

Justice Needs  
and Satisfaction  
in **Jordan**  
**2017**

Legal problems in daily life



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النهضة العربية للديمقراطية و التنمية  
Arab Renaissance for Democracy & Development - ARDD

This research was supported by the Ministry of Foreign Affairs of The Netherlands. This study would not have been a success without the collaboration of our partner The Arab Renaissance Organization for Democracy and Development (ARDD).

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## Disclaimer

This report is a living document and subject to revision. Whenever the report is revised it will be posted at [www.hiil.org/publications/data-reports](http://www.hiil.org/publications/data-reports). This version of the report was generated on October 13, 2017.

# Introduction

**At the beginning of 2017 HiIL in partnership with the Dutch Ministry of Foreign affairs, conducted the Justice Needs and Satisfaction (JNS) survey in Jordan. It is our fourth such study in the Middle East and North Africa (MENA) region, after the UAE, Tunisia and Lebanon.**

**More than 6000 residents of Jordan told us about their most pressing justice problems, how they go about meeting them, and whether these approaches are successful.**

In our respondent group we included a separate sample of a particularly vulnerable group: Syrian refugees living in Jordan (600 respondents).

The JNS methodology tries to understand people's journeys to justice. In what ways do the journeys work? Where do they need repair? Where do they need to be entirely redesigned?

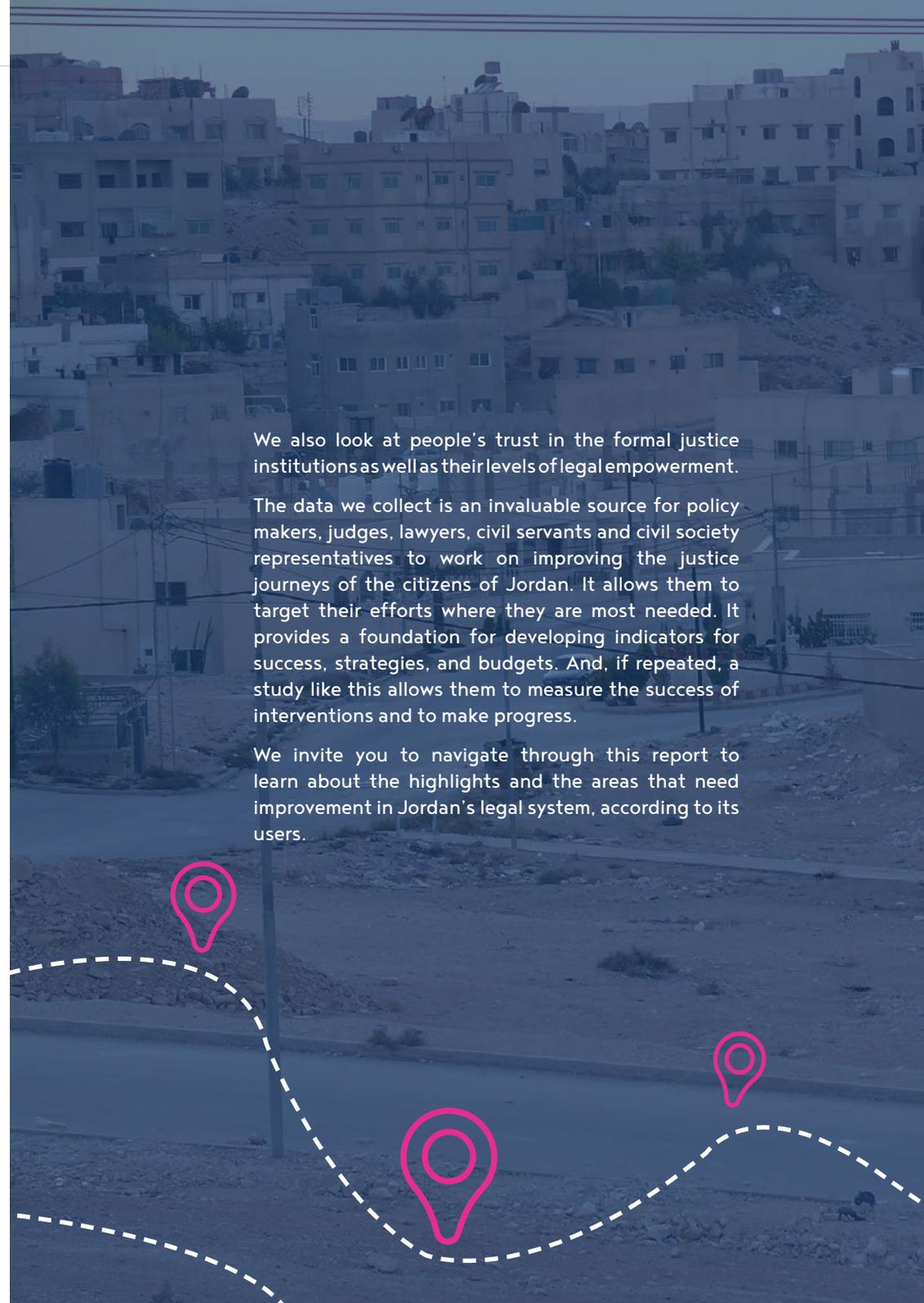
- We start with mapping out the existing justice needs: What kind of justice problems do people have? Who exactly has them? Women? Men? Young? Old? Urban residents? Rural residents? Different income groups? How many people do these problems affect?

- We then look at what people do in relation to these problems. Where do they get information to understand what their rights are and what to do? Who do they ask? Does the information they receive help? What do they do next? Where do they go for resolution? A judge? A policeman? A religious leader? Their neighbour? Or do they solve the problem themselves?
- We then ask them to tell us more about the quality of the journey they took. In that way we can assess the fairness of the existing processes. Was the procedure they followed clear to them? Did they feel listened to? Was it affordable? Did it cost too much time? Was the outcome helpful? Was it implemented?

We also look at people's trust in the formal justice institutions as well as their levels of legal empowerment.

The data we collect is an invaluable source for policy makers, judges, lawyers, civil servants and civil society representatives to work on improving the justice journeys of the citizens of Jordan. It allows them to target their efforts where they are most needed. It provides a foundation for developing indicators for success, strategies, and budgets. And, if repeated, a study like this allows them to measure the success of interventions and to make progress.

We invite you to navigate through this report to learn about the highlights and the areas that need improvement in Jordan's legal system, according to its users.



# Executive summary

In early 2017 Hiil conducted a nationwide Justice Needs and Satisfaction survey in Jordan. We interviewed both citizens and Syrian refugees. We went to their houses, knocked on their doors, and talked to them about their experiences with legal problems. We also conducted qualitative interviews with citizens and refugees who had suffered severe legal problems, together with our local partner, the Arab Renaissance for Democracy and Development organization (ARDD-Legal Aid). The main objective of this study is to explore and understand the justice needs and experiences of people in Jordan. It maps out the existing justice needs of its residents.

Three in 10 Jordan residents reported having experienced at least one legal problem in the previous four years. Problem prevalence is highest among respondents from the Northern region, educated individuals, and those who do not have enough money for basic needs. The most prevalent problem categories are disputes between neighbours, family issues, disagreements around housing, and employment disputes. Our respondents, particularly the poor and the non-educated, reported severe impacts of the problem on their lives.

## Access to Legal Information and Advice

There is an urgent need to increase legal rights awareness, and to increase the reach of legal aid institutions, particularly for those who suffer very impactful legal problems.

Almost 60% of the respondents that reported a problem sought legal information from either informal or formal sources. For those that did not, many reported that they did not look for information and advice because they did not think anything could be done.

Informal providers of legal information, such as family members and friends, are more popular than formal providers, such as lawyers. Family members are the most helpful source of legal information (24%), followed by neighbours and private lawyers (11% each).

## Dispute Resolution Processes

More than half of the legal problems that people in Jordan encounter remain unresolved. Jordanians are very active when pursuing resolution of their legal problems, with 80% having taken some kind of action to resolve their problems.

They are also persistent, as they rarely give up in pursuing an outcome.

Family members are the most commonly engaged non-institutional third parties in dispute resolution processes, while civil courts or tribunals ranked the highest among the institutional justice providers.

The most useful strategy to resolve legal problems according to the users of justice in Jordan is to independently contact the other party. However, the majority of the solutions arrive via a mediator/conciliator, or a decision of a tribunal.

## Focus Area: Problems of Young People

For residents between 18 and 24 years of age, employment is the most defining category of legal problems. Family disputes is the category with the most severe consequences.

There are differences related to gender; young women experience more family and housing problems, while young men face more employment and accident problems.

Young people are less likely to take action to solve their problems, compared to the older population. Despite this, they are more effective in resolving legal problems.

## Focus Area: Problems of Women

Women face more family problems, but when analysing the justice journeys of women, we find that they are no different to those of men in terms of the general prevalence of problems.

Women and men seek information and advice, and take action to solve their legal problems, at a similar rate.

Women and men agree that self-help is the most effective strategy. Contacting the other party is the preferred dispute resolution mechanism for problems related to neighbours and housing.

## Focus Area: Family Justice

Family disputes is the most prevalent problem category for the poor, young women and women in general. A common specific family problem is divorce, affecting 40% of the respondents who reported a family problem. Women also report almost three times more domestic violence than men.

People that reported family problems are more likely to look for legal information and advice than those affected by other problems (78% vs. 43%). They mostly rely on family members for advice. Likewise,

at 90%, this group is very likely to act to solve their problem.

Respondents affected by divorce tend to approach directly the other party, involve family members, and act involve often institutional justice providers. However, when asked about the most helpful dispute resolution strategy, they identified the Sharia courts more frequently than any other option.

Family problems in general, and divorce in particular, have a higher rate of resolution than other legal problems in Jordan.

### **Focus Area: Problems of the Syrian Refugees**

Syrian refugees who live in Jordan frequently encounter legal problems concerning their most basic human needs: secure shelter, decent income, stable ID documents, and good education for their children.

The majority of the refugees who experience a legal problem take action to resolve it. However, their resources are mostly limited to the actions that they can organize and undertake themselves. Involvement of structured sources for resolution of legal problems in a fair way is rare for refugees. This leads to a

very high proportion of legal problems remaining unresolved. This additionally increases the vulnerability of the Syrian refugees.

### **Trust in Institutions and Legal Empowerment**

Respondents indicated a relatively high level of trust when it comes to the official institutions. The police enjoy the highest level of trust in Jordan. Respondents who have experienced a legal problem expressed less trust in the institutions than respondents who reported no such problems.

Perceptions of legal empowerment may be dependent on whether people experience a legal problem or not. However, the data show that people living in Jordan feel legally empowered and are confident about solving their legal problems.

### **Summary of Recommendations**

Jordan is in need of justice innovation. Based on the evidence collected and our experience in measuring and innovating justice, we recommend the following approaches:

- Invest in building a sustainable justice innovation system.
- Improve the provision of legal information and legal advice.
- Promote the provision of hybrid justice services.
- Experiment with innovative dispute resolution procedures in the areas of most pressing need. Design justice journeys which deliver process fairness, are based on rich information and promote mutual respect.
- Focus on the abilities of outcomes of justice processes to restore damages and improve relationships.
- Develop standardized protocols for justice resolution.
- Promote bottom-up monitoring of justice and integrate it into training processes.
- Integrate bottom-up evidence in justice reform.

### **Scope of measuring the justice needs and satisfaction in Jordan**

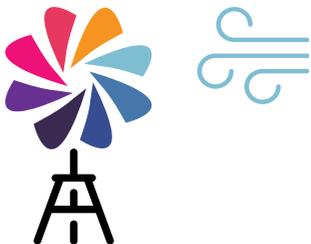
This report highlights the main findings from the 2017 Jordanian Justice Needs and Satisfaction Survey, which has been compiled with input from more than 6,000 respondents from 3 regions of the country.



## Purpose of the study

The main objective of this study is to explore and understand the justice needs and experiences of the people of Jordan. It maps out the existing justice needs of Jordanian men and women and Syrian refugees. Our next objective is to understand the strategies that the individuals employ to respond to the existing needs for justice. In that part we explore where the people seek legal information and advice; which justice journeys they pursue to resolve the existing problems.

From policy and practical perspectives the most important part of the study is the attempt to understand how much fairness and justice the people receive when they need it. To answer this question we measure the costs, the quality of the procedure and the quality of the outcome of the existing justice journeys in Jordan. This shows which justice journeys deliver what the people expect and which dimensions can be improved.



## Approach of Hiil Innovating Justice

- Is about justice in people's lives and understanding their experiences in seeking access to justice. Formal and informal justice journeys are studied.
- Enables decision-makers to focus on justice when and where it is needed most. The problem areas are highlighted by the citizens; a true bottom-up approach.
- Provides robust evidence that can support programming and policymaking in the areas of justice and rule of law.
- Builds on local knowledge about what works best (identifying the successes of justice).
- Informs users and suppliers about justice services. Enables users to be informed about where to go and which services to use and assists suppliers to improve their services.
- Offers a cost-effective alternative to monitoring progress in the justice sector. A standardised and repeatable approach leads to: economies of scale, a reduction in operational costs, increased efficiency (time and resources saved), a reduction in operational risk and cross country benchmarking.

## Why bottom-up justice matters?

Men and women in Jordan experience many justice needs in their daily lives. In the eyes of citizens, the needs for justice and rule of law is all about disputes and grievances, such as family problems, crime, disputes with employers and neighbours, disagreements with administrative authorities, housing problems, etc. Very few of these needs are referred to and resolved by the justice system. As such they are not on the radar of policy-makers, providers of justice services and international donors. Bottom-up justice is rarely part of the debate about Jordanian justice reform and its priorities. Most often the focus is on top-down justice: how the courts, prosecutorial services, police and other justice institutions mobilize resources, cope with demand and deliver results

Hiil's Innovating Justice bottom-up approach to justice in Jordan is citizen-centric. It places the women and men of Jordan, from big cities and small villages, from the west and the east at the centre, in order to understand the needs for justice, the response strategies and ultimately how much justice people receive or do not receive when they need it.

Bottom-up justice is key for innovating the delivery of justice. First, effective and innovative solutions can only be designed and implemented if the user of justice is in the centre of the reform. Second, change works best if it considers the problems at a grand level, but implements solutions where the people interact with justice. Third, justice innovation is about the concrete re-design and improvement of justice journeys. This is an iterative process, which, if implemented wisely, can deliver more justice to millions of people in Jordan. There are no small justice problems: every injustice that is prevented or resolved fairly, has a direct and positive contribution to the legal empowerment of citizens and human development in Jordan. Moreover, justice and rule of law are positively linked to socio-economic development.



# Methodology of data collection

.....

**Data collection:**  
**February - April 2017**

**Respondents:**  
**6001**

**Geography:**  
**All regions in Jordan**

**Qualitative interviews were conducted by ARDD in several regions in Jordan**

**Data collection for survey research:**  
**Ipsos Jordan**

**Triangulation workshop:**  
**June 2017**



# A word of caution about the data

Data about this report was collected through survey research, in-depth interviews and discussions with experts. Inevitably there are limitations to this data. For instance, the sub-sample of Syrian refugees was drawn only from refugees living in urban environments. At the time of the study the access for researchers to the refugee camps in Jordan was limited. A small proportion of the findings are based on answers from few respondents. To enter into greater detail about people's experiences with specific justice journey different and or larger samples are needed.

Our experience shows that people tend to underreport legal problems. The reported prevalence of legal problems should be critically assessed in light of the following:

- Shame and fear may be reasons why some problems are not reported, for example, where people have been detained.
- Cultural norms may cause people to under or over report problems (in some cultures it is inappropriate to have conflicts with others).
- Interviewers were external to the communities. It could have been frustrating for some respondents to discuss personal experiences with strangers.

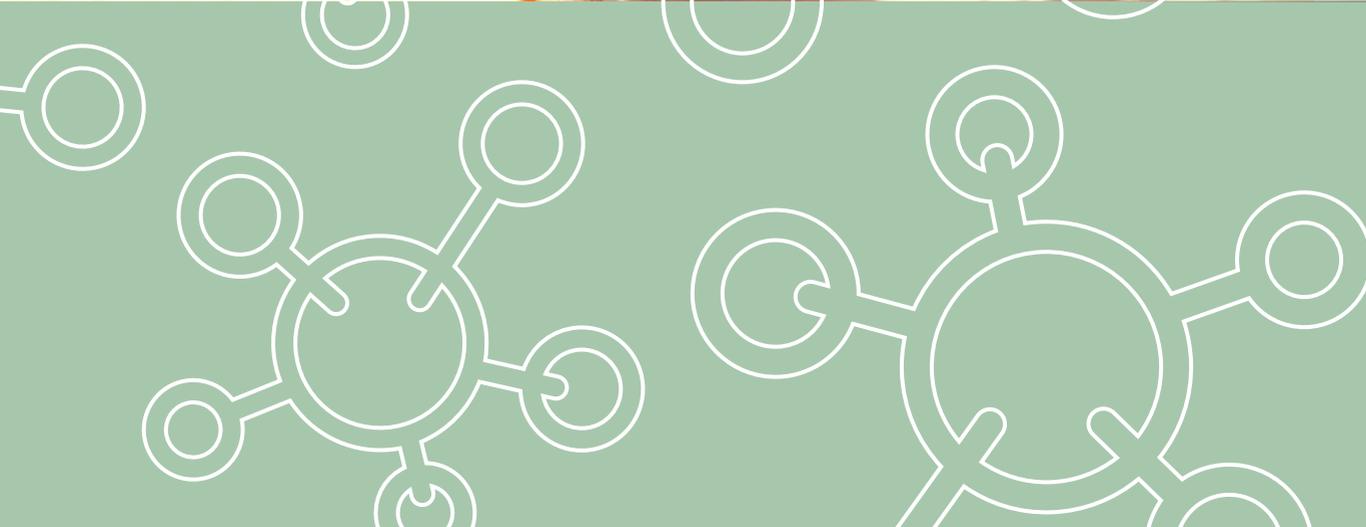




# 1

## Introduction to Justice Needs & Satisfaction study in Jordan

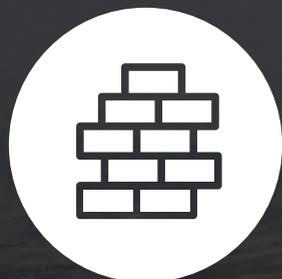
Research Methodology  
Demographics



# Research methodology

The research has been divided in four different phases:

1. The 'Project Foundation' phase
2. The 'Research' phase
3. The 'Data validation' phase
4. Report & Presentation



## Project Foundation

Background research on the Jordan judicial system and the local context in which it operates was conducted. Moreover, the research instruments were adapted to the local context and language through pilot testing and the use of local expertise.



## Research

Quantitative data was collected: 6001 randomly selected adult individuals were interviewed between February and April 2017. Survey data was collected in all 3 regions of Jordan. Additionally, qualitative data was collected through in-depth interviews with users of justice. Data collection: Ipsos Jordan and ARDD



## Data Validation

A triangulation workshop was organised in June 2017. We worked with local experts to validate the data and gather their feedback. The provided feedback and insights were incorporated into the report.



## Report & Presentation

We have prepared a final report to publish our findings.

## INTRODUCTION TO JNS STUDY IN JORDAN

1

# How we measure access to justice



To understand the role of justice in everyday life, we asked a large sample of randomly selected Jordanian citizens and Syrian refugees about their experiences with and perceptions of justice. A specially designed research tool, the Justice Needs and Satisfaction Tool, with about **110 questions**, explored their attitudes about the justice journeys that exist to respond to the needs for justice. These are some questions we asked the respondents:

To what extent (scale 1-5)

- Did the process make you feel frustrated?
- Did the process make you feel angry?
- Were you able to express your views and feelings during the dispute resolution process?
- Were the same rules equally applied to you and to the other party/ies?
- Was the dispute resolution process based on accurate information?
- Did the adjudicator explain your rights and options during the process thoroughly and make sure you understood them?
- Was it important for you that the division matches what you deserved?



Did you feel you had the tools and skills to resolve the problem?

What are your most urgent and frequently occurring justice problems?

What was the price you paid in terms of money, time and effort?

Where did you seek solutions?

How fairly was the outcome distributed between the parties?

INTRODUCTION TO JNS STUDY IN JORDAN

1

# Fairness on justice journeys



What was the price you paid in terms of money, time and effort? People use formal and informal processes to resolve their legal problems. In the Justice Needs and Satisfaction Tool the commonly applied justice processes are called justice journeys. HiilL measures each justice journey by asking the people about their

perceptions of the process, the outcomes and costs of the journeys. The questions are categorized and displayed in ten easy-to-understand indicators of the costs and quality of access to justice. Our approach measures justice from the bottom-up.

### 1. The costs of justice

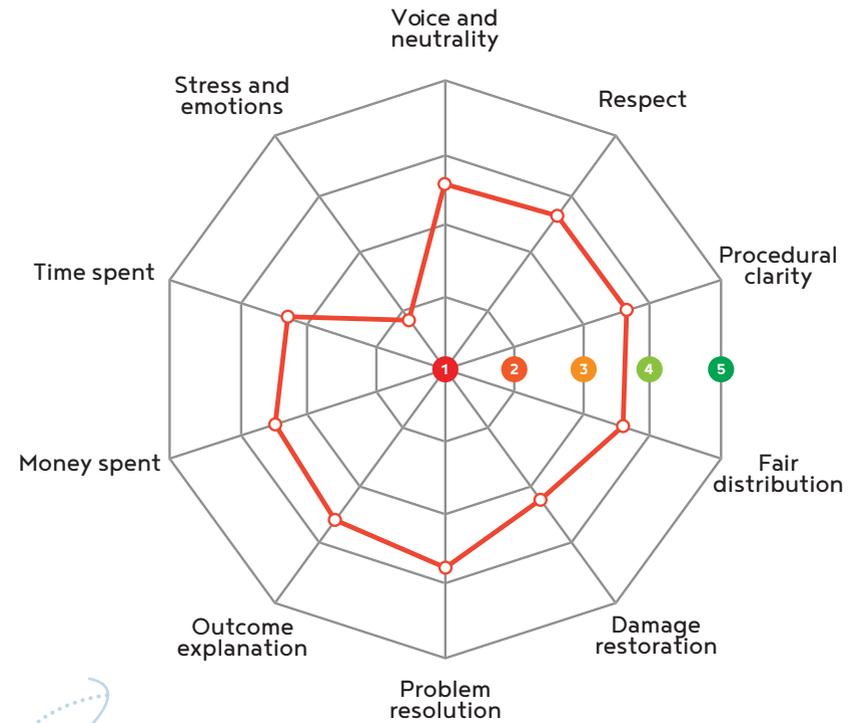
- Money spent: out-of-pocket costs for legal fees, travel, advisors
- Time spent: time spent to search for information, attend hearings, travel
- Stress and negative emotions

### 2. The quality of the procedure

- Voice and neutrality: process control, decision control, neutrality, consistent application of rules
- Respect: respect, politeness, proper communication
- Procedural clarity: timely explanation of procedures and rights

### 3. The quality of the outcome

- Fair distribution: distribution is fair according to needs, equity and equality criteria
- Damage restoration: fair compensation for monetary damage, emotional harm and damage to relationships
- Problem resolution: extent to which the problem is solved and the result has been enforced
- Outcome explanation: extent to which the people receive outcome information access



For each path to justice, we plot the justice dimensions in a spiderweb chart. The number 1 means not satisfactory and number 5 means satisfactory.

