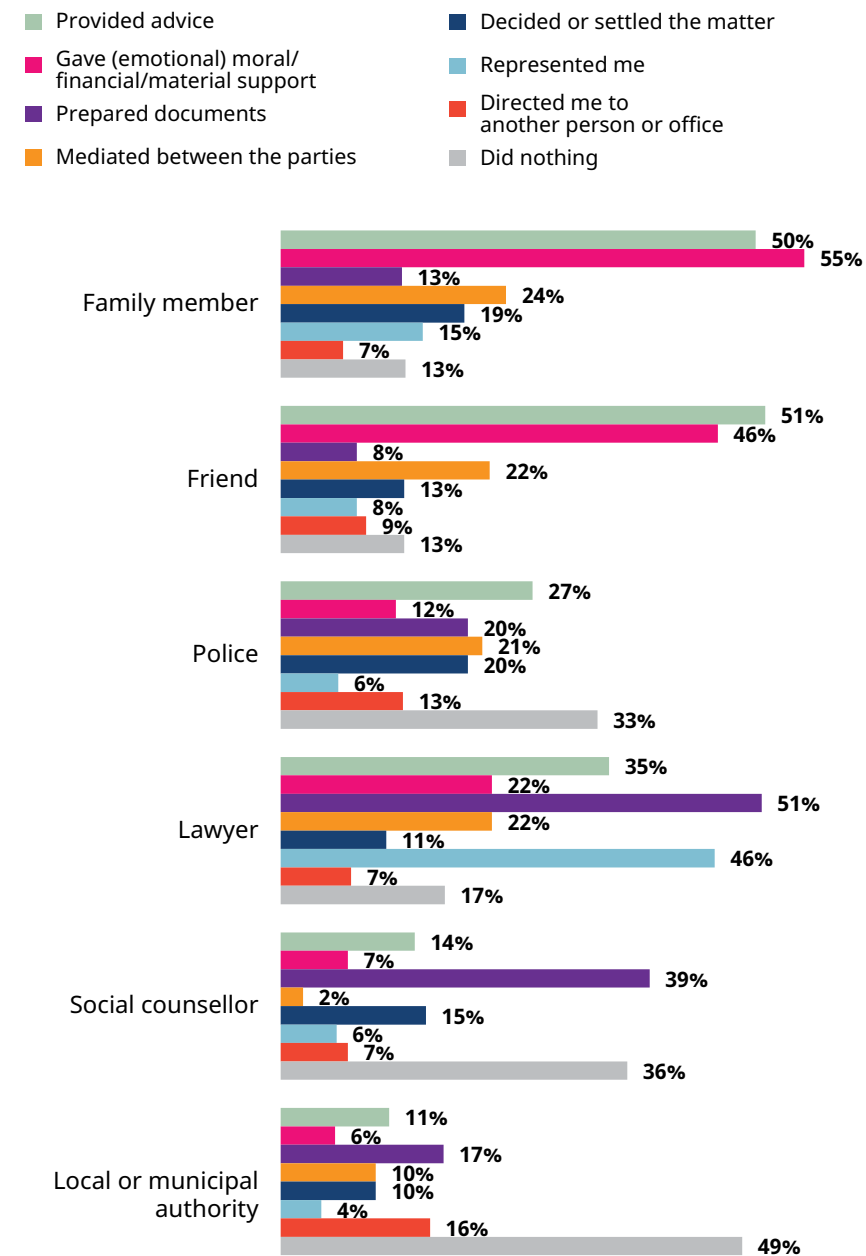
n = 1082 sources of help



The types of interventions offered vary considerably across different sources of help, giving an idea about which of them manage to really help people to resolve their legal problems. The graph on the right shows the interventions offered by each of the most common sources of help, with the red bar on the right representing 'did nothing'.

Both family members and friends primarily offer advice and support, but also quite frequently mediate between the parties. The police offer a wide range of different interventions, without one really standing out. In one third of the cases however, they did nothing. Lawyers often prepare documents, represent people, and provide advice. Both social counsellors and local or municipal authorities often do nothing, at least in the eyes of the people who seek their help, although social counsellors also often prepare documents.

MOST COMMON INTERVENTIONS by source of help (most common sources of help only)



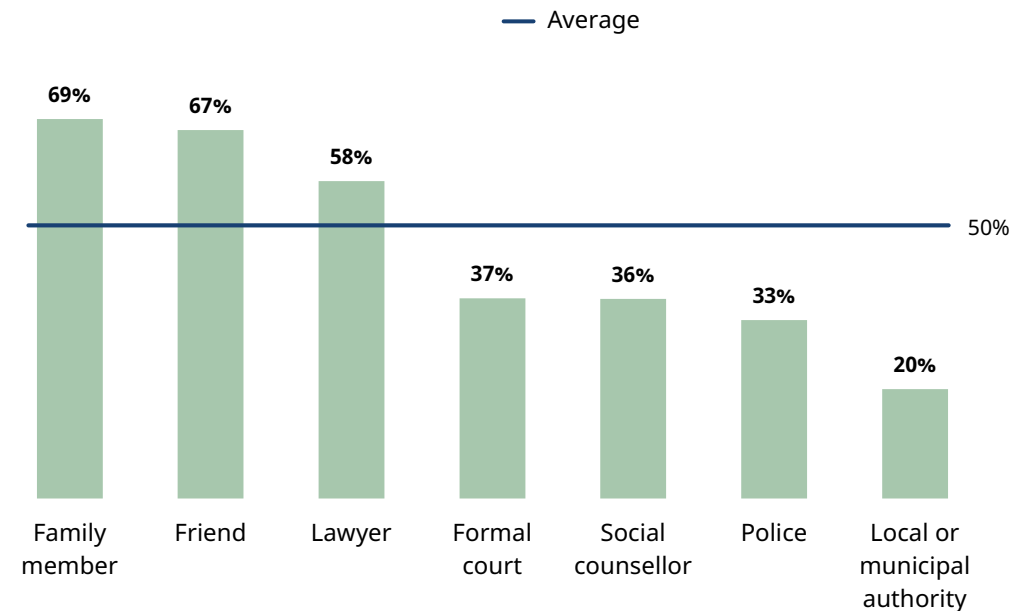
Social contacts are more often considered to be helpful than institutional sources of help