INTRODUCTION TO JNS STUDY IN JORDAN

1

# Demographics of the sample



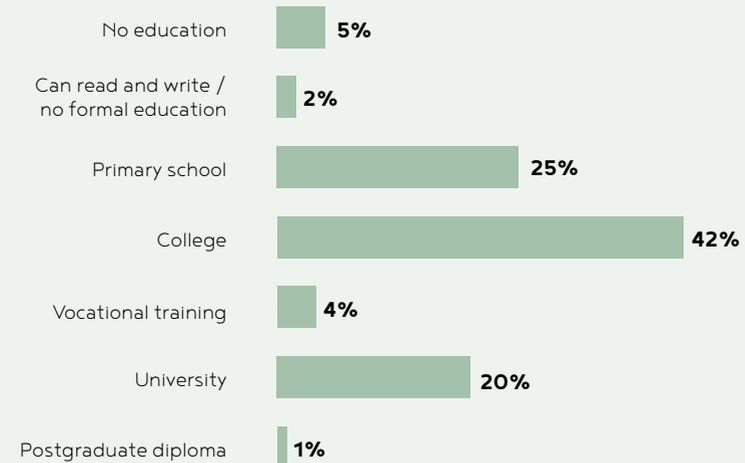
- 6,001 randomly selected adults were interviewed for this study in the period February-April 2017. 600 of them were Syrian refugees
- Just over half the sample is female (52%).
- The average age of respondents is 42.
- A large majority of respondents is married (72%), while 18% is single and has never been married.
- The average household consists of 5 people.

Age	%	Marital status	%
18-24	15%	Single, never married	18%
25-34	22%	Married	72%
35-44	23%	Married, but separated	1%
45-54	17%	Divorced	2%
55-64	10%	Widowed	7%
65+	12%		

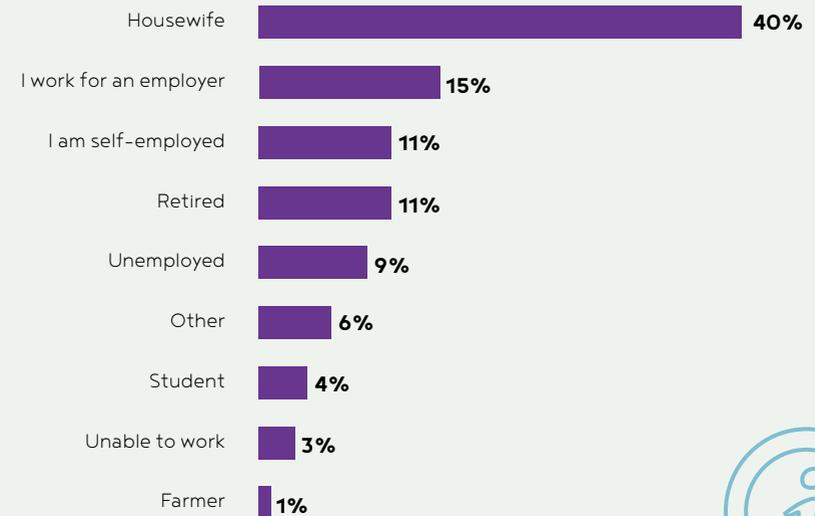
## Gender



## Education level



## Employment status



INTRODUCTION TO JNS STUDY IN JORDAN

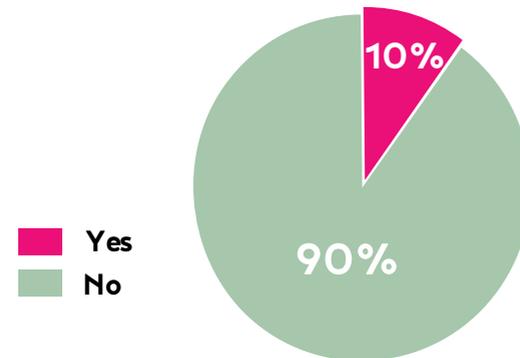
1



<b>Region</b>	
North region	31%
Central region	60%
South region	9%
<b>Urbanization</b>	
Rural	19%
Urban	81%

<b>North</b>	Irbid	21%
	Ajloun	2%
	Jarash	2%
	Mafraq	6%
<b>Central</b>	Balqa	5%
	Amman	38%
	Zarqa	14%
	Madaba	2%
<b>South</b>	Karak	4%
	Tafeleh	1%
	Ma'an	2%
	Aqaba	2%

Syrian refugee



- Interviews were conducted in three regions, covering all 12 governorates of Jordan.
- 81% of the interviews took place in an urban setting
- 10% of the sample consisted of Syrian refugees



# 2

## Legal Problems in Jordan

Problem prevalence  
Most serious legal problems  
Types of legal problems  
Consequences of the problem



## LEGAL PROBLEMS IN JORDAN

2

# Introduction

What kind of legal problems do people have? Who exactly has them? Women? Men? Young? Old? Urban residents? Rural residents? Different income groups? How many people do these problems affect? We look at a time span of four years. A legal problem is a problem that can or must be solved using legal means.

We asked the interview respondents to identify problems they had experienced from a list. These problems are based on broad international research and similar surveys we have done in many countries. It comprises a total of 123 potential justice problems, organized into 16 broader categories:

- Land
- Housing
- Neighbours
- Employment
- Family
- Children
- Social welfare
- Public services
- Crime
- Consumption
- Accidents/Personal injury
- Money
- Obtaining ID documents
- Business related problems
- Police related problems
- Corruption problems

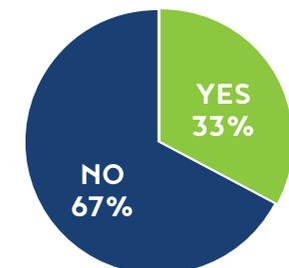
# Three out of ten

Overall, 33% of the respondents had experienced one or more serious and difficult to resolve justice problems in the previous four years. The prevalence of legal problems in Jordan is lower than in other countries in the region, such as Tunisia, where four out of ten people had experienced legal problems. At the high end of the scale, a JNS Study in Yemen in 2014 found that 94% of Yemenites reported experience of a legal problem. It is also lower than countries in other regions, such as Uganda where 88% of the respondents experienced one or more problems, or Ukraine, where the number was 54%. It is important to keep in mind that the rate at which problems are reported is also influenced by other factors, such as legal culture, rights awareness, economic development etc.

The prevalence of problems in Jordan varies across region, education level and perceived wealth status. Problem prevalence is highest among respondents from the Northern region, educated individuals and those who do not have enough money to meet their basic needs.

Respondents do not report a lot of co-occurrence of problems, so having a legal problem does not mean you are more likely to also encounter additional problems. On average, respondents report having 1.3 legal problems and one in five respondents indicates having two or more problems. In other countries we tend to see more co-occurrence of problems.

## Experienced problem



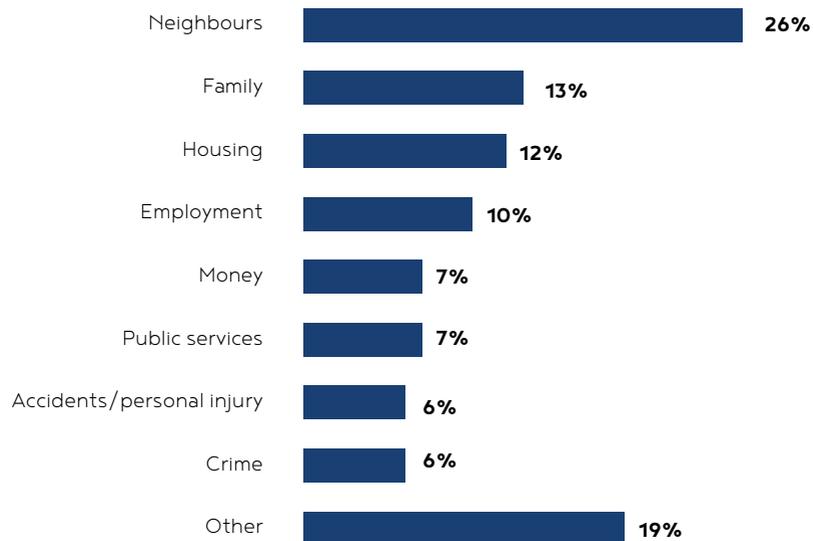
## LEGAL PROBLEMS IN JORDAN

2

Perceived wealth status		Region	
Low	41%	North region	38%
Medium	30%	Central region	31%
High	30%	South region	32%

Education	
None	27%
Primary	34%
College / Vocational	34%
University / Postgraduate	33%

### Most prevalent problem



The other categories include: Land, children, social welfare, consumption, obtaining ID documents, business related problems, police related problems, and corruption problems. Each category accounts for less than 5%. Percentages are based on the number of people who report experience of least one legal problem in the previous four years.

Problem category	Range
Neighbours	490,000 - 570,000
Family	240,000 - 310,000
Housing	220,000 - 280,000
Employment	170,000 - 230,000

Because we interviewed randomly selected respondents in Jordan, the results can be generalised towards the adult population, which currently stands at approximately 6.1 million<sup>1</sup>. The table below provides the range of people that are affected by the four most prevalent problems.

The approximately 530,000 neighbour related disputes affect daily coexistence at the local level, and can lead to other types of dispute that exponentially decrease quality of life. Jordan is currently experiencing a refugee crisis connected with the war in Syria. A high influx of refugees is likely to lead to more people experiencing justice problems and could add pressure to the local housing market.

About 270,000 people have suffered family related justice problems. The majority of them are women. A family dispute very often has profound impact on the people and families involved. A divorce or separation which is not resolved in a fair and constructive manner can seriously affect the lives of many.

Overall, we can say that during the previous four years, around two million Jordanians experienced a justice problem. Failing to respond to this justice demand is likely to result in erosion of the social fabric and could lead to considerable economic losses.

<sup>1</sup> <https://data.worldbank.org/country/jordan>

## LEGAL PROBLEMS IN JORDAN

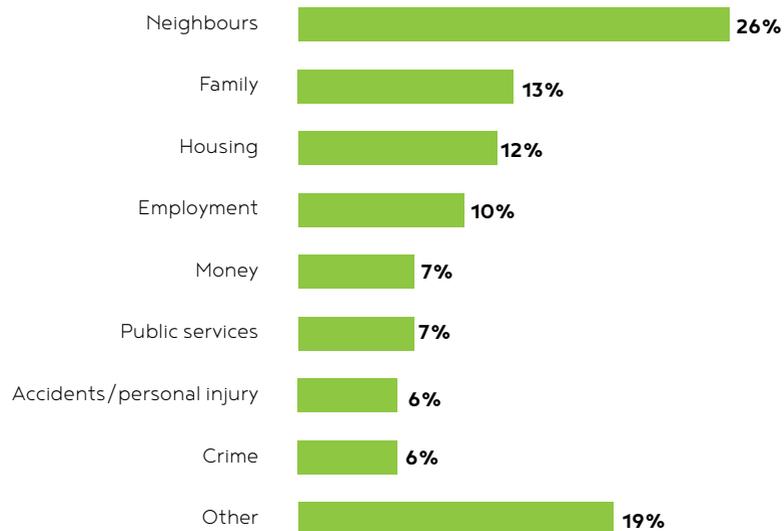
2

# Most serious legal problems



It is not only important to know which problems occur most often. We can also identify which problems were experienced as being most serious. Neighbour, family and housing related problems are assessed as the most serious.

## Most serious legal problems in Jordan



The other categories include: Land, children, social welfare, consumption, accidents, obtaining ID document, business related problems, police related problems, and corruption problems. Each category accounts for less than 5%.

When we connect these problems with perceived wealth status, region and level of education, we see:

- Neighbour related problems are more common among people with a higher perceived wealth status and higher level of education.
- Family related problems are more common for people with a low perceived wealth status.
- Problems related to housing are more common among people from the North of Jordan and those who have a lower level of education.
- Employment and money related problems are more common in the South of Jordan than in the other two regions.
- Social welfare issues are more common among lower income groups and those with a lower education level.

Categories of problems	Wealth			
	Low	Medium	High	
<b>Neighbours</b>	20%	25%	33%	
<b>Family</b>	16%	12%	10%	
<b>Social welfare</b>	7%	3%	1%	
	Region			
	North	Central	South	
<b>Employment</b>	6%	9%	11%	
<b>Money</b>	7%	5%	13%	
<b>Housing</b>	12%	10%	7%	
	Education			
	None	Primary	College	University
<b>Neighbours</b>	20%	18%	26%	28%
<b>Housing</b>	16%	12%	10%	9%
<b>Social welfare</b>	8%	10%	2%	2%

LEGAL PROBLEMS IN JORDAN

2

The survey method is built around a list of 123 justice problems which are grouped into 16 broad categories. The graph below highlights the ten most prevalent specific problems of the 123 problems presented to the respondents, as opposed to the broad problem categories shown in the previous graph. Clearly, neighbour related

problems are a serious issue in Jordan, with four of the ten most prevalent issues concerning disputes between neighbours. Furthermore, divorce is also considered to be one of the most serious problems. Another notable observation is the prevalence of traffic accidents.

**Most serious problems – specific problems**

6%

- Regular and excessive noise
- Divorce or separation
- Problems with other public services

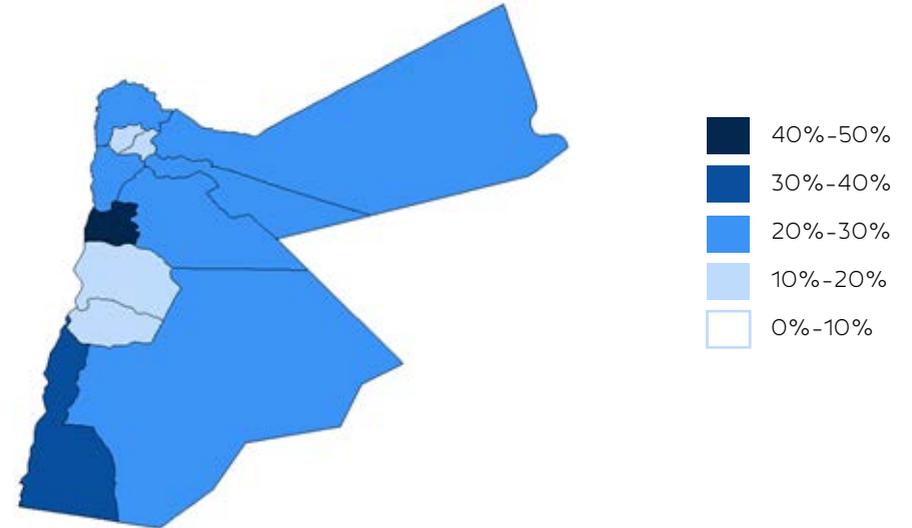
4%

- Other problems with neighbours
- Threats, harassment or violence between neighbours
- Traffic accident
- Children cause disorder in neighbourhood

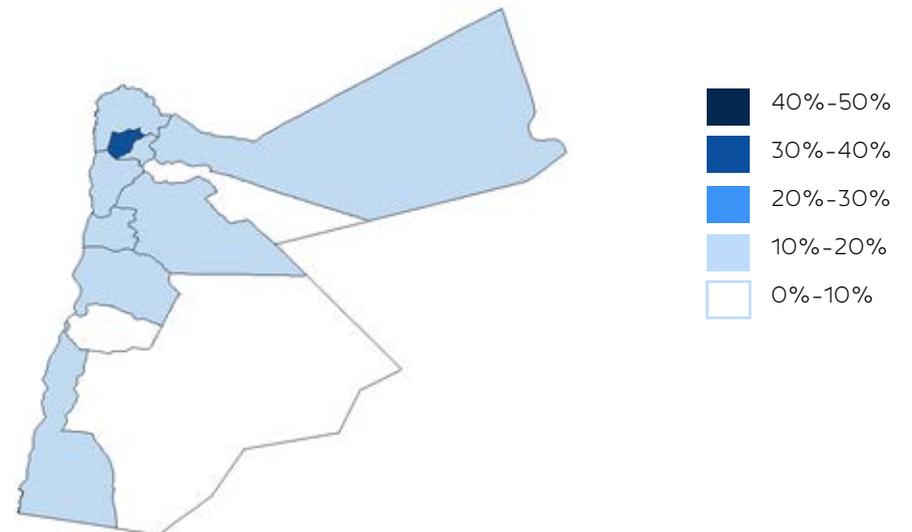
3%

- Other family problems
- Non-payment wages
- Leasing housing - tenant does not pay the rent

**Most serious problem – Neighbours**



**Most serious problem – Family**

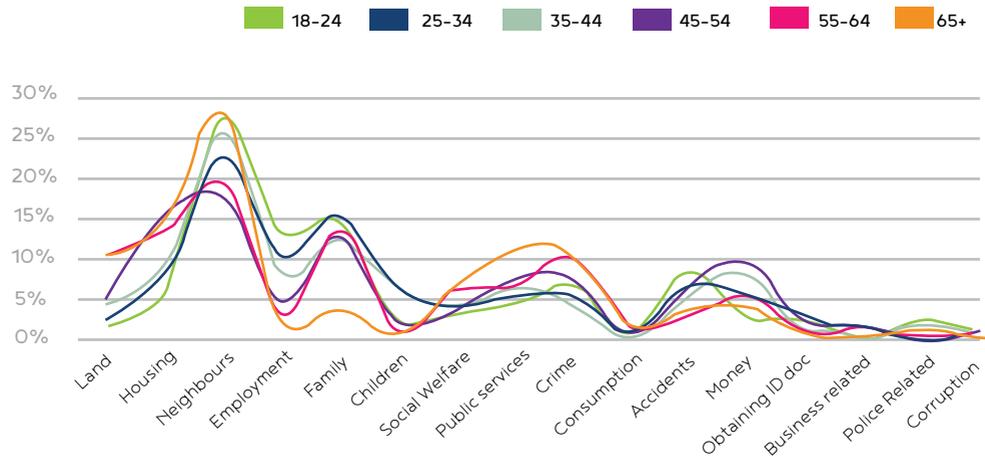


LEGAL PROBLEMS IN JORDAN

2

At different life stages people experience different types of legal problems. The delivery of justice services should take this into consideration. If we link justice problems to age, we see the following:

- Young and very young adults rarely encounter legal problems concerning land but have more of a need for just and fair solutions around employment problems and problems with neighbours and family.
- Middle-aged individuals report fewer employment and crime problems but have more problems with legal issues related to money, debt, mortgages, insurance etc. Family problems are also an issue; only the age group 65+ reports fewer of these.
- Older respondents more often have legal problems around welfare and public services. Land disputes are also more often reported by older respondents.



LEGAL PROBLEMS IN JORDAN

2



The other party in the dispute

In general, we see that most legal problems people have are with individuals rather than with organisations or institutions. In these cases, the other party is a neighbour, a family member or another individual.

Disputes with neighbours are more common in urban areas and the Central region. Individuals with a higher perceived wealth status and/or a high level of education have more disputes with neighbours and fewer with family members.

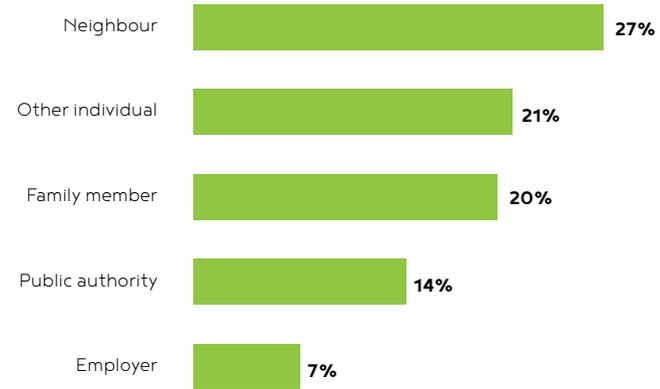
Expectations about problem resolution

Through resolving the conflict, most respondents expected to achieve some form of reconciliation by improving the relationship or receiving an apology. People also often expect to see their rights fulfilled, to see someone punished for wrongdoings, or to recover money.

Receiving an apology is more important for relatively wealthy and well educated respondents, while realising/exercising rights is more important to the lower income groups. For respondents from the North there is a greater focus on recovering property and money.

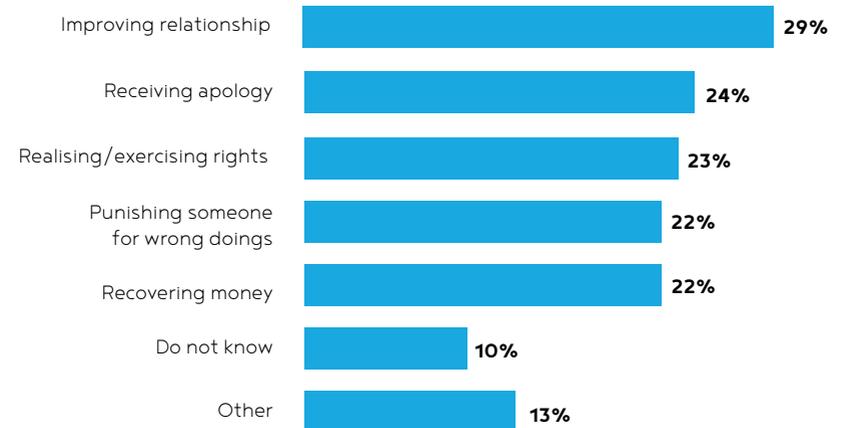


Who are you in a dispute with?



The other categories include: private company, friend, international organisation, colleague, sheikh or imam, representative of another tribe, and do not want to answer. Each category accounts for less than 5%.

What did you expect to achieve after solving the problem?



The other categories include: Recovering property, obtaining ID, and do not want to answer. Each category accounts for less than 10%.

## LEGAL PROBLEMS IN JORDAN

2

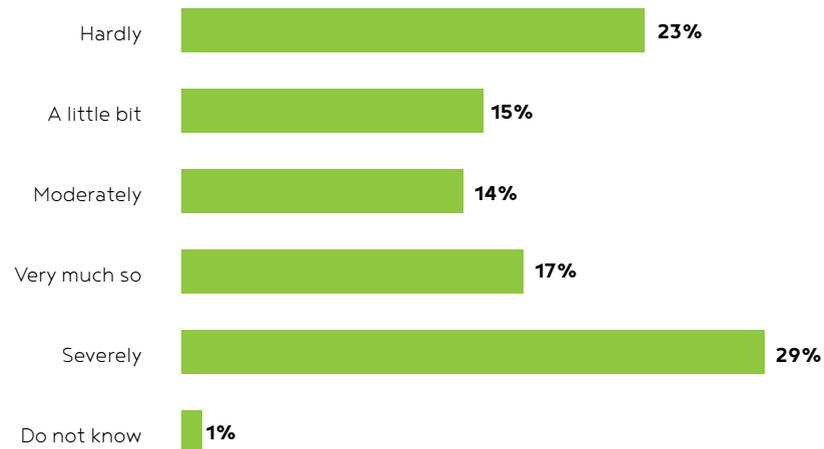
## Impact of legal problems



Almost half (46%) of the respondents indicate that the most serious problem affected their lives very strongly.

- Lower income respondents indicate being impacted much more negatively than relatively rich respondents.
- Respondents with a lower level of education are impacted more negatively than respondents with a higher level of education.
- Respondents in the South region indicate being impacted more negatively than respondents from the North and Central regions.

### How did the problem affect your life?



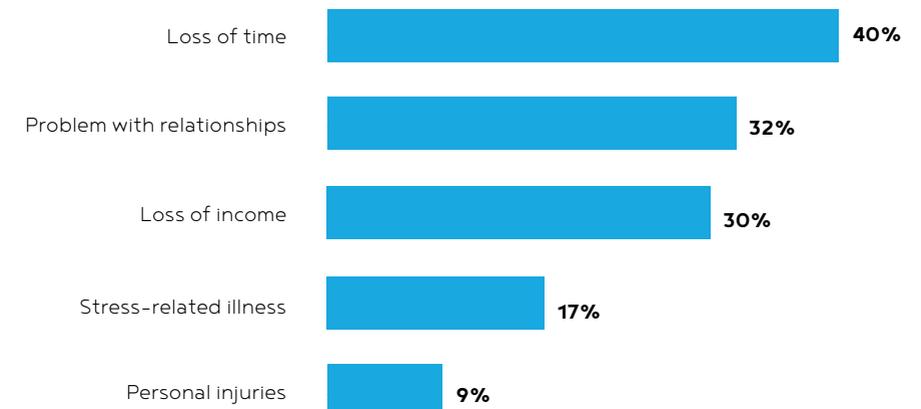
## Consequences



The main consequences of the most serious problems are loss of time, problems with relationships and loss of income.

- Loss of time is a more prevalent in the Central and South regions than in the North region.
- Respondents with a higher level of perceived wealth indicate a loss of time more often than those with a low level of income.
- Loss of employment because of the problem is more common among respondents with a higher level of education.

### Top 5 consequences



## LEGAL PROBLEMS IN JORDAN

2

# Conclusions



- People in Jordan encounter legal problems slightly less often than the average in other countries, with 33% of the respondents indicating having encountered a legal problem in the previous four years. Those who had experienced a problem run into an average of 1.3 legal problems.
- Neighbours, family, and housing are the most important problem categories in Jordan, with neighbour related problems being the most common. When looking at specific problems, we find that neighbour related problems are again very prevalent. Divorce, problems with public services, and traffic accidents are also quite common. Interestingly, crime, land and consumer problems did not feature in the top five. These categories are more prominent in other countries, such as Tunisia and Uganda.
- The opposing party in most of the legal problems people face is more often another individual, rather than an institutional party. Neighbours and family members are the most common opposing parties.
- The impact of these legal problems differs quite strongly between groups, with relatively poor respondents and respondents with a lower level of education indicating being impacted more negatively than others. The most common direct consequences of the legal problems are loss of time, loss of income, and problems with relationships.



## Omar's story



Omar is a 56-year-old Jordanian. He is happily married and has four children – two sons and two daughters. One of his sons became a victim of fraud, which had a severe impact on Omar and his family.

*“I was very close to losing my son because of this dispute, especially that our opponents are very powerful and rich people who had a team of lawyers taking up their cases.”*

The matter was very sensitive to Omar's family as his son suffered from severe psychosis as a consequence of it.

*“Those people tried to take advantage of my son by exploiting his psychological illness, they offered him money and made him sign checks and promissory notes for large amounts of money. These were used against him and could have ultimately lead to his imprisonment.”*

Unsurprisingly, the outcome of such a stressful event has led to a deteriorated condition of Omar's son and left the whole family emotionally devastated: *“This case has severely impacted my son, his psychosis condition now developed into full schizophrenia”.*



# 3

## Access to Legal Information and Advice

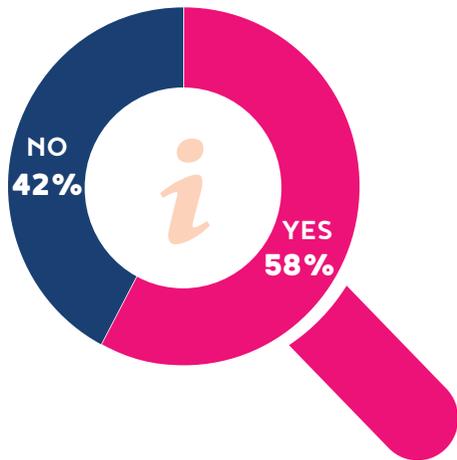
- Sources of legal information and advice
- Public information sources
- Reasons for not seeking information
- Most helpful sources of legal information and advice

## LEGAL INFORMATION &amp; ADVICE

3

# Access to legal information and advice

## HAVE YOU SOUGHT INFORMATION OR ADVICE TO RESOLVE LEGAL PROBLEM?



One of the first things people do when they think they have a legal problem is to look for legal information and advice. Research tells us that timely and targeted legal information and advice is important. With the right information people can get a better sense of whether their problem is really a 'legal' problem. Knowing their rights and the available justice journeys they can select the most appropriate mechanism for resolving the problem. Empowered with information the users of justice can make decisions which lead towards fair resolutions of the justice problems.

58% of the Jordanian people who encountered a legal problem sought some sort of legal information or advice. This means that 42% did not. Even though it is obvious from the data that much can be done to increase access to legal information and advice, the numbers do not put Jordan in an exceptional category. In Tunisia, 60% looked for information and advice; in Uganda 65% of the respondents did so.

- There are no major differences between people living in urban or rural areas.
- In Ajloun (89%), Jarash (86%), and Maan (72%) more people look for legal information and advice. In Karak (39%), Balqa (42%) and West Amman (47%) fewer people look for legal information and advice.
- Respondents who have jobs are slightly more active and successful in obtaining legal information and advice.
- For high impact problems such as land issues (78%), family disputes (76%), and ID documents (66%), people tend to look more actively for legal information and advice.
- For legal problems concerning children (29%) and for consumer related problems (33%), significantly fewer people say they obtained legal information and advice.

Here we should note that how severely the legal problem affects the respondent's life is not associated with the patterns of seeking information and advice. Respondents who report that the legal problem affects their life quite a lot are not more likely to look for information and advice than those who report that the problem does not affect their life much. Apparently, it is the type of legal problem and/or the type of consequence that motivates the user of justice to search for and obtain legal information and advice.



LEGAL INFORMATION & ADVICE

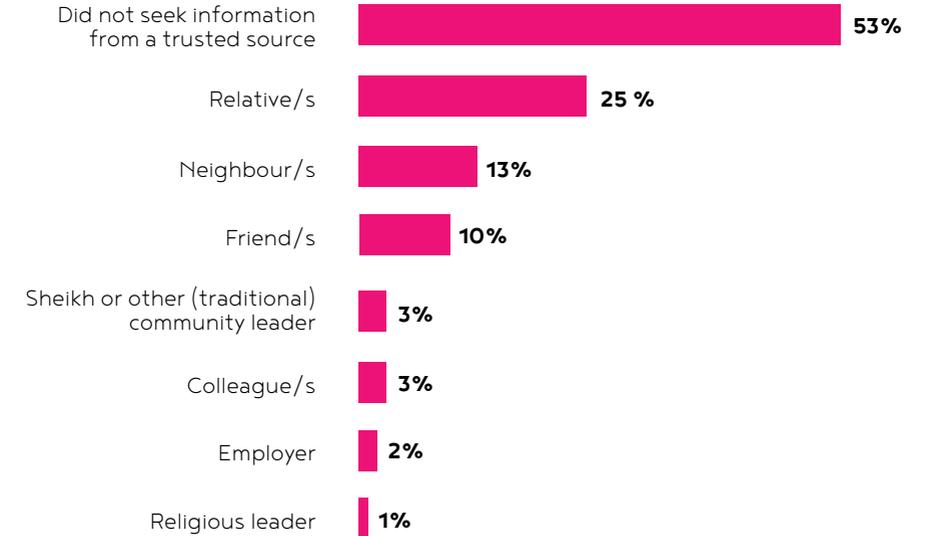
3

# Informal sources

Half of the individuals who encountered serious legal problems sought information and advice from some trusted informal source. Asking a relative for advice on how to approach the legal problem is the most frequent strategy. Asking a neighbour or friend are also popular sources of legal information and advice. For comparison, family, friends, and neighbours are also the most contacted informal providers in Tunisia, Uganda, and Ukraine.



## WHICH TRUSTED PERSON PROVIDED INFORMATION AND ADVICE?



# Institutional sources

Almost 40% of the respondents say that they did not need assistance from an organisation or individual who has expert knowledge about the problem. Furthermore, 11% say that they were not aware of any opportunity to receive such assistance. An additional 4% say that they were eager to receive legal information and advice but despite their efforts were not able to obtain any. In Tunisia, only 15% reported that they did not need legal information, while 5% were not aware of the possibility of receiving legal information, and 6% wanted information but could not find it.

Lawyers (9%), police (7%) and governmental organisations (7%) are the most frequently used institutional sources of legal information and advice.



## INSTITUTIONAL SOURCES OF LEGAL INFORMATION AND ADVICE



## LEGAL INFORMATION &amp; ADVICE

3

# Most helpful sources



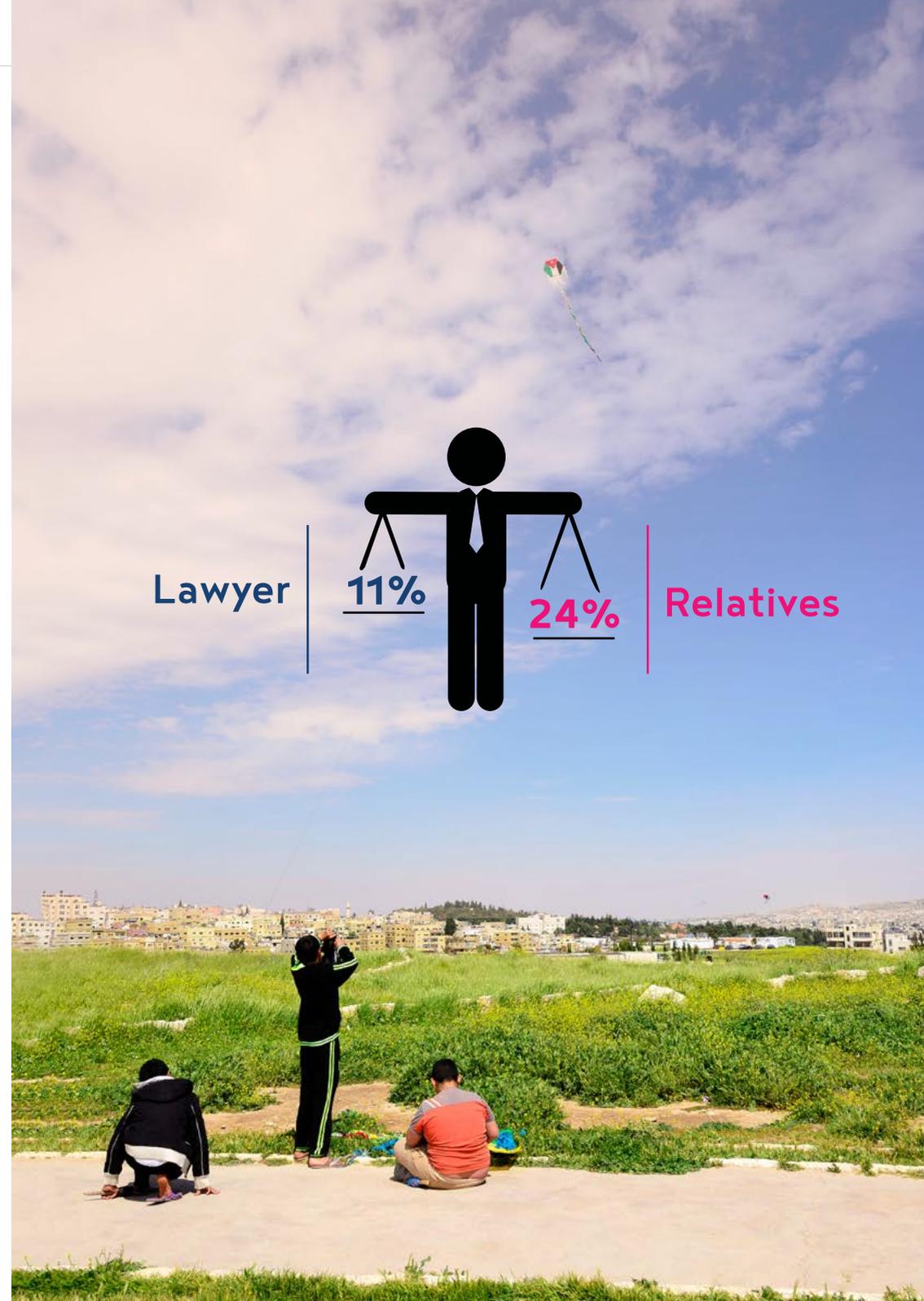
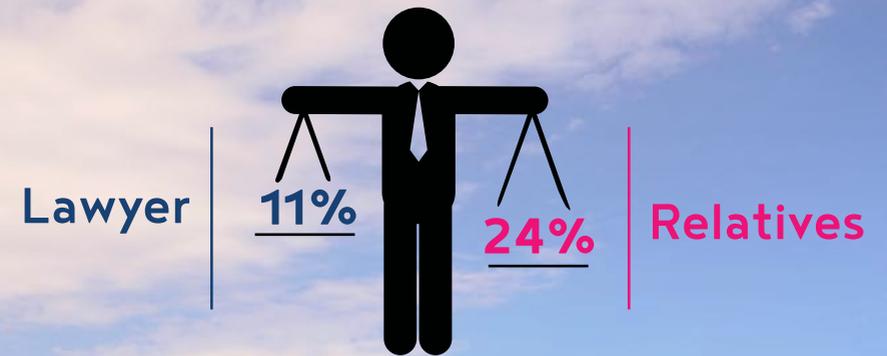
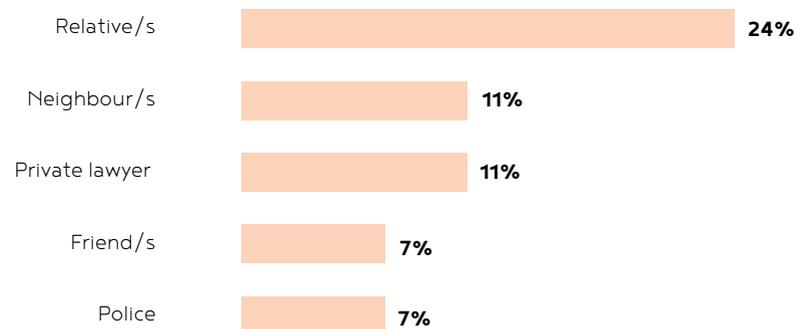
Informal sources of information and advice are used most widely and are deemed to be most helpful. Going to relatives or the police also seems to be a deemed as relatively effective strategy to resolve problems. For the respondents who indicated either of these two options, roughly 60% had their problem resolved completely or partially. This is well above the average resolution rate of 45%.

In summary, the people of Jordan look for legal information and advice primarily from their family networks. Neighbours and friends also score fairly highly.

Of the expert professionals and organisations, lawyers and police are rated as the most useful sources of legal information and advice.

Communal and traditional sources, such as sheikhs or religious leaders, are rarely referred to for information and advice for resolving legal problems.

## TOP FIVE MOST USEFUL SOURCES



LEGAL INFORMATION & ADVICE

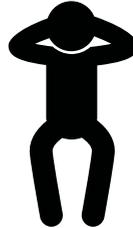
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# Barriers

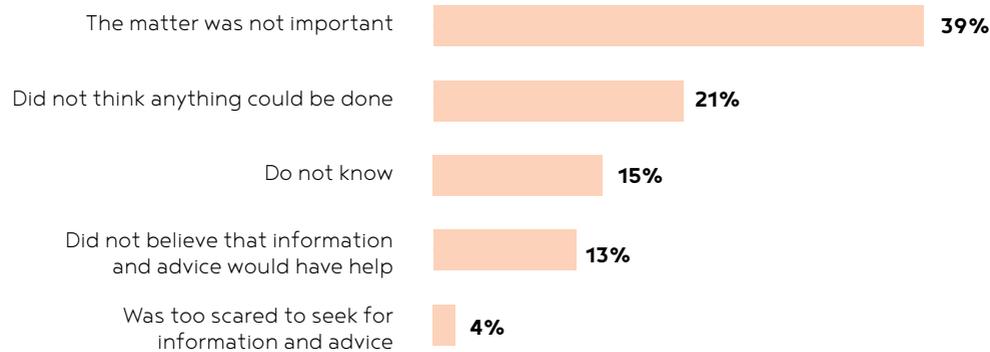


42% of the interviewed individuals who had to deal with a legal problem did not seek legal information and advice. There were various reasons for this:

**42%** did not look for legal information and advice



### TOP FIVE REASONS FOR NOT SEEKING LEGAL INFORMATION AND ADVICE



# Legal information from electronic and printed sources



In the sections above, we asked the respondents about people and organisations which are capable of providing information about the problem, the available options and their rights. These experts can also advise or recommend a specific strategy for resolving the problem.

In this section we asked the people who had to deal with legal problems whether they sought information from electronic and printed sources. Such sources are radio, TV, newspapers, web pages etc. These channels of legal information usually do not require personal interaction as they disburse more general information about options for resolving legal problems.

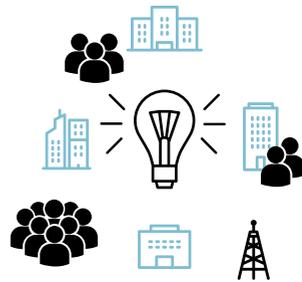
Surprisingly few people look at such sources for information about resolving their legal problems. Only 3% of the individuals who had to deal with a serious legal problem searched on the internet. At the same time, according to the World Bank, internet penetration in Jordan is estimated to be 53%<sup>2</sup>. Apparently, many people who have access to the internet do not use it to search for information about resolving legal problems.

<sup>2</sup> <https://data.worldbank.org/indicator/IT.NET.USER.ZS?locations=JO>

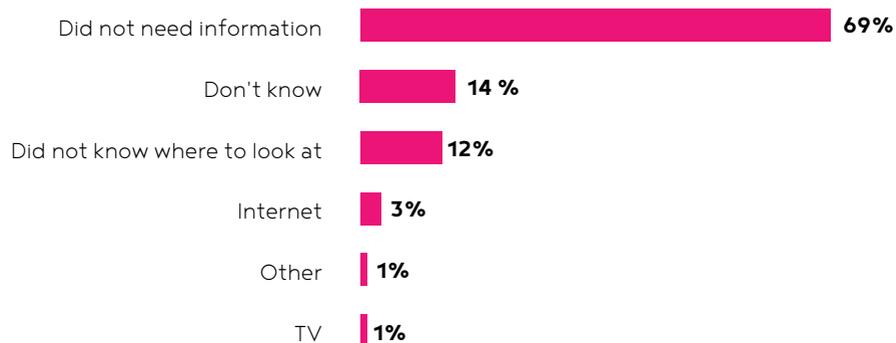
## LEGAL INFORMATION &amp; ADVICE

3

Similarly, sources such as radio, TV and newspapers are not very popular as a source of legal information. We have also seen this in Tunisia where only 4% of the respondents report that they sought practical information about resolving legal problems on the internet. It can be different however: our study in Ukraine in 2016 shows that almost a quarter of the respondents seek information on the internet.



### LEGAL INFORMATION FROM ELECTRONIC AND PRINTED SOURCES



## Conclusions

- Many people in Jordan have to deal with their legal problems without relying on legal information and advice. Competent, timely and actionable legal information is scarce and not easy to find.
- People are more likely to seek legal information and advice for problems like land issues, family disputes and ID documents.
- People mostly go to relatives, neighbours and friends for advice. Communal sources of legal information are not widely used.
- Relatively few people obtain legal information from expert sources such as lawyers, or central or municipal public institutions.
- The biggest barriers to receiving legal information and advice is the perception that the matter is not important, that nothing can be done to resolve the problem, and that legal information and advice would not help.
- Internet, radio, TV and similar public sources of information are used very rarely to obtain information in the process of resolving a legal problem, despite being widely available. This opens up an opportunity to increase access to legal information and advice via public sources.





# 4

## Dispute Resolution

Problem solving strategies  
Self-help strategies  
Social network

Dispute resolution forums

Most helpful source for dispute resolution  
Costs and quality of access to justice

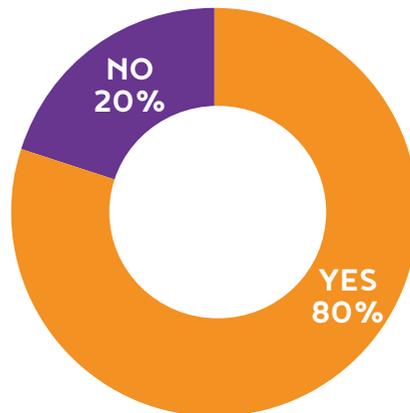
## Taking action



It is on the basis of legal information and advice that people start the process of finding resolution. This is the next step of the journey to justice. What do people do? Do they take action themselves, or do they turn to a third party to help them? If so, which? A family member? A policeman? Or a court? This chapter discusses the dispute resolution part of the justice journeys in Jordan.