To better understand the effectiveness of different sources of help, we asked how helpful they were in resolving people's most serious problem. Of all sources of help engaged, exactly 50% are assessed as either helpful or very helpful. However, there are big differences between individual sources of help in how often they are considered to be (very) helpful.

Sources of help that come from people's social network are most often considered to be (very) helpful. It is possible that expectations here are lower than for more institutionalised sources of help, and they are therefore judged less harshly. Lawyers – although not very often engaged – are also more often considered (very) helpful than the average source of help.

On the other hand, most institutional sources of help are considered (very) helpful in a small number of cases. Courts, social counsellors, and the police are only seen to be helpful or very helpful in about one in three cases, while local or municipal authorities are even less often judged to be helpful. This is consistent with some of the previously presented data, indicating that local or municipal authorities (and to a lesser extent social counsellors) are often seen as doing nothing to help resolve the problems of Tunisians.

SOURCE OF HELP WAS HELPFUL OR VERY HELPFUL
by source of help (most common sources of help only)



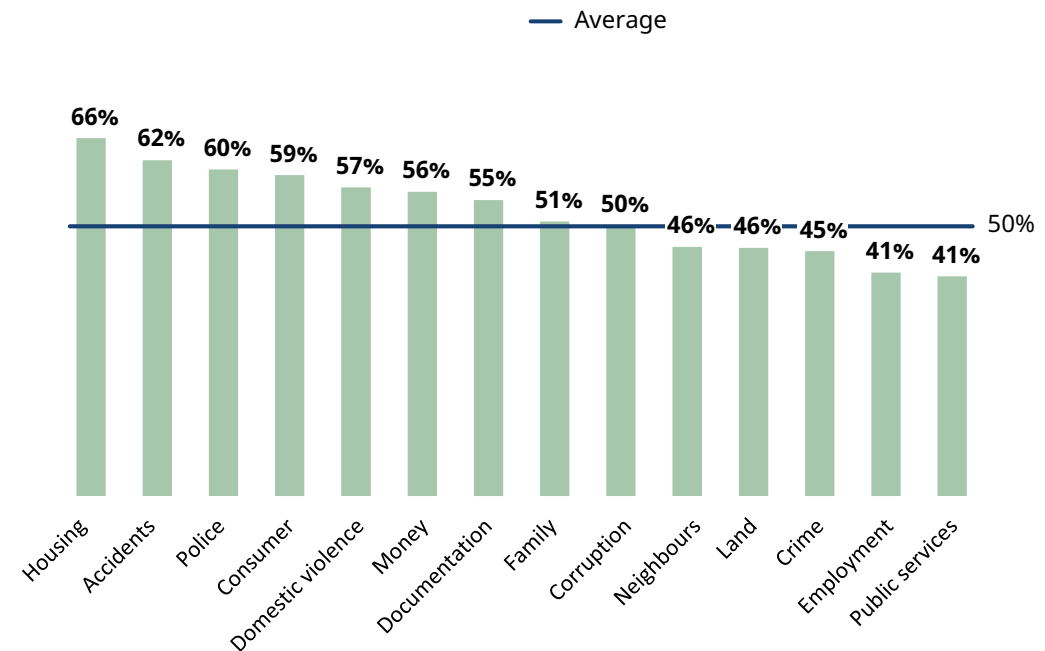
Helpful justice actors are particularly absent for two of the most common problem categories

In the previous sections, we have shown which sources of help people engage for which problems, but also what these sources of help do and how helpful they are perceived to be. Combining these data points provides a better understanding of the justice journeys people take for particular types of problems and whether they encounter useful sources of help along the way. The graph on the right shows the percentage of sources of help that people with a particular type of problem engaged and assessed as either helpful or very helpful (out of all sources of help engaged for that problem type)⁸.

As mentioned before, 50% of all sources of help are considered to be either helpful or very helpful. However, people whose most serious problem is a housing problem, an accident, or a problem with the police find 60% of the sources of help they engage (very) helpful.

People trying to resolve employment problems or problems related to public services are least likely to find the sources of help they engage to be helpful. As shown above, people with employment problems very rarely engage an institutional source of help to help them with their problem. Tunisians with problems related to public services overwhelmingly turn to social counsellors, but tend to find this source of help not very helpful.

SOURCE OF HELP WAS HELPFUL OR VERY HELPFUL by problem category



⁸ Keep in mind that the numbers for the less common problem categories are quite low, so these findings should be interpreted with caution.