80% of the respondents took some kind of action to solve their problem. No significant gender differences were found. We found that 71% of the respondents attempted to solve the legal problem with own actions, 44% went to an informal third party and 42% sought dispute resolution from an institutional third party.

### HAVE YOU TAKEN ANY ACTION TO RESOLVE THE PROBLEM?

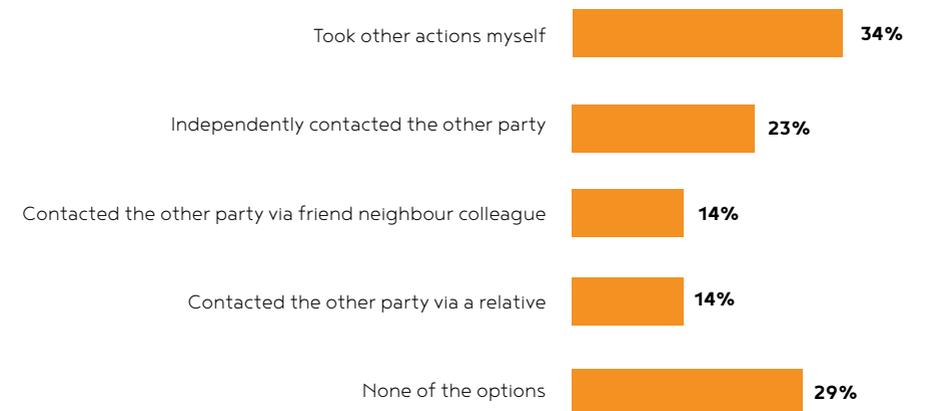


## Self-help strategies adopted in dispute resolution



As stated above we found that 71% of the respondents experiencing a legal problem adopted self-help strategies. The graph below shows the different options within this category.

### MOST FREQUENTLY ADOPTED SELF-HELP STRATEGIES



DISPUTE RESOLUTION

4

### Family members are most used non-institutional sources of dispute resolution

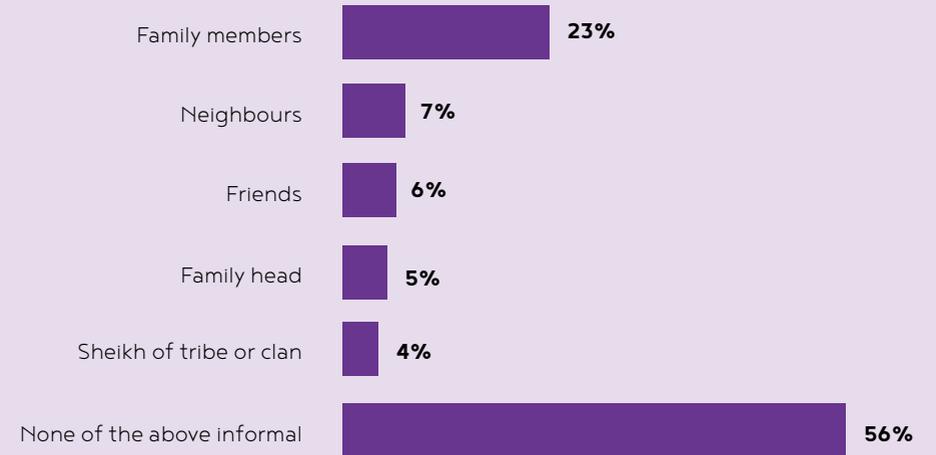
We find that **44%** of the people go to non-institutional sources for dispute resolution. In trying to resolve their problems, most people engage family head/members, but also neighbours and friends. Women consult family members (28%) significantly more than men (18%).

### Courts are most frequently used sources of institutional dispute resolution

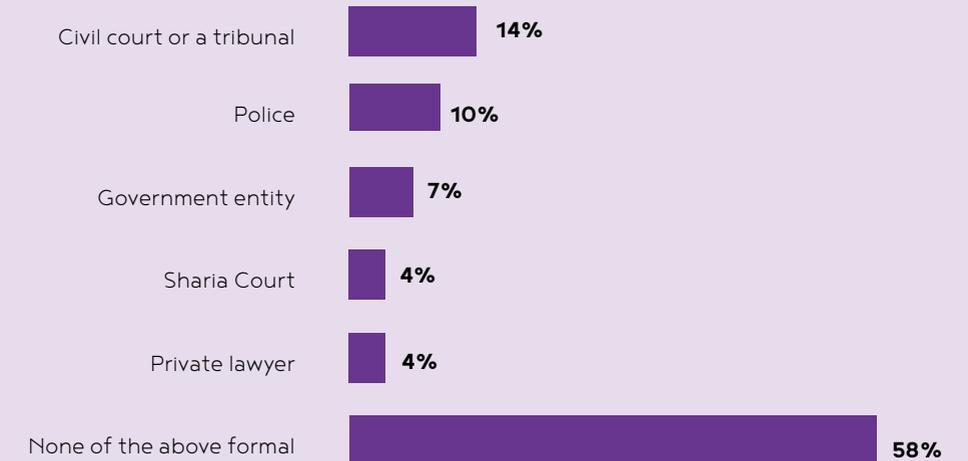
Most people seek professional resolution in court or go to the police. However, it is noteworthy that **42%** of the respondents did not involve any institutional dispute resolution mechanism.



#### MOST FREQUENTLY USED NON-PROFESSIONAL DISPUTE RESOLUTION MECHANISMS



#### MOST FREQUENTLY USED PROFESSIONAL DISPUTE RESOLUTION MECHANISMS



DISPUTE RESOLUTION

4

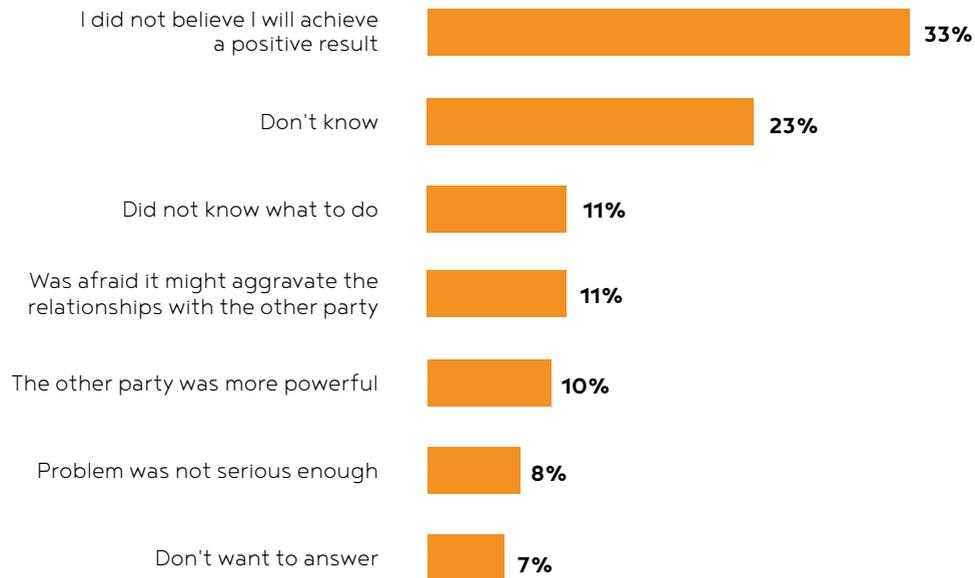
# Reasons for not taking action



When it comes to identifying the reasons for not taking action, many of the respondents say that they did not believe it would achieve a positive result. In a similar vein, they

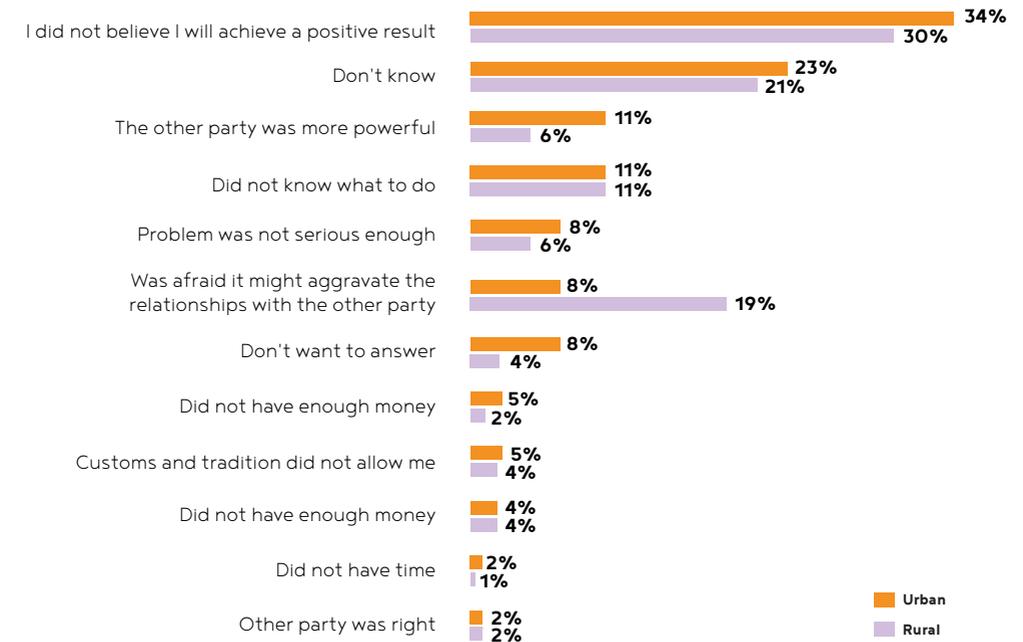
justify not taking action to solve their problem by the fact that they were afraid that it might aggravate the situation or because they did not know what to do.

## TOP REASONS FOR NOT TAKING ACTION



The potential for aggravating the situation is more of a reason for people living in rural areas not to take action than for urban residents. People living in urban areas are more restrained because they assess that the other party is more powerful.

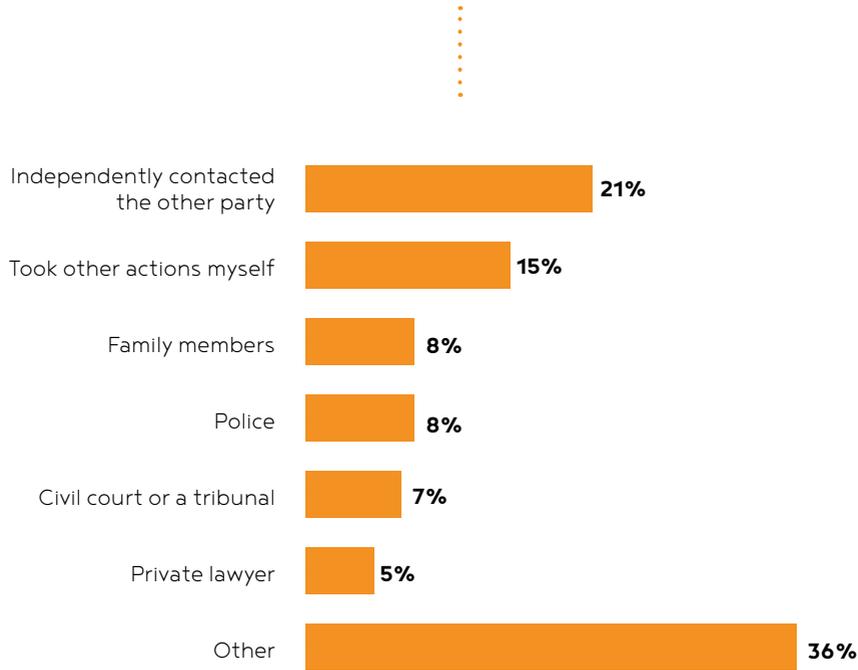
## REASONS FOR NOT TAKING ACTIONS – URBAN/RURAL DIFFERENCES



DISPUTE RESOLUTION

4

# Most helpful dispute resolution strategies



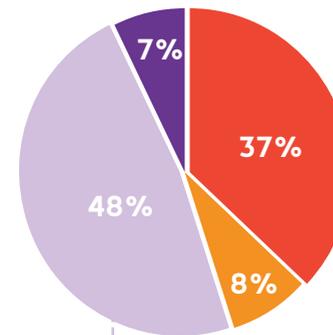
48%



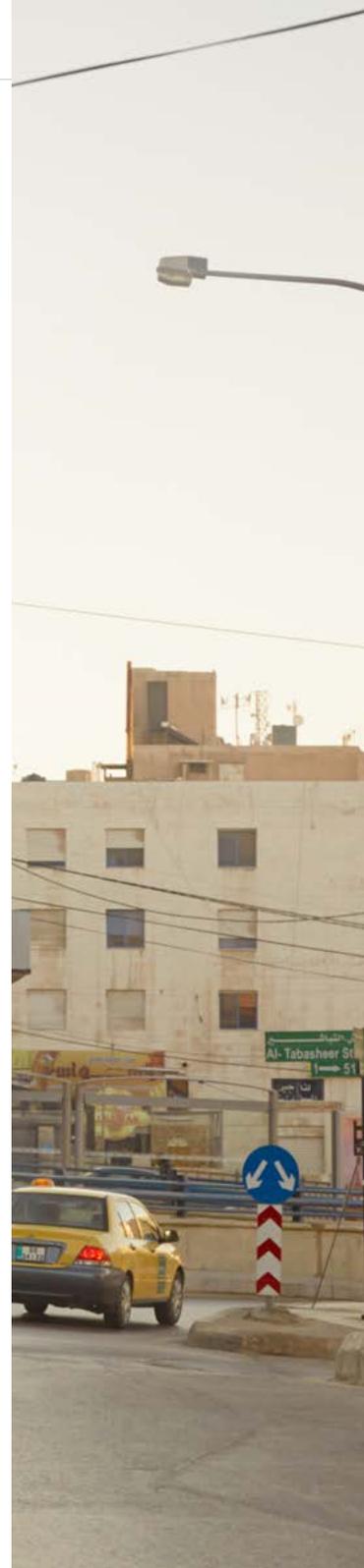
of people, who started a resolution process, have not yet reached a solution.

How are the legal problems resolved?

Ultimately, people who embark on a justice journey want to see their dispute resolved. Notably, 48% of the people who started a resolution process to solve their justice needs have not yet reached a solution. That means that a lot of problems are ongoing after four years. This is a lot of undelivered justice which affects between 720,000 and 820,000 people.



- Yes, completely
- Yes, partially
- No, no longer taking any action to resolve it
- No, still in the process of being solved



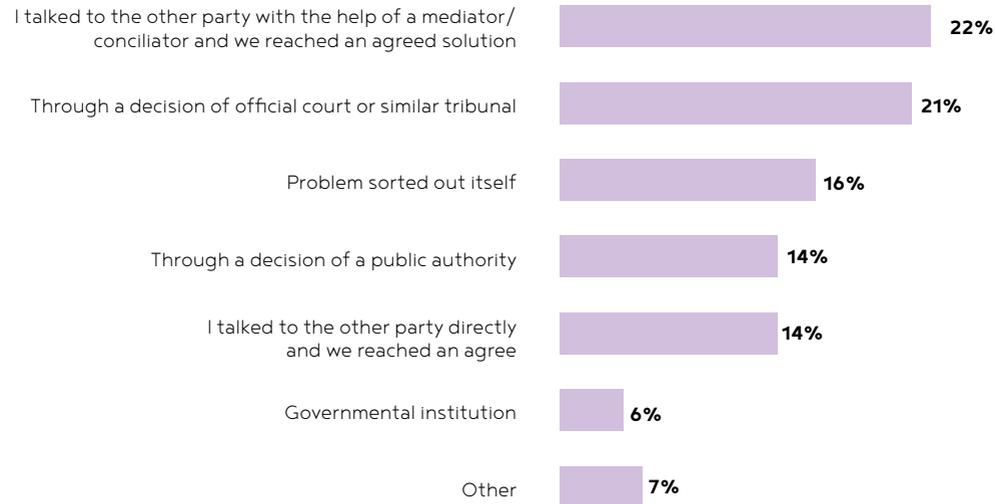
DISPUTE RESOLUTION

4



The two most common ways to resolve a legal problem are: **talking to the other party with the help of a mediator/ conciliator** and through **a court decision**. Approximately one in five cases are resolved by these approaches.

**HOW WAS THE PROBLEM SOLVED?**



The category "other" encompasses all categories of less than 3% and includes: Do not know, No answer, Through a decision of informal (tribal) forum, and Through a decision of a non-governmental organisation.



DISPUTE RESOLUTION

4

# Cost and quality of the justice journeys

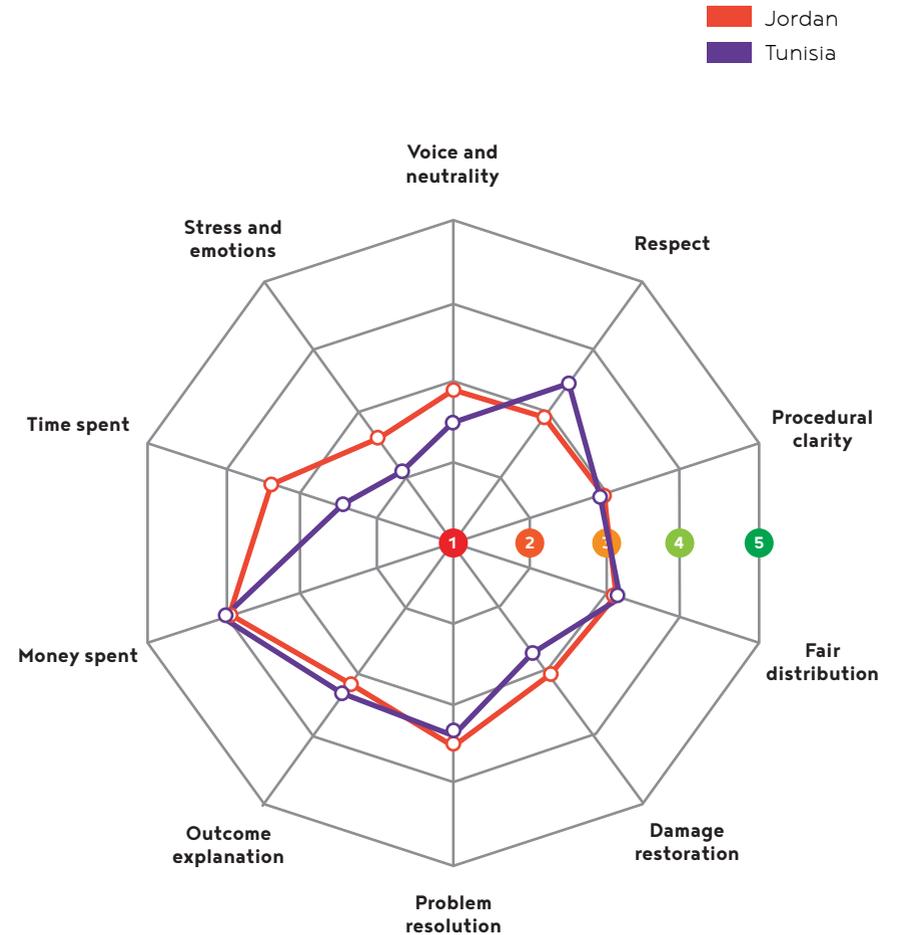


We asked respondents to assess the quality and the costs of the justice journey they travelled. This is important information about the fairness that people experienced and can provide further information about the quality of the processes that the people in Jordan can use to resolve their legal problems.

We analyse ten different factors that capture the most important aspects of the justice journey. The diagram we use is a Spiderweb that plots each of the ten factors on a scale from 1 to 5. The higher the score, the more positively that part of the procedure is experienced.

We make a comparison with Tunisia to provide a benchmark. The justice users in Jordan give the procedure fairly high scores on costs; meaning that cost is not seen as too much of a barrier. Regarding stress and emotions, and voice and neutrality, the procedure scores low. A justice process that causes excessive stress, in which people have insufficient voice, and that is not perceived as sufficiently neutral will not be experienced as accessible and fair.

## EVALUATION OF JUSTICE JOURNEYS IN JORDAN AND TUNISIA



DISPUTE RESOLUTION

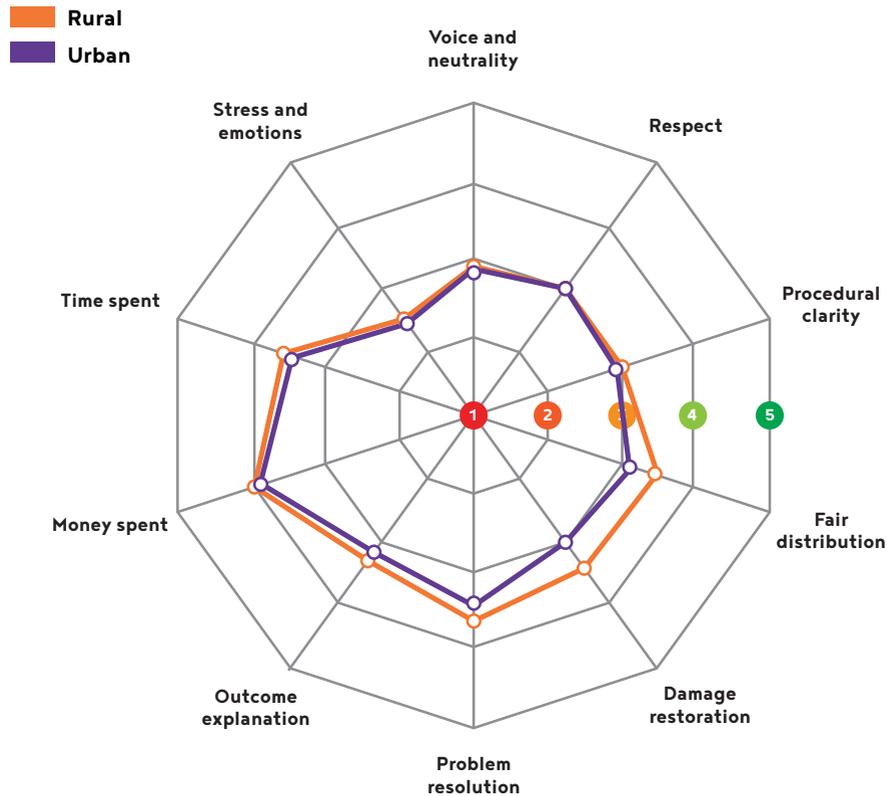
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Rural vs. urban

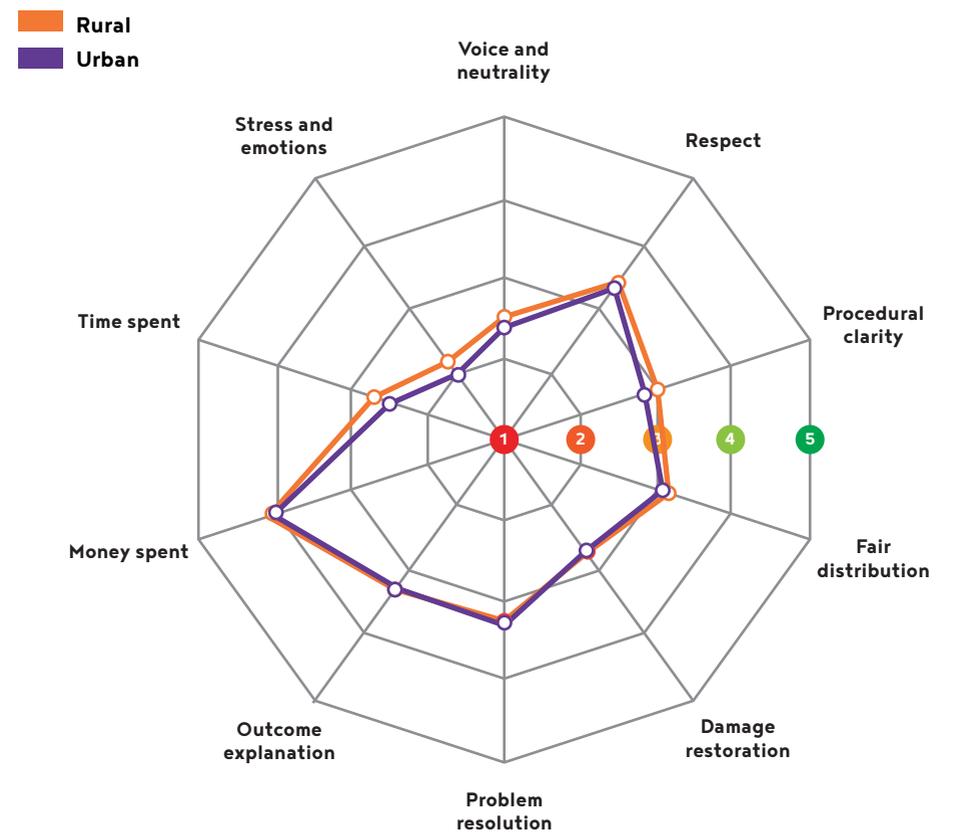
Overall, people in rural areas were more satisfied than residents in urban areas, especially with regard to the fairness of the distribution, the restoration of inflicted damages and the extent to which the problem was resolved.

This is something that we did not observe in Tunisia. There, both urban and rural respondents showed similar levels of satisfaction with the justice process.

**JORDAN**



**TUNISIA**



# Conclusions

- According to our data, 80% of the people who reported experiencing a legal problem took some kind of action toward resolution. This translates to roughly 1.6 million people taking action.
- The most frequently used strategy to solve legal problems is to independently contact the other party. However, the majority of the solutions are achieved via a mediator/ conciliator, or a decision of an adjudication authority.
- Family members are the most engaged non-institutional source of dispute resolution, while the civil court or a tribunal ranked the highest among the most used institutional authorities for dispute resolution. However, most of the respondents chose to adopt self-help strategies.
- 45% of the respondents who took some action to solve their legal problems reported to have solved it, either completely or partially. However, 47% of the respondents consider the legal problem as not resolved at the moment of the interview.
- Undelivered justice affects between 720,000 and 820,000 people in Jordan every four years.
- When assessing the overall quality and cost of access to justice, people in Jordan report to have experienced high levels of stress and negative emotions associated with the process of solving their legal problem. They were also less likely to voice their needs during the dispute resolution process or to enjoy a process that used accurate and unbiased information.

## Ahmad's story

Ahmad is a Syrian citizen who ran from the war and sought refuge in Jordan. He is married and has a baby girl. Ahmad has been working for the same employer for the past two years, under sponsorship. He has asked his employer to apply for a work permit for him repeatedly, but without much success. Just as he finally received his work permit, he got a better job offer from another company that included a substantial salary increase. However, under Jordanian labour law, foreign workers who work under sponsorship need the permission of their employers to change jobs. Ahmad's employer not only refused to accept his resignation, but also was unwilling to match the salary of the other offer. Ahmad decided to confront his employer about this.

*"I felt I was in a strong position, especially after I visited the labour office, who were fair to me. But when the case proceeded, and they abandoned me. This is when I started sensing that my employer was in a much more powerful position that I was."*

With the help of a legal aid organisation, Ahmad was finally able to reach a settlement outside of court, but had to give up some of his rights. He believes that his situation is just a sign of a much larger problem. Employers exploit their employees' situations, circumstances, and their need to provide for their families. Ahmad saw this happen to many of his friends in- and outside of Jordan.

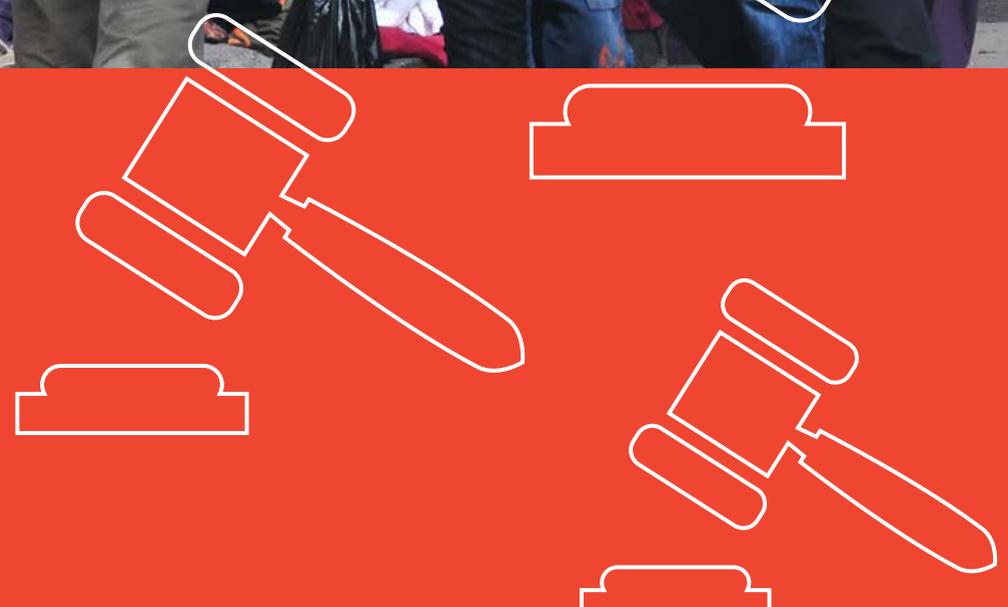




# 5

## Legal Problems of Young People in Jordan

Young Jordanians and legal problems  
Dispute resolution strategies  
Trust in justice institutions  
Subjective legal empowerment



LEGAL PROBLEMS OF YOUNG PEOPLE

5

# Legal problems of young respondents



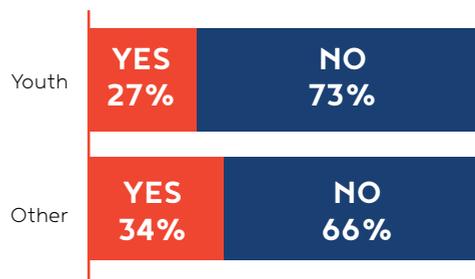
In this chapter, we explore the legal problems faced by Jordan's younger population. We aim to understand their justice needs, and how they experience their justice journeys.

In particular, we aim to assess the differences between young people, those aged between 18 and 24, and the rest of the population. Do young people, both citizens and refugees, experience the consequences of their problems differently than the rest of the population? Do they go to different sources for help and information to solve their problems? Are they more likely to solve their problems? These are some of the questions we tackle in this chapter.

Our sample of 909 young respondents is not different from the older population in terms of relative wealth, or urban or rural residency. Almost 30% of them are not able to cover basic economic needs, while 60% place themselves in the category of being able to buy the necessary basics. About 80% of the young sample comes from an urban

setting, and 20% from a rural one. Our youth sample is slightly better educated, as almost 80% of them have at least a high school diploma, while the proportion for the older group is 65%. Young respondents experience fewer problems than older respondents. Slightly over a quarter of the sample of young people declared having experienced at least one problem during the previous four years, while for those over 25 years old, the proportion reaches over a third.

### EXPERIENCED LEGAL PROBLEM

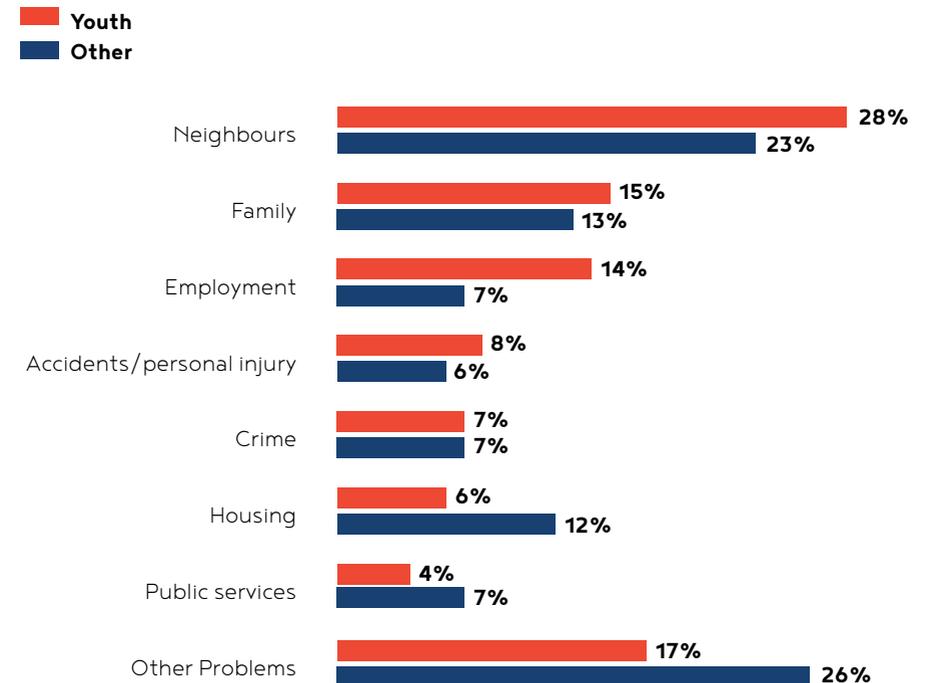


The problems that young people face are different from those of the older population.

- Almost a third (28%) of young respondents identify disputes with neighbours as the most serious legal problem they face, as opposed to slightly less than a quarter (23%) of the rest of the population.

- For younger people, employment is the third most serious issue, doubling the proportion (14% vs 7%) of those in older strata.
- Young people experience fewer problems related to Housing, and Public Services than those older than 25.

### MOST SERIOUS PROBLEMS



## LEGAL PROBLEMS OF YOUNG PEOPLE

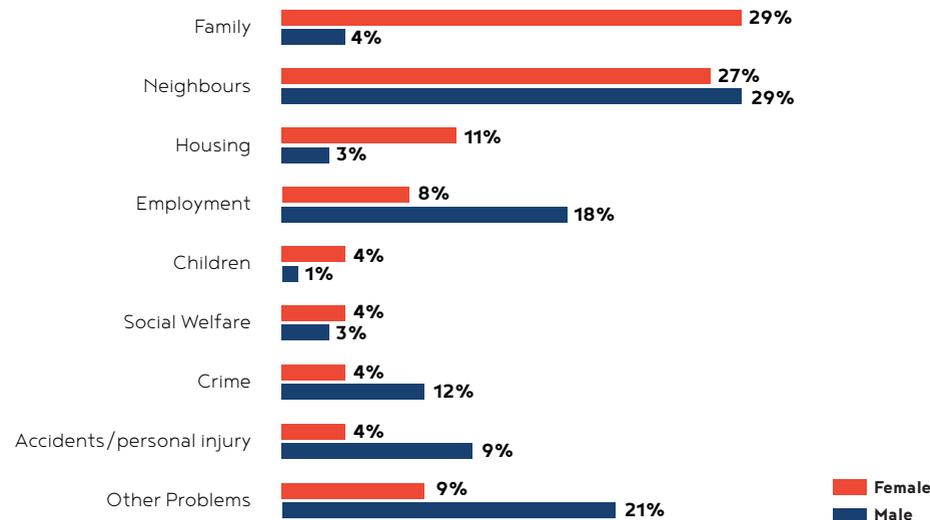
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## Gender differences

Young women are disproportionately affected by family and housing problems. Almost a third of young women (**29%**) identify family issues as their most serious legal problem, compared to only **4%** of young men. The family issues experienced by young women are mostly related to divorce or domestic violence.

On the other hand, young men are more affected by employment problems and accidents/personal injuries than their female peers.

### YOUTH'S MOST SERIOUS PROBLEMS BY GENDER



### Similarities between young respondents and the older population

- Just like the older population, young people in urban and rural areas do not show differences in the types of problems they experience.
- Our data shows that there are no differences regarding how young individuals' problems affect their lives, compared to the rest of the population.
- Likewise, there are no differences regarding with whom people in this group have problems (most predominantly neighbours and family members) compared to the rest of the sample.



LEGAL PROBLEMS OF YOUNG PEOPLE

5

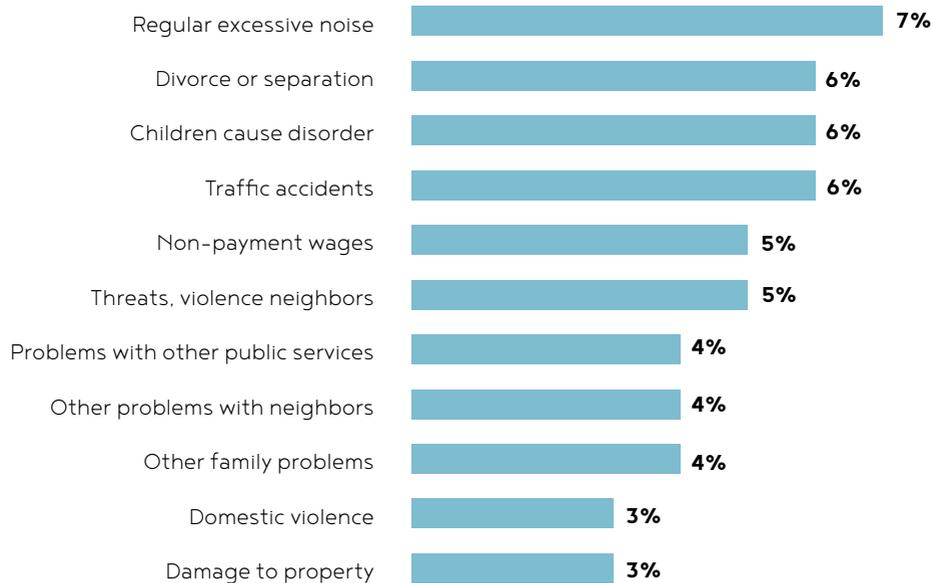
# Most serious specific legal problems



Of the 123 individual legal problems, young people declared to have experienced 66 (as most important). The top problems are too evenly distributed to make strong statements regarding which one is most important.

Hence, young people do not appear to be affected by any one problem in particular. There is an even spread over many different problems, from divorce, to traffic accidents and domestic violence.

## THE MOST SERIOUS SPECIFIC PROBLEM – YOUTH



# Impact of legal problems



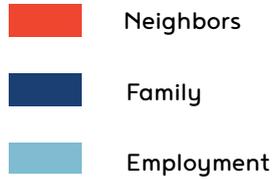
Young people are less likely to report loss of income because of their problem, and are more likely to report violence and personal injury.

Because of the problem, did you experience...?	Youth	Other
Loss of time	37%	40%
Problems with relationships	30%	32%
<b>Loss of income</b>	<b>20%</b>	<b>32%</b>
<b>Personal injuries</b>	<b>14%</b>	<b>8%</b>
Stress-related illness	14%	18%
Do not know	11%	9%
<b>Violence against you</b>	<b>10%</b>	<b>7%</b>
Loss of job	10%	7%
Vandalism against you	7%	8%

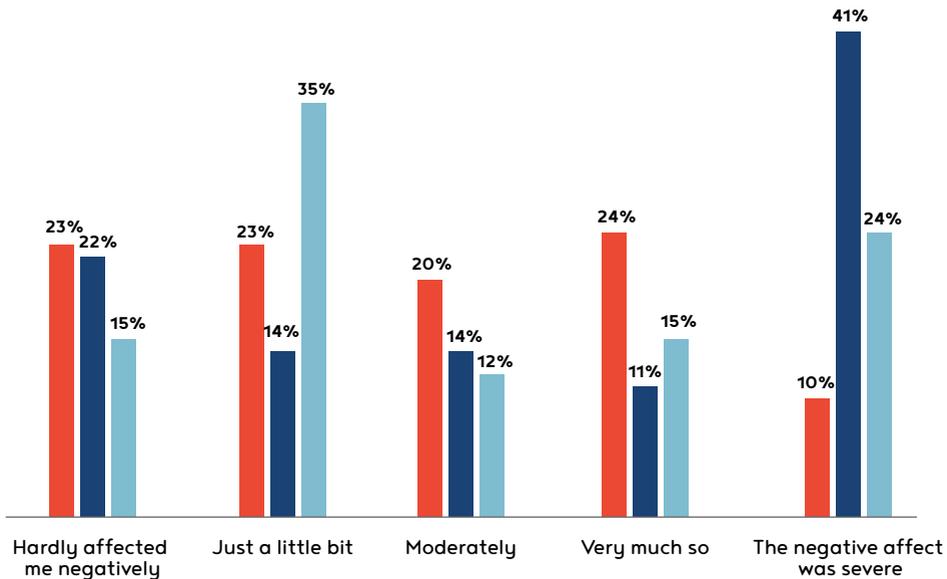
LEGAL PROBLEMS OF YOUNG PEOPLE

5

Family problems have the most severe impact on young people's lives, when comparing the top three most serious problem categories. For the older groups, the most impactful problem is employment. Problems with neighbours, on the other hand, despite being prevalent and serious, have less severe consequences for both young and older groups.



**HOW DID THE PROBLEM AFFECT YOUR LIFE?**



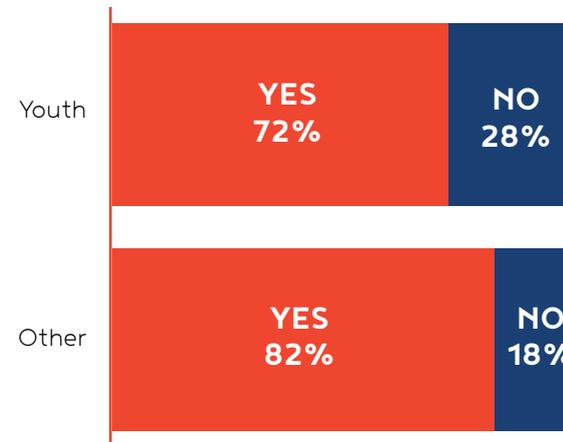
Patterns of obtaining legal information and resolving disputes

When looking for legal information and advice we do not see huge differences between young people and the rest of the population. Just like their senior counterparts, for young people the spread between using institutional and social network information sources is more or less equal. When young people obtain legal information from informal sources, they involve relatives, friends, and neighbours. Regarding institutional sources, they consult police, private lawyers, and government entities.

Taking action to solve legal problems

72% of the young people in Jordan take action to resolve their legal problems. That is a high rate, despite the fact that it is 10% less than the general population. The reasons for not taking action are not very different from the older age group.

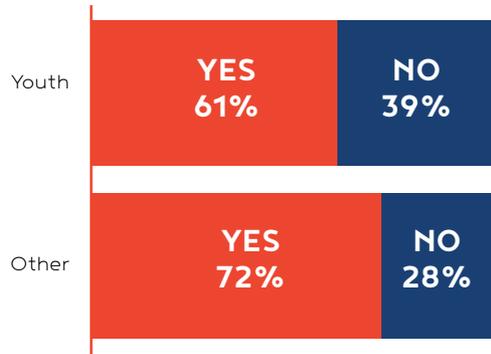
**TAKING ACTION TO SOLVE THE PROBLEM**



LEGAL PROBLEMS OF YOUNG PEOPLE

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# Types of action



### Self-help

Compared to the rest of the population, young people are less likely to undertake action themselves to solve their problems. When they do take action, they prefer to contact the other party directly.

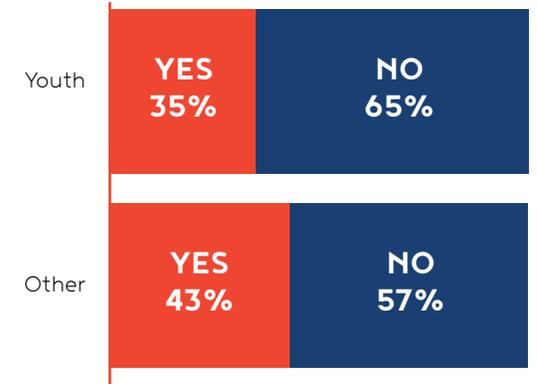


### Non-institutional sources

Young people behave similarly to their older fellow citizens when it comes to taking action to solve their problems via non-institutional actors; they engage them in slightly lower numbers, however. Family members, the family head, and friends are the most commonly used mechanisms for dispute resolution.

### Institutional sources

The same occurs when considering involvement of institutional providers of dispute resolution. Young people are slightly less likely to take action in general, and when they do, they are similar to older generations; they go to police (10%), courts (9%) and Sharia courts (4%) as the top three options.



Based on the above findings, we can conclude that young people take less action to resolve their legal problems. This may point to a gap in access to justice for young people in Jordan.