People realise it is more complicated to find justice when they personally experience a legal problem

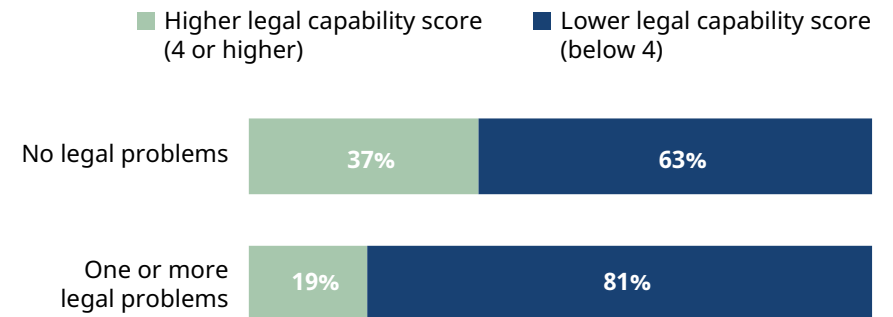
As explained in Chapter 2, we use a set of four questions to assess the extent to which people feel capable of dealing with a (real or hypothetical) legal problem. The average legal capability score (from 1-5) is 3,26. Around 31% of people have a legal capability score of 4 or higher.

There are no significant differences between the average legal capability scores of people in rural and urban areas, men and women, and people in different age groups. However, people with a lower education level assess their legal capabilities lower than people with a higher education level. Equally, people who cannot cover

their basic needs have a lower legal capability score than people who can cover their basic needs.

Interestingly, people who have not experienced a legal problem assess their legal capabilities as higher than people who have experienced at least one legal problem. This suggests that people are more positive about their ability to navigate the justice system when they haven't actually had to do so. Or, put another way, people become more aware of the difficulty of achieving justice when they have personally experienced a legal problem.

LEGAL CAPABILITY SCORE by problem prevalence



n = 4952



People with a higher legal capability score rate their problems as less serious and resolve them more often

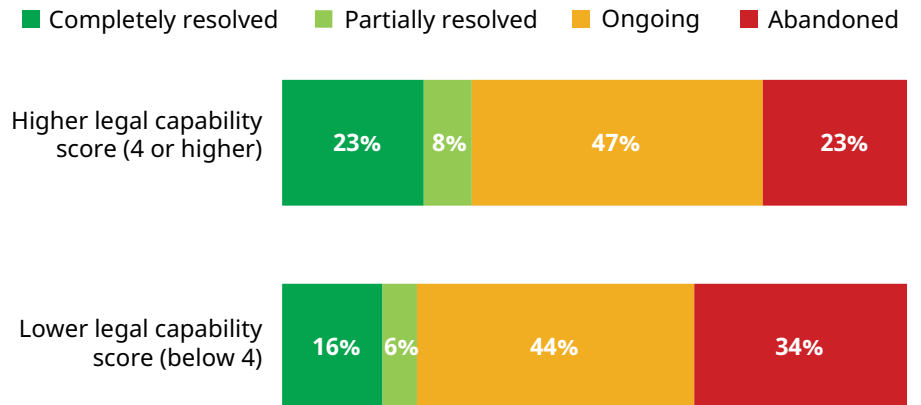
A lower legal capability score is correlated with higher problem seriousness. People with a legal capability below 4 rate their problem with an average seriousness score of 7.64, compared with an average seriousness score 7.2 for people with a legal capability score of 4 or higher. It seems that more serious legal problems leave people feeling less empowered to actually reach a resolution.

People with a higher legal capability score are more likely to take action (80%) than people with a lower legal capability score (67%). They also provide different reasons for not taking action, saying more often that the

problem was not serious enough. This is in line with the lower seriousness score of their legal problems, possibly indicating that they have more in common with people who report no legal problems than people who do. People with a lower legal capability score more often say they did not expect a positive outcome. This suggests they have a lower level of trust in the effectiveness and neutrality of the justice system.

People with a higher legal capability score are also more likely to resolve their legal problems. As noted above, their problems tend to be less serious - and are therefore more likely to be resolved.

RESOLUTION STATUS by legal capability score





6

In focus: Employment problems

Employment problems are among the most common categories of problems Tunisians experience. They are also considered to be very serious and have a relatively low resolution rate.

In this short chapter, we will therefore take a closer look at what these employment problems are and how people try to resolve them.

Employment problems are common, but not equally common for everyone

Employment problems are very common in Tunisia: 17% of all Tunisians who experience a legal problem report having experienced at least one employment problem in the past year. This translates to 5% of the total adult population. In other words, one in every twenty Tunisian adults have experienced an employment problem in the last twelve months. Many people who experience an employment problem are confronted with several at the same time: on average, they experience 1.4 employment problems, illustrating that employment problems often occur in clusters.

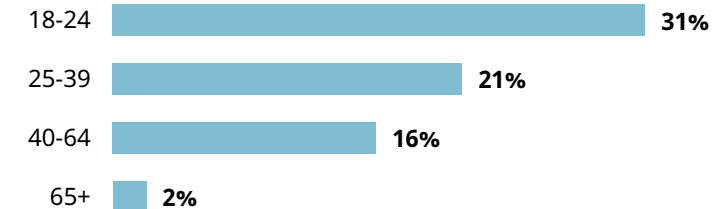
Some demographic groups are more likely to experience employment problems than others. Men, younger people, and people with a higher level of education are particularly likely to encounter employment problems. There are no significant differences between people in rural and urban areas or by financial situation.

EMPLOYMENT PROBLEMS demographic differences (as % of people with problems)

Gender



Age



Education

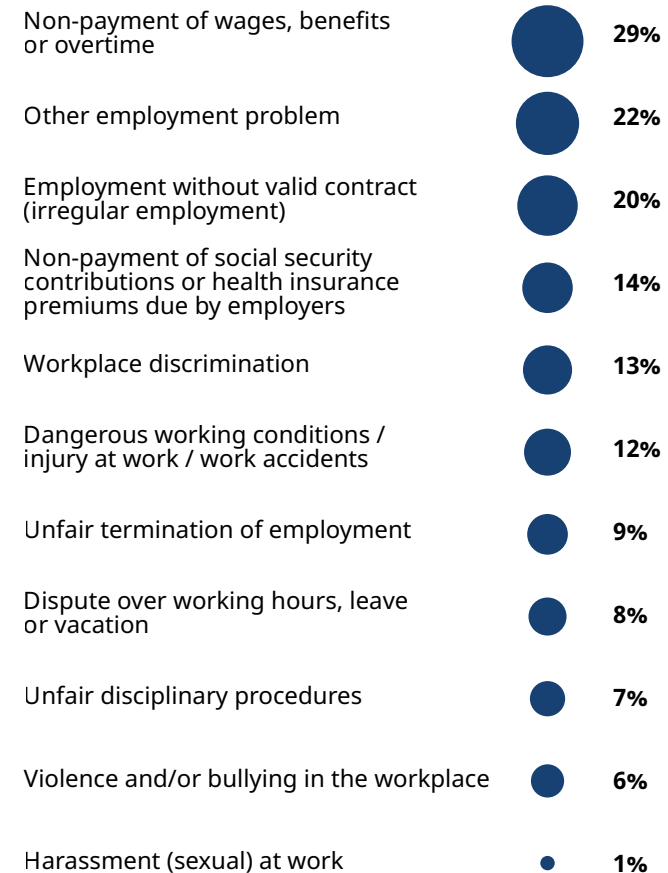


The most common employment problem is non-payment of wages, benefits or overtime

As explained in chapter 2, every problem category consists of a number of specific problems. The employment problem category consists of eleven of such specific problems. The graph below shows how often these specific problems are reported by people who experience an employment problem.

The most common type of employment problem is non-payment of wages, benefits or overtime: 29% of people with an employment problem reported this. This is followed by a wide range of different other employment problems that do not fit into one of the existing problems listed. For example, one problem mentioned several times related to primary school teachers not being appointed to a permanent position. The third most common employment problem relates to employment without a valid contract and different forms of irregular employment.

MOST COMMON SPECIFIC EMPLOYMENT PROBLEMS as % of people experiencing at least one employment problem



n = 262

People quickly give up on trying to resolve their employment problems

Although a lot of Tunisians experience employment problems, very few of them manage to adequately address and resolve them. Only 7% of all employment problems experienced in the last year were completely resolved at the time of the interview, and another 6% were partially resolved. What's more, only 39% of these resolutions are considered to be fair or very fair. This means 95% of all employment problems have not reached a quick and fair resolution.

Compared to other problem categories, the rate at which employment problems are abandoned is particularly high - only crime and corruption have similar rates. This is not for lack of trying, as the percentage of people taking action to try to resolve their employment problem is slightly above average. Instead, compared to other problem categories, it seems many Tunisians quickly become disillusioned and give up trying to resolve their employment problem.

RESOLUTION STATUS employment problems

■ Completely resolved
 ■ Partially resolved
 ■ Ongoing
 ■ Abandoned



n = 372 employment problems

Employment problems have a serious impact on people's lives

Employment problems have a particularly high impact on people's lives. On a seriousness scale from one to ten, people rate their employment problem with an average of 8.09, making it the second-most serious problem category only after corruption. The main reason for this high score is that almost half of all employment problems are rated with the maximum level of seriousness.



8.09

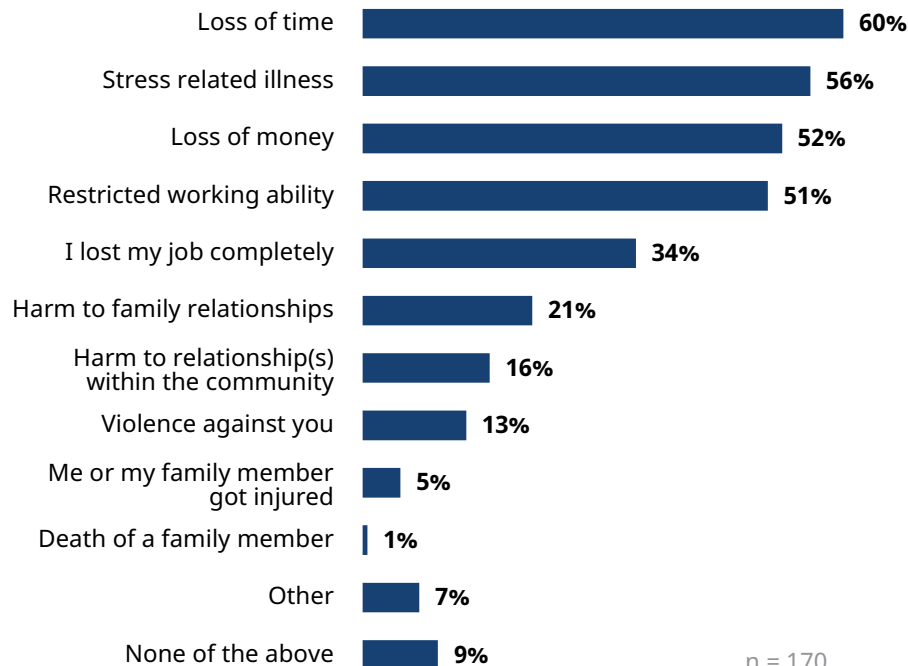
Average seriousness score
of employment problems

⁹ Note that the question about consequences and actions taken towards resolution is only asked about people's most serious problem. From this point in the text, the relevant sample therefore consists of 170 people who indicated their most serious problem is an employment problem.