LEGAL PROBLEMS OF YOUNG PEOPLE

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# Reasons for not taking action



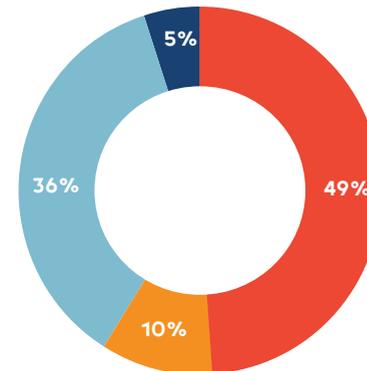
In the table below we provide an overview of the reasons for not taking action:

	Youth	Other
<b>Don't know</b>	<b>19%</b>	<b>24%</b>
<b>I did not believe I will achieve a positive result</b>	<b>17%</b>	<b>28%</b>
Problem was not serious enough	12%	7%
Was afraid it might aggravate the relationships with the other party	12%	8%
Did not know what to do	12%	8%
Don't want to answer	7%	7%
Customs and tradition did not allow me	6%	4%
The other party was more powerful	6%	7%
Other	10%	4%

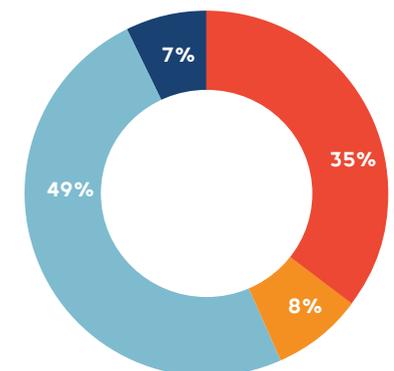
Young respondents are either more efficient at achieving an outcome for their problems, or their problems are easier to resolve, compared to the rest of the population. When asked about the outcome of their justice journeys, 50% of young respondents had solved their problem completely, which is a larger proportion than the one third in the senior group.

- No, and I am no longer taking any action to resolve it (I accepted that it will not be solved)
- No, the problem is on-going and is still in the process of being resolved
- Yes, partially
- Yes, completely

**Youth**



**Others**



LEGAL PROBLEMS OF YOUNG PEOPLE

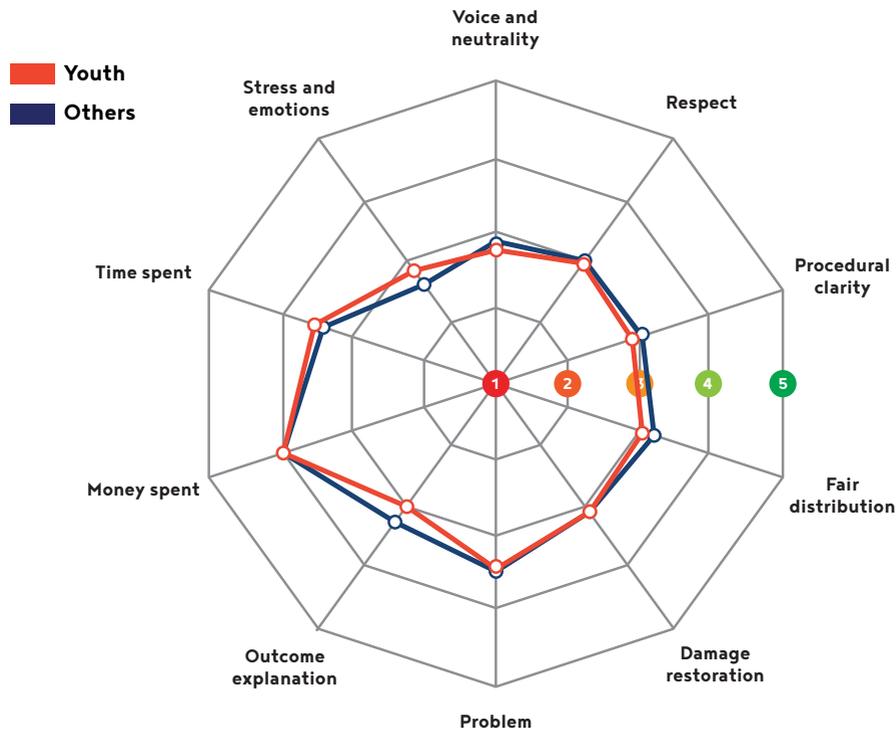
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# The cost and quality of the justice journeys

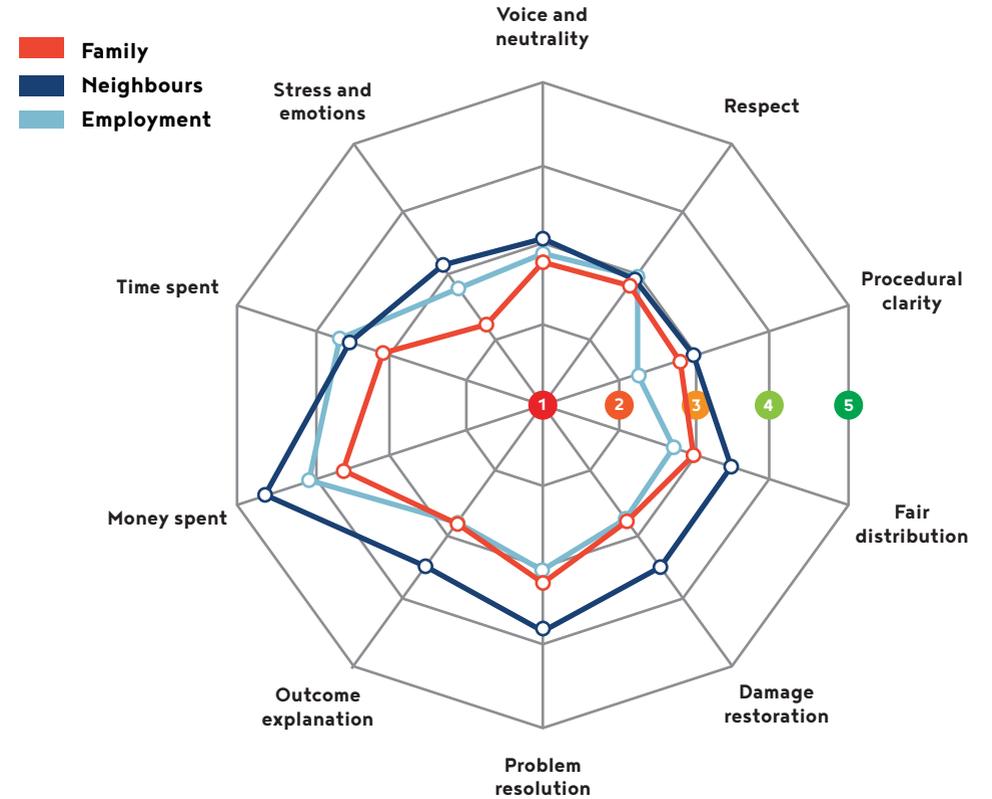


We asked people facing legal problems to rate their justice journey experience. In the spiderweb, we see that both the young and older populations tend to agree on their ratings for most of the ten

dimensions. Small differences are found in the stress and emotions dimension, where it seems to be less stressful for young people, while they rate transparency worse than the older group.



## RATINGS OF PROCEDURES IN MOST SERIOUS PROBLEMS



When we focus on the top three most serious problems for young people in Jordan, we observe that the most impactful problem for this group, family, is also the one with worst ratings across all dimensions, except for procedural clarity and fair distribution. Neighbour

related justice scores much better, while employment related justice seems to suffer from the same problems as family, in terms of procedures and outcomes, but it is better in terms of costs.

LEGAL PROBLEMS OF YOUNG PEOPLE

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# Trust in institutions

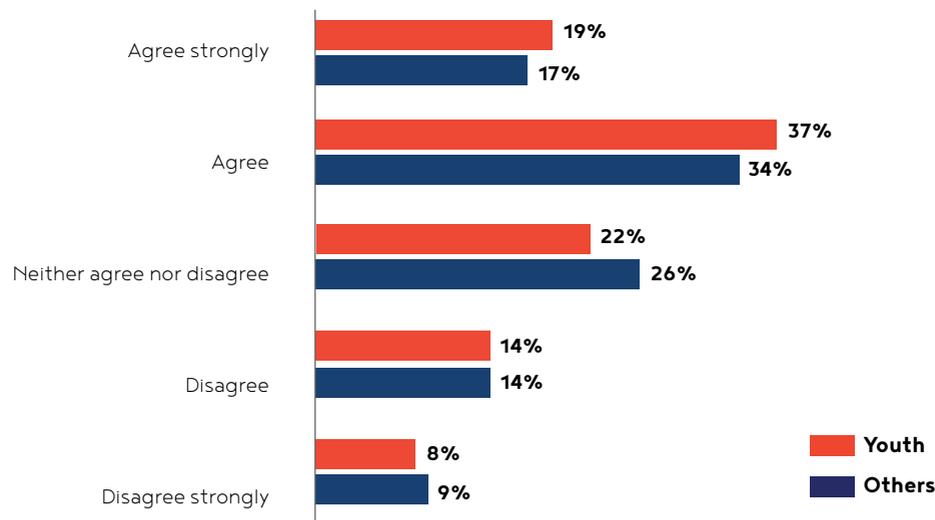


By and large, public institutions are trusted in Jordan. The young respondents in our sample are not significantly different to the other respondents in terms of how much trust they have in these institutions. The graph below shows the only institution that shows a small difference between both groups:

legal aid NGOs. Younger respondents have slightly more trust in them than older respondents.

Just like the older group and the general population, young people in Jordan trust the police more to resolve disputes than other organisations, including the courts, the tribal mechanisms, or the government.

## TRUST NON-GOVERNMENT LEGAL AID ORGANISATIONS



## Let's follow Ahmad's justice journey

Using our data and the qualitative interviews we developed the fictitious story of Ahmad, a young man seeking justice for an employment problem he faces. In this way, we bring the data to life.

Ahmad is a young man from Zarqa, Jordan's second largest city. He is 21 years old and was able to complete high school with the support of his family, but he was not able to go to university. After some years of struggling to find a job, he was finally able to secure a modest position with decent conditions as a construction worker. He has seen how migrants and refugees sometimes accept jobs with harsh conditions, and has experienced first-hand how tough the job market is.

One winter evening, at the beginning of the month as always, Ahmad went to collect his salary, but the office was closed. This was his first attempt of many more to come. His employer had just decided to stop paying Ahmad's wages. At first it was a small inconvenience, but as the days became weeks and the weeks became months, the situation became unsustainable. For him, as for most of the young Jordanians experiencing this problem, the consequences were at first loss of income, and then loss of employment. Ahmad found himself unemployed without the means to support his new-born baby girl, Sara and his wife, Fatima.



## LEGAL PROBLEMS OF YOUNG PEOPLE

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What to do? As others in his situation (60% of young Jordanians), he is desperate for obtaining useful legal information and advice. Consulting informal sources of legal information may not have been a strategy for Ahmad (we know that only 52% of the people in his situation do). Those who do, most frequently involve their relatives and friends. Going to the employer to ask for legal advice was not a common option for people like him. Turning to a professional is even less common, and he certainly could not afford it. In fact, 85% of his peers do not turn to a professional when facing employment problems. As a consequence, Ahmad did not seek information and legal advice because he thought nothing more could be achieved. He was already hopeless before even starting to take action to solve his problem.

In spite of not looking for information and advice, he did take action to solve his legal problem, just like three out of four of his peers in his situation. He contacted the other party, the employer, himself. Involving relatives, friends, or other informal actors is not a common option. Involving professional justice providers was even more unlikely for him, as more than 80% of young people in his situation do not do this. Despite many other alternatives at hand, such as courts, public authorities, lawyers, etc., none of them appealed to Ahmad as suitable courses of action.



Contacting his employer was helpful, in that he was able to solve his problem completely. Talking directly to the other party works better. He was more effective than a third of the people in his situation, who had not solved their problems over the course of the previous four years.

Regarding the cost, process, and outcome of his justice journey, Ahmad has mixed feelings, which we see in Spiderweb 1. He is satisfied in terms of the time it took him to achieve an outcome after he took action to solve the problem. He also realized that his action made him feel that he earned some respect during the process, and in the end, he got what was owed to him. However, he felt that little was done to compensate him for the troubles, and that he is still at his employer's mercy in terms of implementing the outcome. In fact, he is severely dissatisfied with everything related to the outcome of the justice journey, plus the fact that he was not able to express his opinion as much as he would have liked to. Employment problems for young people are hard to resolve due to high uncertainty in the job market. There is a shortage of jobs, particularly for young people, which makes the employer-employee relationship very imbalanced in terms of power.

Is there systematic discrimination against young workers? We do not know. This question has to be further investigated! What we do know is that respondents in the same situation as Ahmad, but who are older than him, are more satisfied with most of the aspects of the justice journey that upset Ahmad (Spiderweb 2). Compared to younger people, older citizens are more satisfied with outcomes and procedures (Spiderweb 3).

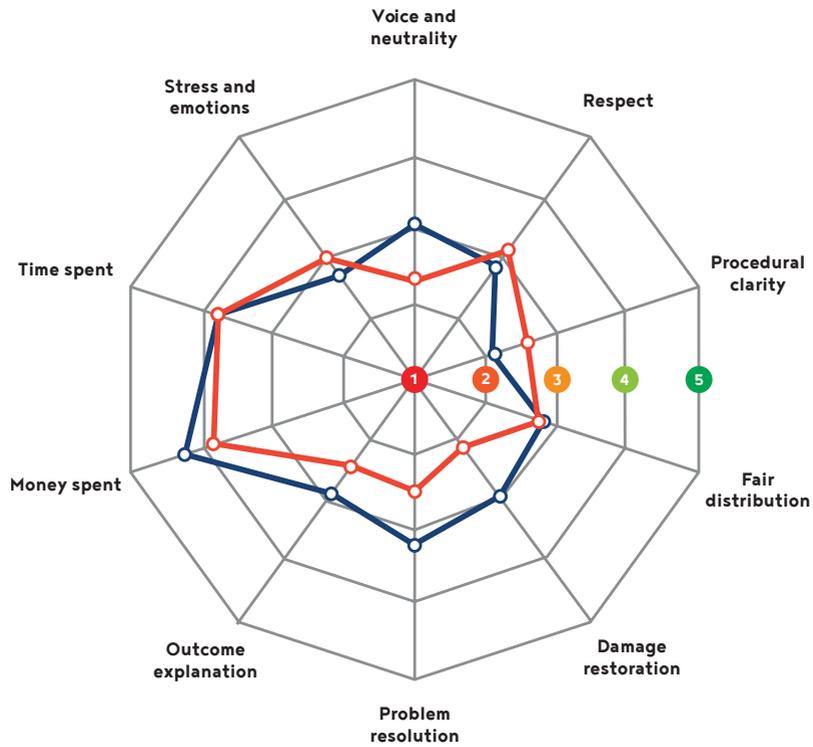


LEGAL PROBLEMS OF YOUNG PEOPLE

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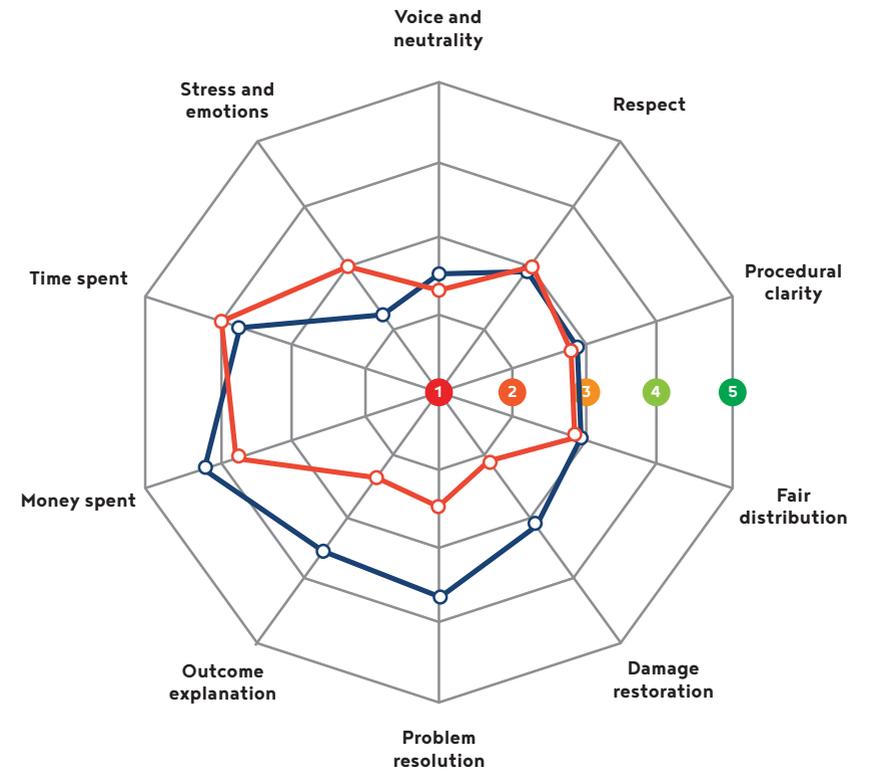
YOUNG PEOPLE WITH EMPLOYMENT PROBLEMS

- Youth directly contacted other party
- Other strategies



DIRECT CONTACT IN EMPLOYMENT PROBLEMS BY AGE

- Youth directly contacted other party
- Non-youth directly contacted other party



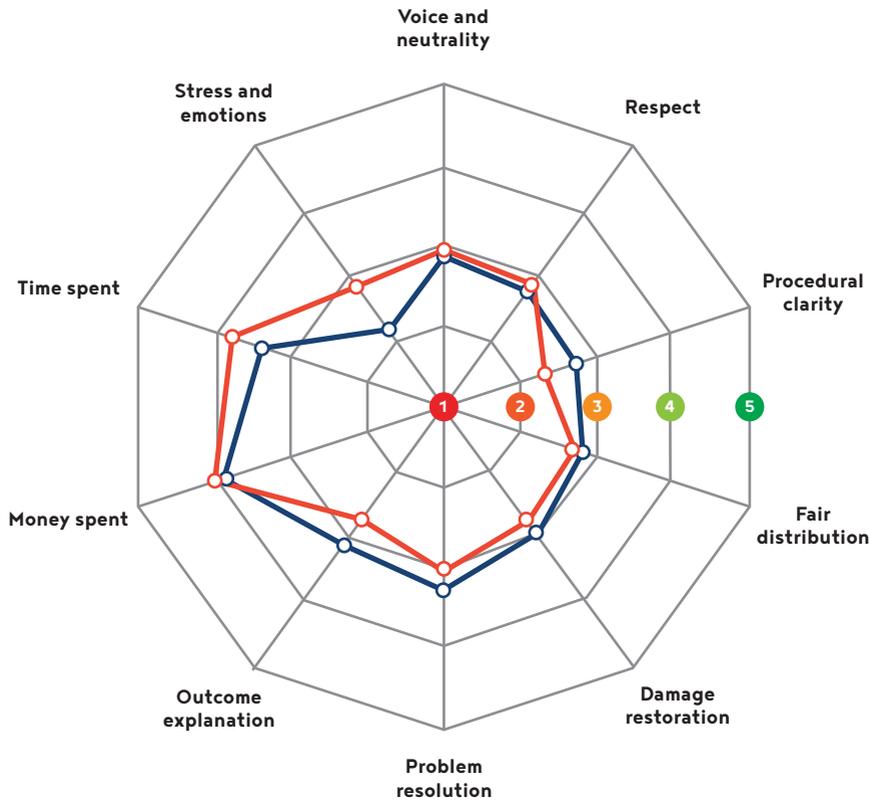
LEGAL PROBLEMS OF YOUNG PEOPLE

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# Conclusions

EMPLOYMENT PROBLEMS BY AGE

■ Youth  
■ Senior



- In conclusion, we see that Jordan's young people experience slightly different problems than the older population:
- Employment is the most prevalent and serious problem category for young people in Jordan, considering that this groups experience the problem more often than other groups.
- We also observe differences related to gender, as young women experience more family and housing problems, while young men face more employment and accident problems. The overall most prevalent justice problems are those concerning neighbours.
- There is a gap in access to justice in Jordan: Young people are somewhat less likely to take action to solve their problems compared to the older population.
- Justice journeys of young people's most pressing problems are very different from each other: Family justice journeys are rated in negative terms overall, while employment justice seems to be more readily available for users, even though is less clear in terms of procedures.



# 6

## Women and Legal Problems



WOMEN & LEGAL PROBLEMS

6

# Introduction



This chapter specifically focuses on the justice needs of women in Jordan. We choose to focus on women because they are often a vulnerable group in terms of access to justice.

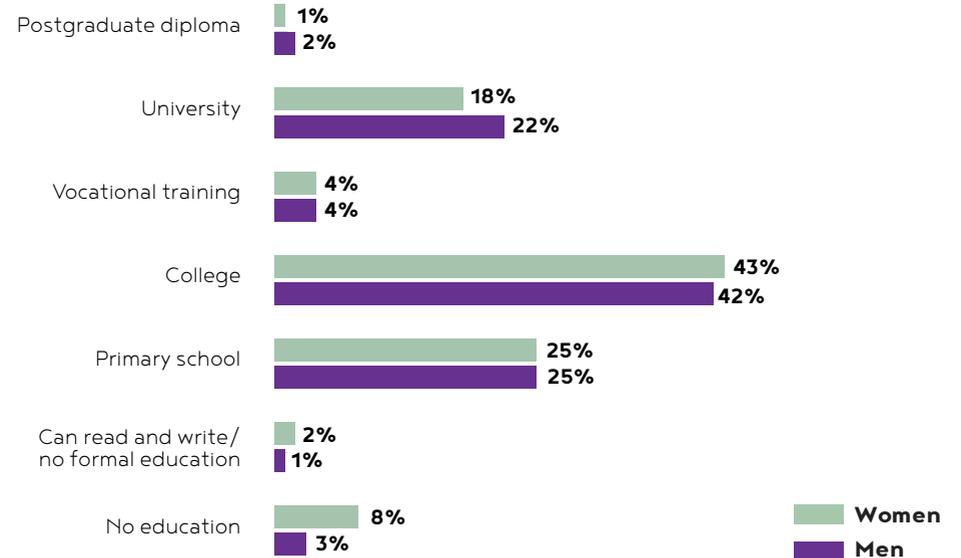
We want to understand women’s justice needs and how they experience their justice journeys. Do women face similar problems as men and do they experience the consequences of their problems in the same way? Do they go to different sources for help and information to solve their problems? Are they less or more likely to solve their problems?

## Legal problems of women

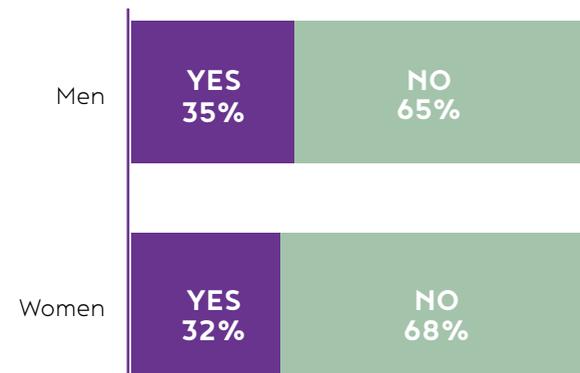
Our sample includes **3099 women** (52% of the sample). Regarding demographic factors, they do not differ much from the men in the sample. Almost 80% come from urban areas. 26% are between the ages of 25 and 34, and 24% are between the ages of 35 and 44. Women are slightly younger than men in the sample (mean age of 41 versus 43). In addition, they have on average a slightly lower level of education.