People also experience a large number of negative consequences as a result of their employment problems⁹. Around 91% of people whose most serious problem is an employment problem experience at least one negative consequence. On average, they experienced 3.5 negative consequences, illustrating the strong negative effect that employment problems have on many aspects of people's lives.

The most common consequence of employment problems is loss of time, which is experienced by six out of ten people with employment problems. This is followed by stress-related illness, which is experienced by more than half of the people with employment problems. This reveals that employment problems often have a major effect on people's lives and overall well-being. Other consequences experienced by more than half of the people with employment problems are a loss of money and restricted working ability.

MOST COMMON CONSEQUENCES as % of people with employment problems (most serious problem only)



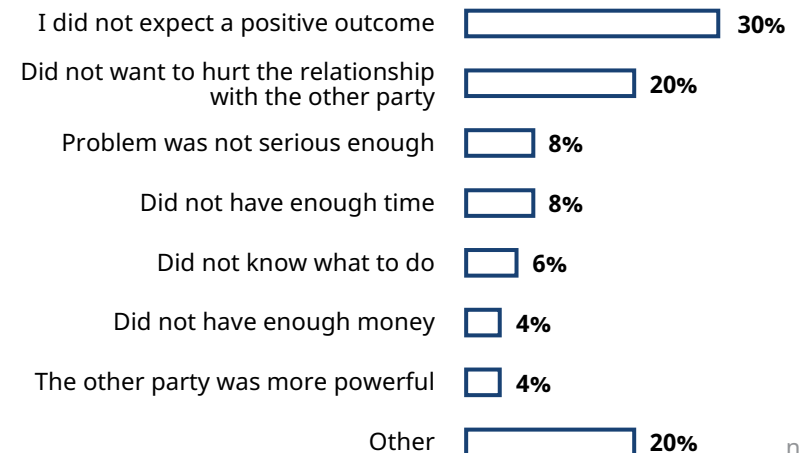
n = 170

There is a lack of effective justice services for people facing employment problems

Around 71% of people whose most serious problem is an employment problem take action to try to resolve it. This means three out of ten people do not even begin to try to resolve their employment problem. This percentage is in line with the average of all problem categories. The main reasons

people do not take action are that they do not expect a positive outcome or they do not want to hurt the relationship with the other party. The latter reason might be particularly pertinent here, considering that that relationship is likely bound up with people's livelihood and financial well-being.

MAIN REASONS FOR NOT TAKING ACTION one answer per person



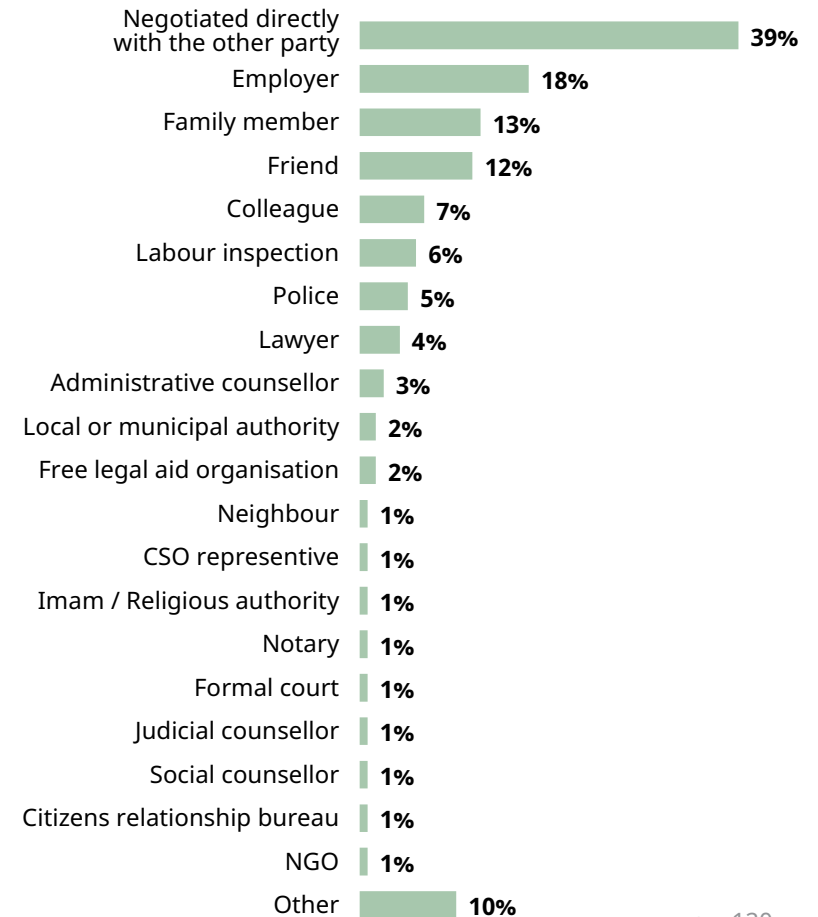
n = 50

When people do take action to resolve their employment problem, they mostly talk directly to the other party. This is noteworthy, as in many cases this is likely to be the employer, manager, or someone else who can be expected to be in a more powerful position (such as human resources managers or an administrative or financial director). This is followed by talking to the employer. It is likely there is some overlap between these answer options, as it can be complicated to make a clear conceptual distinction between them.