### HIGHEST EDUCATION LEVEL



### EXPERIENCED LEGAL PROBLEMS



WOMEN & LEGAL PROBLEMS

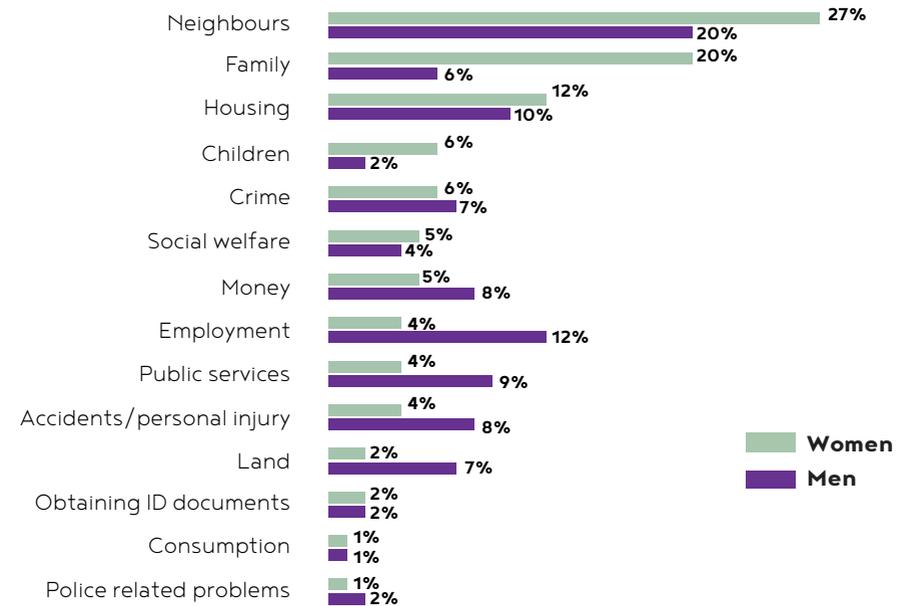
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Women do not experience legal problems significantly more or less often than men. However, different kinds of problem are more prevalent for them. Problems with neighbours (27%), family (20%) and housing (12%) are the most serious problems that women encounter. While men encounter a similar amount of housing problems, they experience far fewer problems with neighbours and especially family. Instead, they face substantially more problems regarding employment.

Among conflicts with neighbours, both women and men mostly encounter problems regarding regular and excessive

noise and threats, harassment or violence between neighbours. Among family problems, both women's and men's most pressing issue is divorce or separation. Note however, that the rate of domestic violence is three times as high for women than for men (14% versus 4% among all family problems). Among housing problems, women and men again face similar problems, most of them related to renting a house (difficulties agreeing on rent, not getting the deposit back, etc.). However, men are more likely to encounter a legal problem associated with leasing a house than women.

**MOST SERIOUS PROBLEMS**



When we asked both groups who they are in dispute with, women reported being in dispute with neighbours (30%), family members (26%) and other individuals (19%). Men indicated being in dispute with neighbours (24%), other individuals (20%) and public authorities (18%).



WOMEN & LEGAL PROBLEMS

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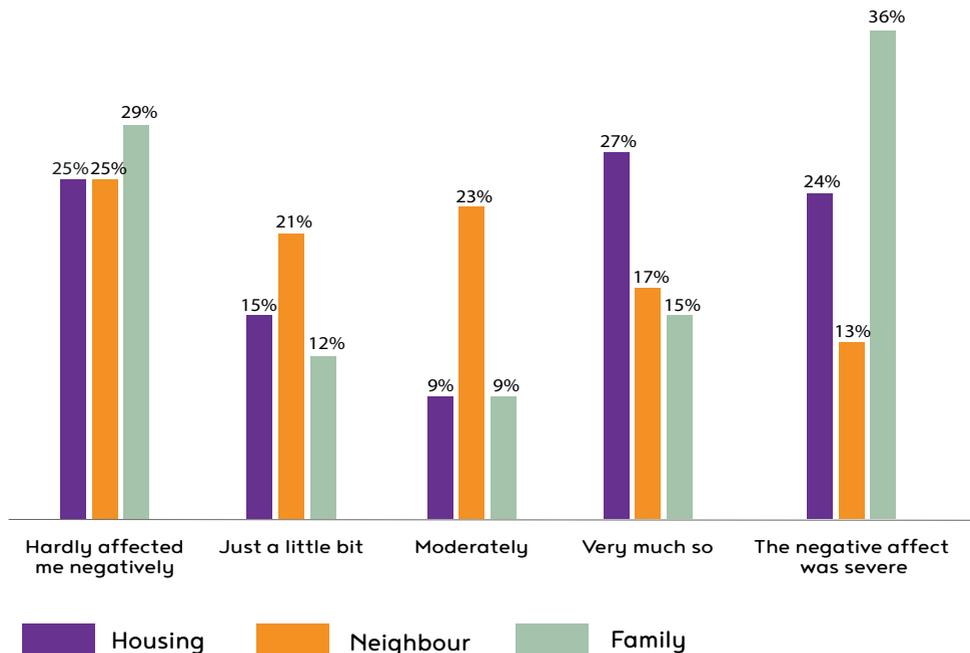
# Consequences of legal problems



There are no major differences in how severely women and men are affected by encountering legal problems. However, women are affected differently by different problems. Among their top

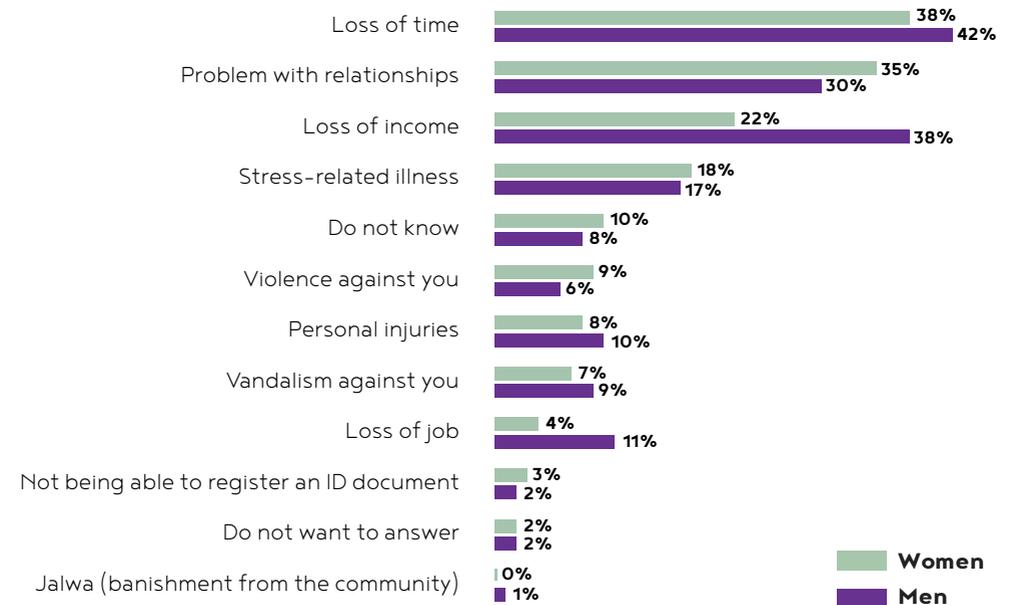
three most serious problems, they report the most severe negative effects for family problems and the least severe effects for disputes with neighbours.

## HOW DID THE PROBLEM AFFECT YOUR LIFE? (WOMEN)



In addition, women experience different consequences of their legal problems than men. They most frequently report experiencing problems with relationships and loss of time. While men experience loss of time equally often, they face problems with relationships substantially less often, but loss of income more often.

## CONSEQUENCES OF PROBLEMS



## Salma's story

Salma is a Jordanian woman and a mother of four children. Her family's lives took a dramatic turn over a year ago, when they were struck by a horrific assault. One of her sons, suffering from severe mental disabilities, was assaulted by three adults who poured a rust remover solution in his mouth. The whole incident was recorded and posted on YouTube by the perpetrators.

The incident has deeply impacted Salma and her family both physically, as well as emotionally. Her disabled son, the victim of this horrific attack, was severely injured and psychologically traumatised: he is no longer capable of even bathing himself, and sometimes does not even recognise his family members. "These people hurt my dear son, what sort of human being would harm a helpless disabled person?" The assault had an immense emotional impact on Salma and her family. The situation was worsened even more by the video posted on YouTube, where in multiple cases Salma has encountered individuals in public being amused by her son's tragedy. This shocking reaction by the people has left Salma sickened and worried every time she leaves her house.



## Legal information and advice

Around **60%** of Jordanians who experience a legal problem look for information and advice. There are no significant differences between men and women in this respect.

However, women's reasons for not looking for advice differ slightly. While men are more likely to not look for information because they do not think that anything can be done, women are more likely to not look because they do not believe that the problem is important enough.

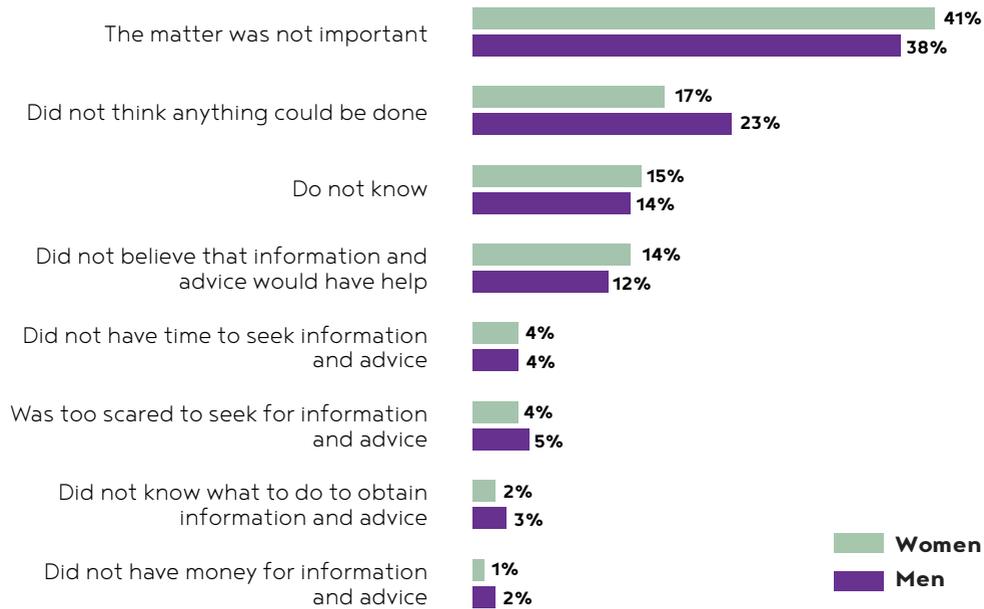
For those women who did seek information and advice, **relatives** were the most helpful source of information, followed by neighbours and lawyers. Men also rate relatives as their most helpful source of information, but to a lesser degree. Compared to women, they express more confidence in professional sources such as lawyers and the police. (see next page)



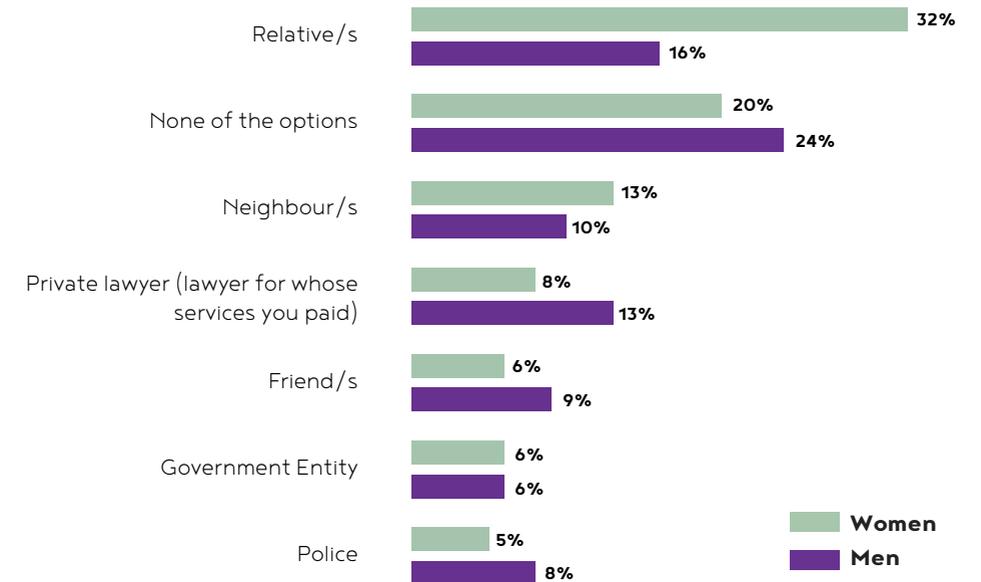
WOMEN & LEGAL PROBLEMS

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**WHY DID YOU NOT LOOK FOR LEGAL INFORMATION & ADVICE?**



**MOST HELPFUL SOURCES OF INFORMATION**



WOMEN & LEGAL PROBLEMS

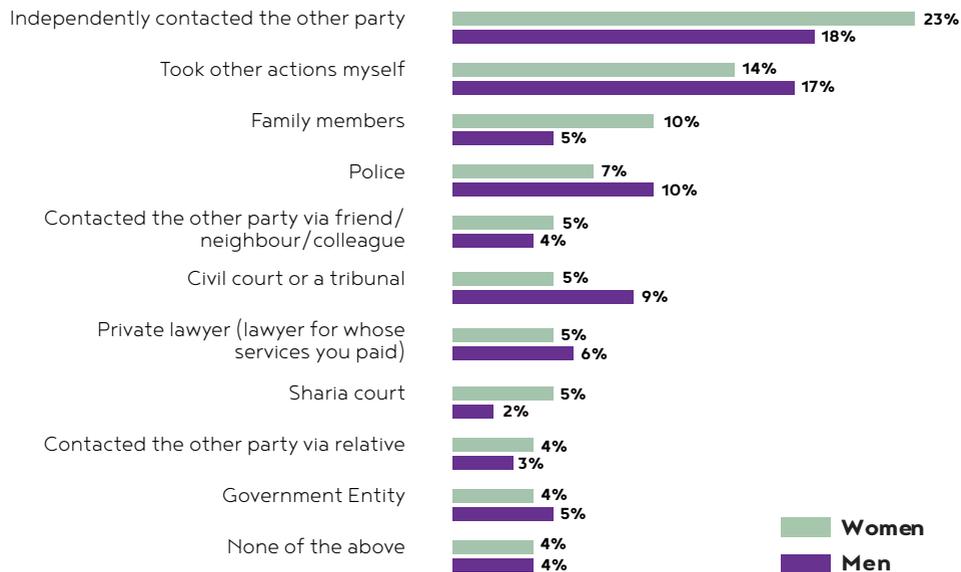
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# Dispute resolution



When we asked women and men which dispute resolution process helped them the most to resolve their problems, we encountered some small differences. While both groups agree that self-help is the most effective strategy, women frequently find resolution within the family effective, whereas men frequently find resolution at courts and with police helpful.

Contacting the other party is the most preferred dispute resolution mechanism for problems related to neighbours and housing, two of the most serious problems for women. For family problems, Sharia courts are perceived as the most effective dispute resolution strategy.



## Barriers

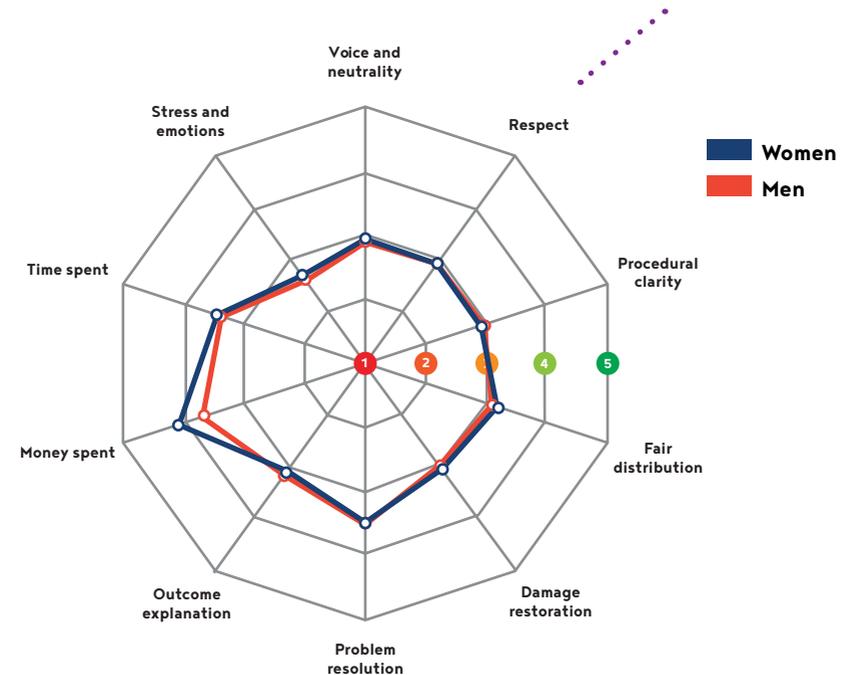
There are no major differences between women and men regarding their reasons for not taking any action to resolve their legal problems. For both groups, the most frequently reported reason is that they did not believe they would achieve a positive result. However, while women report more often that the problem was not serious enough (9% versus 4%), men argue more often that the other party was too powerful (12% versus 4%).

According to our data, women are more effective at resolving their legal problems than men. In total, 49% of their problems

were either partially or completely resolved at the time of our survey, while men had only resolved 41% of their problems.

## Cost and quality of the justice journey

We find no major differences between the genders in the way they evaluate the justice journey, except for their assessment of the monetary cost of justice. On average, women spend less money on getting justice than men.



WOMEN & LEGAL PROBLEMS

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How women and men trust justice institutions

Institutions are generally trusted in Jordan. When we split trust by gender we notice some differences between men and women.

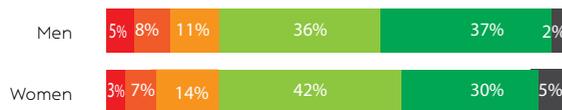
To begin with, women are more likely to trust courts than men. While 65% of

men agree or strongly agree with the statement that they trust the courts, 71% of women do. On the other hand, men are more likely to trust tribal justice. 37% of men strongly agree that tribal justice can be trusted, while only 30% of women do.

TRUST THE COURTS



TRUST TRIBAL JUSTICE

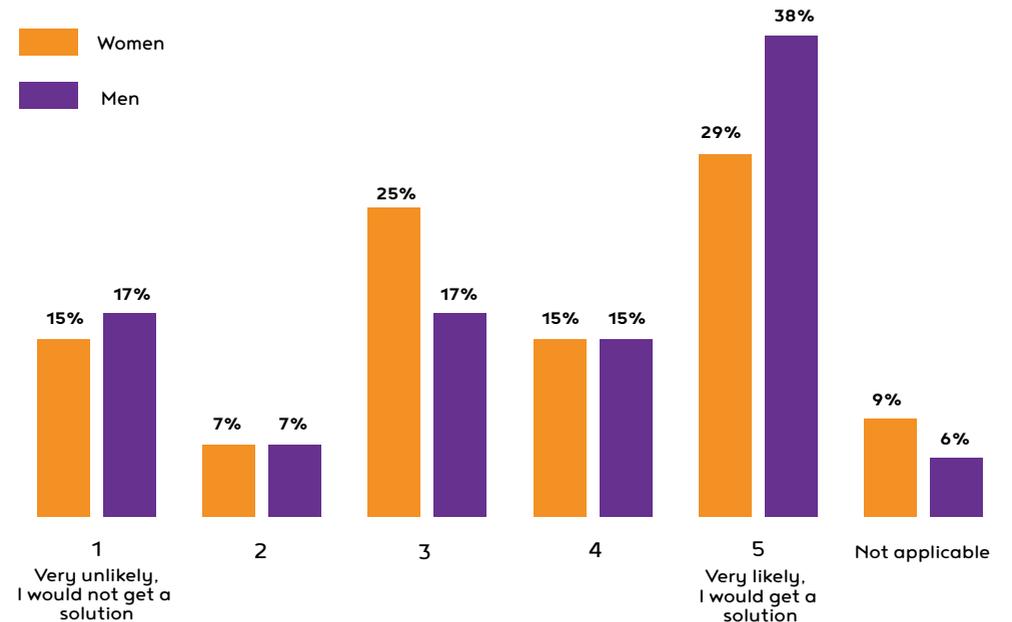


With regard to the government and non-governmental organisations, men seem to be less trusting of these institutions: 10% of men disagree strongly that NGOs can be trusted, compared to 6% of women. Moreover, 13% disagree strongly that the government can be trusted, compared to 6% of women.

Legal empowerment

Differences emerge between women and men when we confront them with various hypothetical dispute scenarios and ask how likely it is that they would get a solution in that particular situation. Overall, women appear to be less confident than men in finding a resolution in cases that involve dismissal from work, obtaining a driver's license and domestic violence. Overall, we notice some gaps in the legal empowerment of women.