The second and third most commonly involved sources of help (after employer) are family members and friends. In other words, people with employment problems strongly rely on direct interaction with the other party in the dispute or on people from their social network. Institutional sources of help are rarely engaged when people experience an employment problem. The role of the labour inspection, engaged by 6% of people with employment problems who take action, has been diminished in recent years.



MOST COMMON TYPES OF ACTIONS / SOURCES OF HELP as % of people taking action

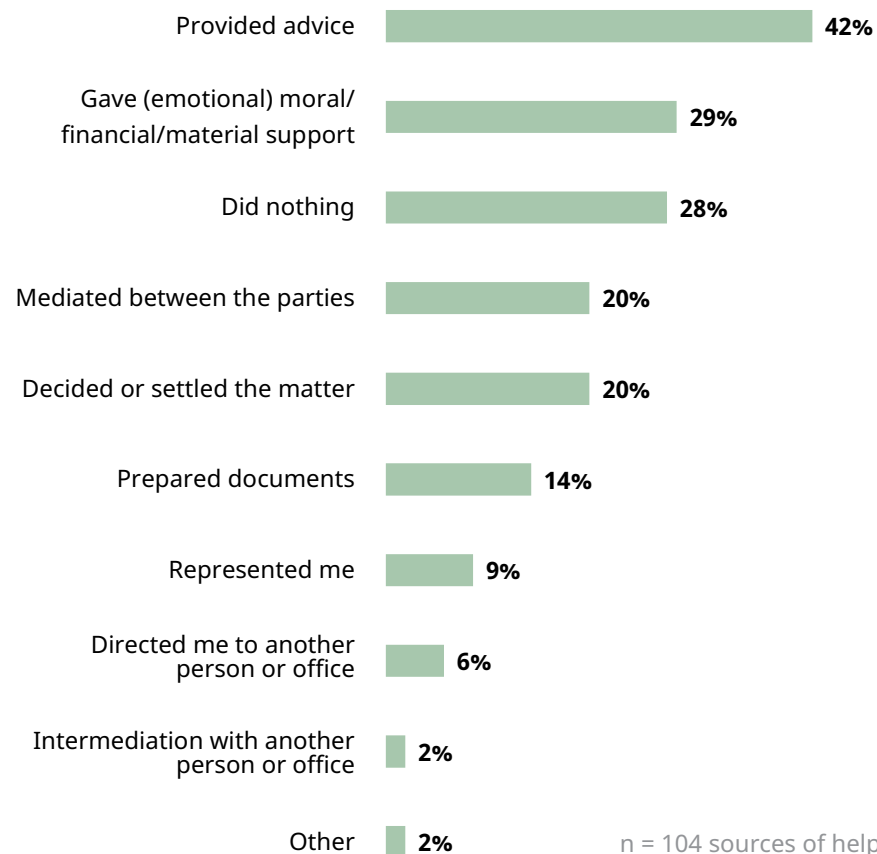


n = 120

The lack of effective justice services is also visible when looking at the interventions the sources of help provide to people with employment problems. Three out of ten sources of help contacted do nothing, while the others most commonly provide advice or give support. While these could be worthwhile for people, these are usually not interventions associated with high resolution rates. This suggests people lack access to sources of help outside their social network or the workspace that could help them address their employment problems.

These findings are corroborated by the percentage of sources of help people engage and actually find helpful. Only four out of ten sources of help are considered to be helpful or very helpful, the lowest rate of all problem categories (together with problems related to public services). As noticed above, this results in one of the lowest resolution rates of all problem categories, with large numbers of Tunisians quickly giving up trying to resolve their employment problems.

MOST COMMON INTERVENTIONS as % of sources of help





7

Findings & Implications

In this study we looked at the legal problems and justice journeys of Tunisians, by asking them directly about their experiences and perceptions. The result is a picture of justice that is truly people-centred, providing unique data about legal needs in daily life. The Tunisian voices that this study captures provide clear indications of where justice leaders' focus should be going forward. There are bright spots and unique opportunities to start closing the justice gap in Tunisia, but business as usual falls short. A more people-centred approach is needed to bridge the gap between justice supply and demand.

Nearly one in three (31%) Tunisians experienced at least one legal problem in the past year. Many experienced more than one. Of the people who experienced at least one legal problem, 43% experienced at least two of these. Altogether, people in Tunisia experience around five million legal problems per year. People who have not actually experienced a legal problem consider themselves more capable of dealing with them than those who have, suggesting that people become more aware of the difficulties of achieving justice when they personally have to do so.

Around 23% of all legal problems are completely or partially resolved at the time of the interview, but only around half of those resolutions were assessed as being fair. As all reported problems first occurred less than a year ago, it is not surprising that around 45% of them are still in the process of being resolved. Our methodology will allow us to follow up on these problems in next year's study to learn whether that has changed. Another 32% of problems are abandoned, with people having either given up on finding a resolution or never having tried in the first place. Based on these numbers, we estimate that every year, out of 5 million legal problems experienced, around 4.4 million lack fair resolutions, illustrating the high demand for justice.

In this final chapter, we take stock of the main findings of the study and their implications for Tunisian policymakers, justice providers, and legal innovators looking to achieve access to justice for all. We do so by focussing on the five pillars of people-centred justice: working from data, applying best practices, supporting and scaling gamechangers, creating an enabling environment, and strengthening the movement.



Continue collecting people-centred justice data on a regular basis

The availability of people-centred justice data is crucial to understand the justice gap and know what to focus on to improve the availability of high-quality justice services. The current study provides precisely this kind of data about the legal needs and resolution experiences of Tunisians. It can be used by policymakers, justice providers, and legal innovators to increase access to justice by focusing on the most burdensome legal problems, strengthening the most effective justice services, and supporting legal innovations that can fill important gaps.

Because of ever ongoing social change, people-centred justice data should be regularly updated to reflect current realities as closely as possible. This way it can also be used to monitor progress and evaluate new policies and practices. The current research project runs for another two years, providing annually updated data about the most common legal problems experienced by Tunisians and the steps they take to resolve these problems. It will also fill some of the knowledge gaps identified in the current report and provide insights into the evolution and resolution of legal problems over time.

Once this project has concluded, Tunisian decision makers have an opportunity to establish their own mechanism for the regular collection of people-centred justice data. International donors should support the Tunisians authorities to build and sustain this data collection capacity, while HiIL will offer its expertise to help build this capacity.



Focus on addressing the most burdensome problem categories

In order to make effective use of limited resources, it is important to focus prevention and resolution efforts on the legal problems that place the biggest burden on Tunisian society and people. This increases the likelihood that a growing number of people will be able to prevent or resolve their most serious legal problems. The current study provides important indicators that can help determine these most burdensome problem categories.

In Tunisia, the four most commonly experienced problem categories are neighbour problems, money problems, problems related to public services, and employment problems. Some of



Adapt prevention and resolution mechanisms to the target population

Not everyone is equally likely to experience legal problems. Equally important, not everyone is equally likely to experience the same types of legal problems. Gender, age, level of education, financial situation, and whether people live in a rural or urban area are important determinants of the types of legal problems people experience and the likelihood they manage to reach fair resolutions. Taking into account such demographic differences when designing policies and services is crucial to ensure that they are actually serving the people who need them most.

For example, employment problems are much more common among young people with a relatively high level of education. For problems related to public services it is the inverse: these mostly affect older people with a lower level of education - and mostly people in rural areas. This means that increasing the number of fair resolutions reached by people facing these two types of problems requires different approaches. Whereas technology-based paths to resolution

these might be common because of specific societal circumstances and reduce with time, while others might be both prevalent and persistent. In the next two years we will measure the prevalence of problem categories over time to gain a better understanding of this.

These four problem categories do not necessarily all burden Tunisian society and its people to the same degree. In general, problems that are ongoing are assessed as more serious than problems that are resolved or abandoned. This makes these problems particularly interesting to understand, which we will do by following up on them in the next few years.

Employment problems and problems related to public services are assessed as particularly serious by people who experience them; they also have very low resolution rates. Allocating resources to increase the number of fair resolutions for these two problems types will therefore give a big boost to closing the justice gap. It will likely also have the additional benefits of preventing related types of problems, in particular money problems.

might be very accessible to the majority of people with employment problems, this is likely not the case for people with problems related to public services.

Similarly, this also means that focussing policy programming on certain categories of problems rather than others, while advisable, should come with the understanding that it will impact some demographic groups more directly than others. For example, due to their lower participation in the labour market, women are less likely to experience employment problems than men, or they might experience very specific types of problems linked to access to employment. Therefore, focussing on employment problems could be an instrument to support women's access to the labour market in the long term, but in the short term, the effect of such initiative might more directly benefit men.

Keeping in mind such demographic differences when designing solutions is key to their success. Ideally, such solutions are designed taking a people-centred design approach, using the data in this report and directly consulting the people with these problems as experts.



Create an enabling environment for innovative justice providers

Around 70% of Tunisians with a legal problem take some form of action to try to resolve the most serious one. Most of them turn to someone in their personal network. For example, people with employment problems tend to talk directly to the other party or engage their employer. Beyond that, their only recourse seems to be family members or friends. Equally, money problems are almost only addressed through engagement with one's social network. The family members and friends they engage mostly provide interventions that are closer to social support than dispute resolution. Despite the importance of such social bonds, it is not necessarily an effective way of resolving legal problems.

Meanwhile, institutional sources of help contribute only marginally to closing the justice gap. The police are most often engaged - and remain a reference for people with a wide range of legal problems - but their interventions often do not meet people's needs. Lawyers are evaluated more positively, but are only engaged by 7% of people who take action. Although they could play an important



Improve justice services that are accessible, but do not effectively address people's needs

role if they tailor their services to the needs of the population, it is unlikely that there will ever be a sufficient number of lawyers that are both accessible and affordable to Tunisians.

These findings illustrate a gap of available services to help address these legal problems and the need for new and innovative justice providers that can help fill this gap. HiIL has identified seven types of justice innovations that have the potential to increase access to justice for as many people as possible¹⁰. By ensuring that the regulatory environment for legal services is conducive to these types of justice innovations, the Tunisian authorities can make an important step towards closing the justice gap. Such innovations do not need to compete with the formal justice system, but would rather complement them, with strong potential for collaboration between private actors and the public sector.

There are some problem categories where people do frequently engage institutional sources of help, but do not get the help they need. The clearest example of this is problems related to public services. Almost half of the people whose most serious problem relates to public services turn to a social counsellor, which in itself is an impressive number. However, only one in three persons say the social counsellor was helpful or very helpful. This means that investing in strengthening and improving the performance of social counsellors is likely to be an effective way of increasing the number of fair resolutions reached by people with problems related to public services.

¹⁰ These are 1) Community justice services, 2) User-friendly contracts and other legal documents, 3) Platforms offering mandatory one-stop dispute resolution, 4) Problem-solving courts for crime, 5) Claiming services helping people to access vital public services, 6) Prevention programmes or services, 7) Online information, advice, and representation.



Join the movement for people-centred justice

An important tool to improve the interventions offered by justice providers are guidelines. Based on empirical work, they provide recommendations about actionable interventions that have proven to work. HiIL has developed several guidelines with best practices on how to prevent and resolve the most common types of legal problems, providing practitioners and users with evidence-based information on what works. These general guidelines can be adopted to specific countries by a group of local experts. The development of the guideline with best practices on how to prevent and resolve employment problems in Tunisia is a good example of this.

Tunisia faces big challenges and opportunities when it comes to access to justice. Making small tweaks to the existing supply of services and system of courts and lawyers will not be enough to enable the millions of people with unmet justice needs to overcome their obstacles to justice. What is needed is a transformation where the Tunisian people are the central focus. What is needed is a people-centred approach to justice.

Above we have outlined what that means: Collecting data about needs, identifying what already works, introducing and scaling gamechangers, and creating an enabling environment. These elements have been tried and tested in multiple countries on all continents. They also do not need to be expensive and the social and economic benefits far outweigh the costs.

A global movement for people-centred justice has taken off, with countries around the world adopting policies and implementing services that work for the people. Now is the time to join.

About the JNS

Justice is not just about the number of reported crimes. Nor is it about courts and laws. It is about common people. Their daily lives, their pain and frustration – and the justice outcomes that they get or do not get.

That is why we listen to people in each country to measure their satisfaction. We collect the voices of thousands with our Justice Needs & Satisfaction Survey (JNS) tool. It is the state of play that reveals people's actual legal problems, experiences and access to justice.

Adjusted to the specific context of the country it provides in-depth understanding for people working in the justice sector.

We also make the data available to policy-makers through clever interfaces, so they can work with the findings. The responsible use of this data leads to knowledge, creates empowerment, and builds accountability.

The countries we have worked in since 2014 include Burkina Faso, Ethiopia, Mali, Morocco, the Netherlands, Niger, Nigeria, Uganda, Ukraine, and the United States. In 2023, we plan to publish reports on Colombia, Iraq, Niger, Nigeria, Tunisia and Uganda.

For more information, data, and insights, visit:
www.hiil.org
www.justice-dashboard.com

AUTHORS

Jelmer Brouwer

Data analysis and reporting officer

Isabella Banks

Justice sector advisor

Manon Huchet-Bodet

Justice sector advisor

Patrick Kimararungu

Justice sector advisor

Rodrigo Nunez Donoso

Justice sector advisor

WITH THE HELP OF

Roger El Khoury

Senior justice sector advisor & Hiil representative MENA region

Ronald Lenz

Programme director MENA region

Raja Mazeh

Country manager Tunisia

Sana Shili

Project officer Tunisia

Thouraya Tijani

Senior justice sector advisor Tunisia

Michelle Ton

Project manager

DESIGN

Paulina Kozłowska

Visual Communications Designer

PHOTOGRAPHS:

Cover photo: © GoranJakus / Depositphotos

Page 10: © Innast / Depositphotos

Page 11: © Ivan Soto Cobos / Shutterstock.com

Page 14: © HiiL

Page 15, 83: © Leonid Andronov / Shutterstock.com

Page 19: © Di Gregorio Giulio / Shutterstock.com

Pages 21, 53: © Olga Vasilyeva / Shutterstock.com

Pages 26, 35: © GoranJakus / Depositphotos

Pages 27, 77: © fuffy_ge / Flickr

Page 34: © BTWImages / Shutterstock.com

Page 41: © Stephen Downes / Flickr

Page 46: © Eagle2308 / Depositphotos

Page 47: © Alex Cimbal / Shutterstock.com

Page 49: © David Stanley / Flickr

Page 59: © Valery Bareta / Shutterstock.com

Page 64: © dchulov / Depositphotos

Page 68: © chrisontour84 / Shutterstock.com

Page 71: © Salvador Aznar / Shutterstock.com

Page 73: © Authentic travel / Shutterstock.com

Page 87: © Taha Loukil / Unsplash

Page 89: © photoshooter2015 / Shutterstock.com

Page 94: © Colle / Pixabay

Page 97: © Nataliya Hora / Shutterstock.com

Page 99: © giuseppemasci.me.com / Depositphotos

Page 101: © DEZALB / Pixabay



The Hague Institute
for Innovation of Law
+31 70 762 0700
info@hiil.org
www.hiil.org
dashboard.hiil.org