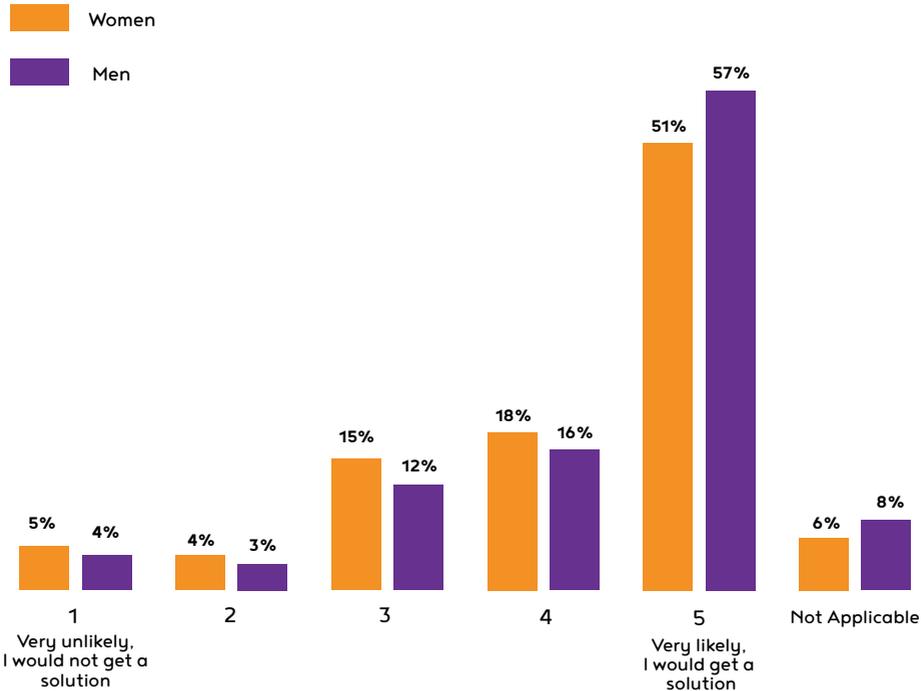
SCENARIO: DISMISSAL FROM WORK



WOMEN & LEGAL PROBLEMS

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**DOMESTIC VIOLENCE**



# Conclusions

- The prevalence rate of legal problems is similar between women and men. Women, however, more often encounter family problems than men. They face employment disputes less frequently.
- The majority of women sought legal information and advice with regard to their problems. On average, they are most likely to rate trusted sources such as relatives as particularly helpful in providing information. In addition, women express less confidence in institutional sources of legal information and advice than men.
- Around 80% of women took some kind of action to resolve their problems. The most prominent reason for not taking action is that they do not believe that they will achieve a positive result. We observe a similar pattern for dispute resolution to that for information seeking. While both women and men agree that self-help is the most effective strategy for dispute resolution, women are more likely to consider resolving their conflicts within the family as helpful. Men are more likely to put more confidence in professional institutions such as courts and the police.
- The voices of the users of justice in Jordan show that women are more successful in resolving their conflicts than men, and that there are no substantial differences in how women and men experience the costs and quality of the justice journey. However, we find some evidence that women feel slightly less legally empowered than men, particularly regarding problems such as dismissal from work and domestic violence.



# 7

## Family Justice

Introduction  
Gender and family justice problems  
Divorce  
Dispute resolution



## FAMILY JUSTICE

7

# Introduction

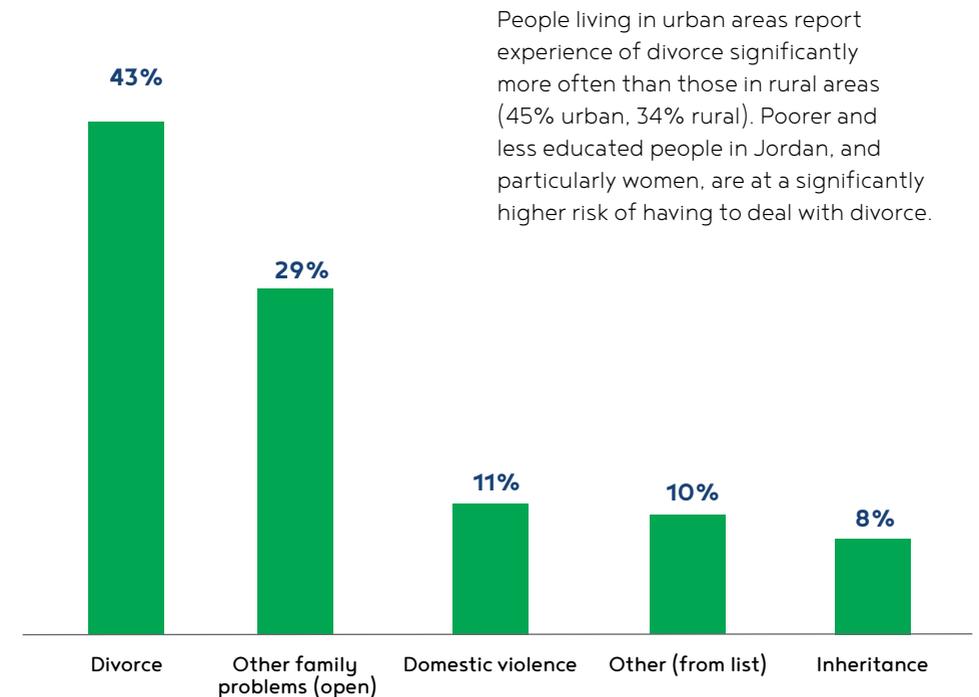
In this chapter, we focus on one of the most prevalent justice needs of people in Jordan: family legal problems. After disputes between neighbours, family related justice is the most frequently occurring legal problem in Jordan. Women are almost three times more likely to report an experience with a family justice problem. The risk is even higher for younger women between 18 and 24. Poorer women in Jordan report family related legal problems much more often. Women who perceive themselves as very poor encounter twice more often family problems compared to any other category. At the same time, they are the least capable of reaching fair and just resolutions.

## Divorce, the most serious and frequent family related legal problem

Among family related justice problems, divorce is the most prevalent issue for which women need protection from the law. Almost half of the respondents who reported a family related legal problem had to deal with divorce. Similarly, in the general category of family legal problems, divorce is reported significantly more often by women.

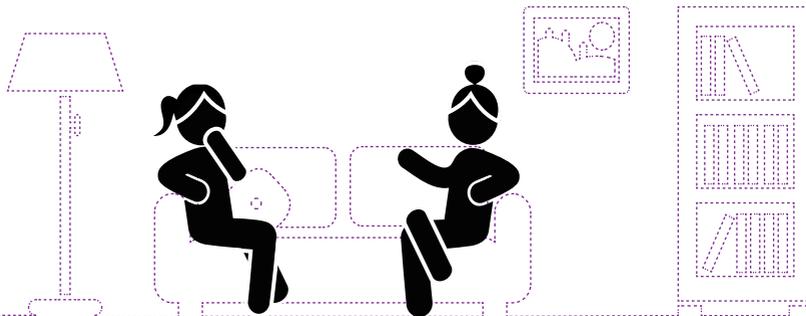
Our data suggests that every four years in Jordan between 64,000 and 99,000 women have to deal with divorce. Divorce is under-reported by men, but apparently, a similar number of Jordanian men need an accessible and fair family justice journeys.

## MOST SERIOUS FAMILY PROBLEMS



People living in urban areas report experience of divorce significantly more often than those in rural areas (45% urban, 34% rural). Poorer and less educated people in Jordan, and particularly women, are at a significantly higher risk of having to deal with divorce.

Percentages are based on the total number of respondents (n=259) reporting that a family problem was their most serious and difficult-to-resolve legal problem. The category "Other (from list)" includes Difficulties over maintenance in an existing marriage, Disputes over maintenance payments from a former partner, Parental/custody rights, Will, Disputes over child support from a former partner, and Child marriage. None of these problems exceeded 5%.



FAMILY JUSTICE

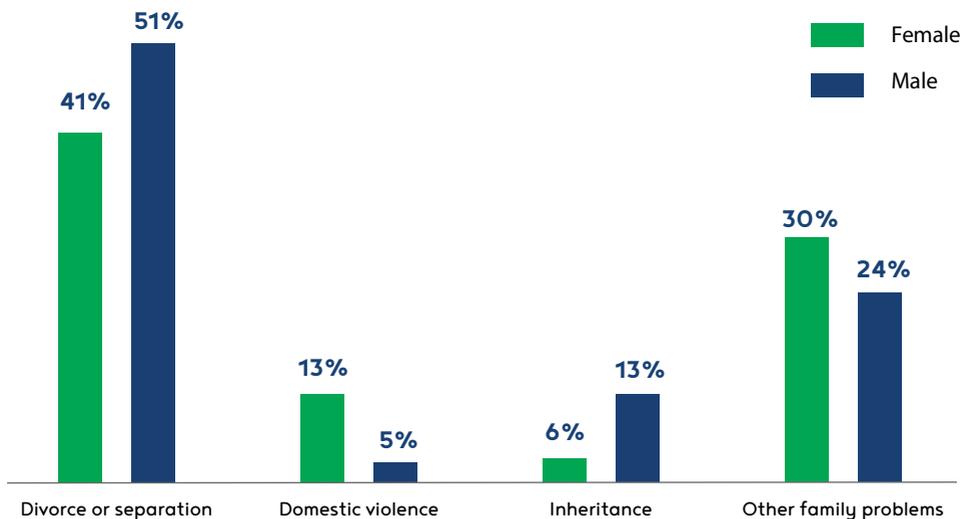
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# Gender and family justice problems

In general, men are less likely to report a family problem than women. However, when men have family problems, more often, compared to women, it is about divorce (51% for men reporting family problems say that it was about divorce; for women it is 41%). This means that women have to deal more with other

types of family problem. For instance, women are disproportionally affected by domestic violence (13% compared to 5% for men). Men report more often that they have problems related to inheritance and custody of children.

**MOST SERIOUS FAMILY PROBLEMS BY GENDER**

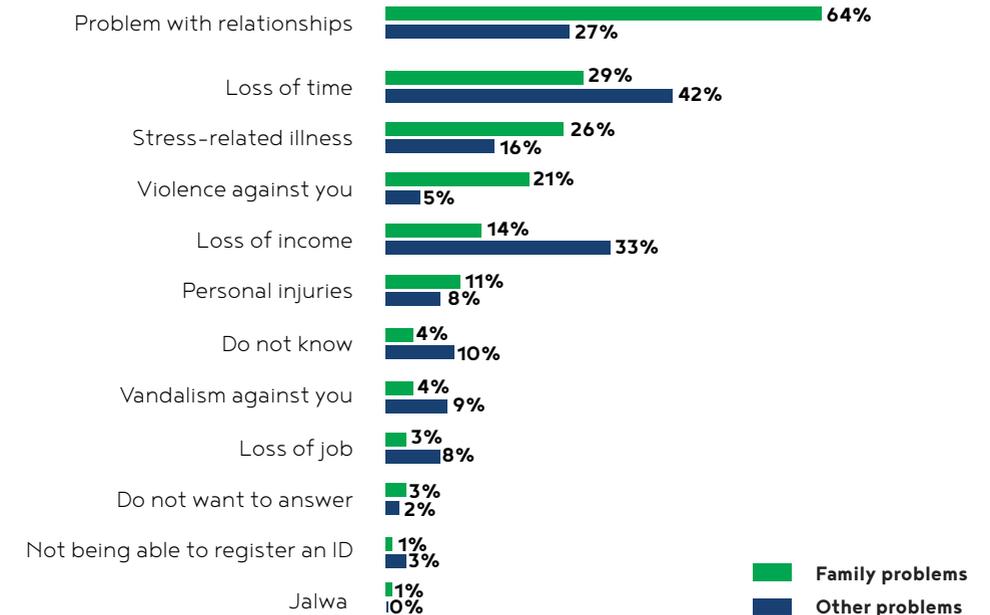


# Impact and consequences

While other legal problems tend to have strong effects on people's income and time, family problems impact relationships (64% against 27% in other legal problems) and cause more stress compared to other legal problems (26% compared to 16%). Family legal problems are more often

related to violent consequences. A family related legal problem is more than four times more likely to lead to violence against the involved individuals, compared to other types of legal problems (21% versus 5%).

**CONSEQUENCES OF FAMILY PROBLEMS**

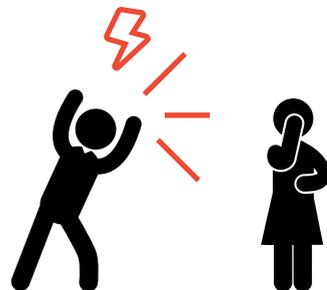


## FAMILY JUSTICE

7

How did the problem affect your life?	Family Problems	Other Problems
Hardly affected me negatively	26%	23%
Just a little bit	13%	15%
Moderately	8%	15%
Very much so	15%	18%
<b>The negative affect was severe</b>	<b>37%</b>	<b>28%</b>

Family legal problems have strong repercussions on people's lives: 37% of the respondents report that the negative effect was severe. This is almost ten percentage points more than those experiencing other types of legal problems.



## Luma's story

Luma is a 29 year old Jordanian woman and mother of two children. A few years ago, her life changed drastically after suffering an accident that left her physically disabled. Learning how to cope with this situation proved to be extremely difficult for Luma. Moreover, things became even more stressful when her husband used her disability as the primary reason to file a separation case at the court. Feeling humiliated and frustrated, Luma decided to take legal action and go to court. Keeping up with the court proceedings turned out to be very difficult for Luma:

*"I had to go to the court regularly, and people had to carry me three floors because the court was on the third floor. It was exhausting. I had to attend all the court sessions by myself and I'm physically disabled, so imagine going to the court room on the third floor on a regular basis."*

It is clear that the divorce process came with the price, which Luma and her children could not afford: *"We have lost a lot because of this divorce. Me and my children have lost everything. I felt scared and lost. Before I've never been to court or had anything to do with the law, but as the case progressed I started to understand how things work, and now I think this experience has made me stronger."*



## FAMILY JUSTICE

7

# How do the people in Jordan deal with divorce?



## Where do people look for legal information and advice?

People in Jordan actively seek legal information and advice when dealing with divorce. In divorce situations the people involved are almost twice as likely to seek legal information and advice compared to other categories of legal problem. This is understandable because divorce is a profound situation that affects almost every aspect of one's life. It is also highly regulated and rule-based. Very few

people have any personal experience of dealing with divorce. To cope with the maze of rules and procedures related to divorce, the people of Jordan actively seek information and advice.

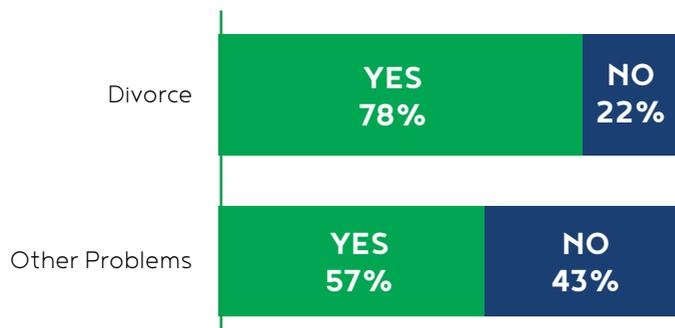
Most often, the people in Jordan get advice from their family and social networks when dealing with family legal problems. More than half (53%) of the respondents who report family legal problems sought some sort of assistance from within their families.

Lawyers are relatively frequently involved in the resolution of family disputes. One in five individuals who report a family problem sought help from a lawyer. Compared to other types of legal problem, in family matters the people of Jordan are significantly more likely to be advised and represented by a lawyer.

Involvement of lawyers is even higher in situations of divorce. 26% of individuals who had dealt with divorce in the previous four years had used the services of a lawyer. This also shows that a significant proportion of the people who experience divorce do not have access to qualified providers of legal information, advice and representation.

Gender is not related to the likelihood of receiving legal information in Jordan. Women and men consult lawyers at a very similar rate. However, there is a significant difference in procuring legal information and advice from a lawyer according to the place where the person dealing with divorce lives. In rural areas, only 18% of individuals experiencing divorce consult a lawyer. In comparison, 27% of the residents of urban areas experiencing divorce receive legal information and advice from lawyers. It is much more difficult for the rural population to secure access to qualified legal information and advice.

## LOOKING FOR LEGAL INFORMATION AND ADVICE



FAMILY JUSTICE

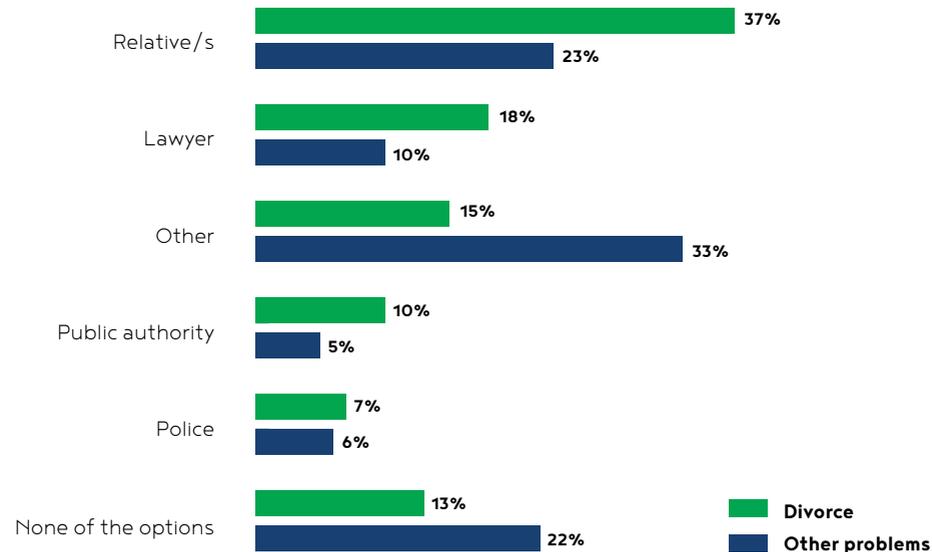
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# Most helpful sources of legal information and advice

Respondents from our sample identify relatives as the most helpful source of information when going through a divorce; 37% of the respondents signalled their relatives, which a bigger proportion than for other problems. Lawyers and

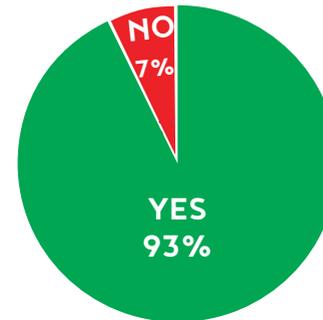
public authorities are also prevalent and considerably more preferred than for other problems.

**MOST HELPFUL AT PROVIDING INFORMATION AND ADVICE**



# Justice journeys in resolving family legal problems

**TAKING ACTION: CASES OF DIVORCE**



People facing family problems are a little more likely to take action than those facing other types of legal problems: nine out of 10 respondents reported having taken action to solve their problem, compared to eight out of 10 facing other types of problem. Those facing the specific problem of divorce are even more driven to take action.

The most frequently employed resolution strategy for family problems is to involve a family member. This might be the head of

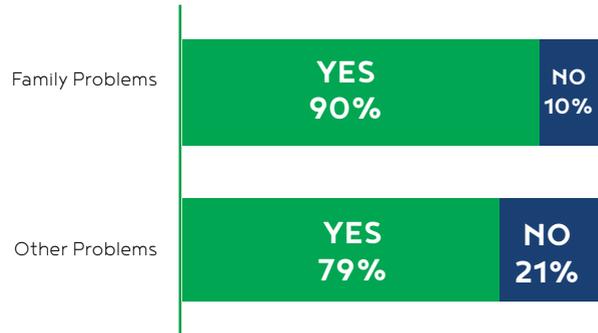
the family but also other relatives who are deemed capable of resolving the problem. Another common strategy is to try to solve the disagreement with one's own actions. Examples of such actions might be contacting the other party, preparing documents, writing letters, collecting evidence etc. Slightly more than one in three people (35%) who took active steps to resolve family problems took this approach.

Understandably, courts are the most often used dispute resolution mechanism. Of the respondents who had to deal with family legal problems almost half say that the issue was referred to a court. The answers are split between Sharia courts and regular courts of law. Given the jurisdiction of Sharia courts in personal matters, it is possible that many respondents did not make a distinction between the two types of court. This reveals that what really matters for people is that their legal problem is resolved in a fair manner which allows them to continue with their lives.

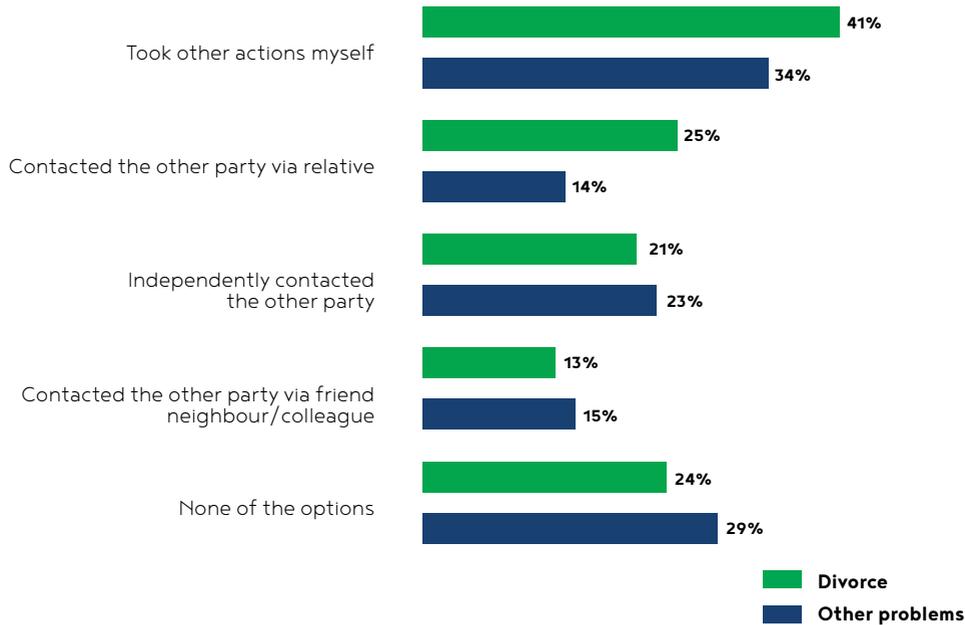
FAMILY JUSTICE

7

DID YOU TAKE ANY ACTION?



SOLVING PROBLEMS WITH OWN ACTIONS



In divorce cases the percentage of people who seek protection from the law is higher than in other cases. More than 63% refer the problem to a court. Similar to the pattern of engaging a lawyer, there is a marked difference in the strategies employed by rural and urban residents. People from rural areas refer their divorce cases less often than urban dwellers. 56% of the rural respondents say that the divorce was referred to a court, much less than the 76% of urban residents. We see in the data that rural residents are somewhat more reliant on family heads for responding to divorce. Other possible explanations for the urban/rural difference in the rate of using courts for divorce might be divergent beliefs about the role of courts in private problems, the physical distance of courts, etc. Whatever the case may be, this finding requires further investigation.

One notable finding about the justice journeys for those with family legal problems is that traditional or communal dispute resolution mechanisms, such as sheikhs, tribe or clan leaders and elders are used very rarely. Religious leaders are also not often involved in dealing with family disputes.

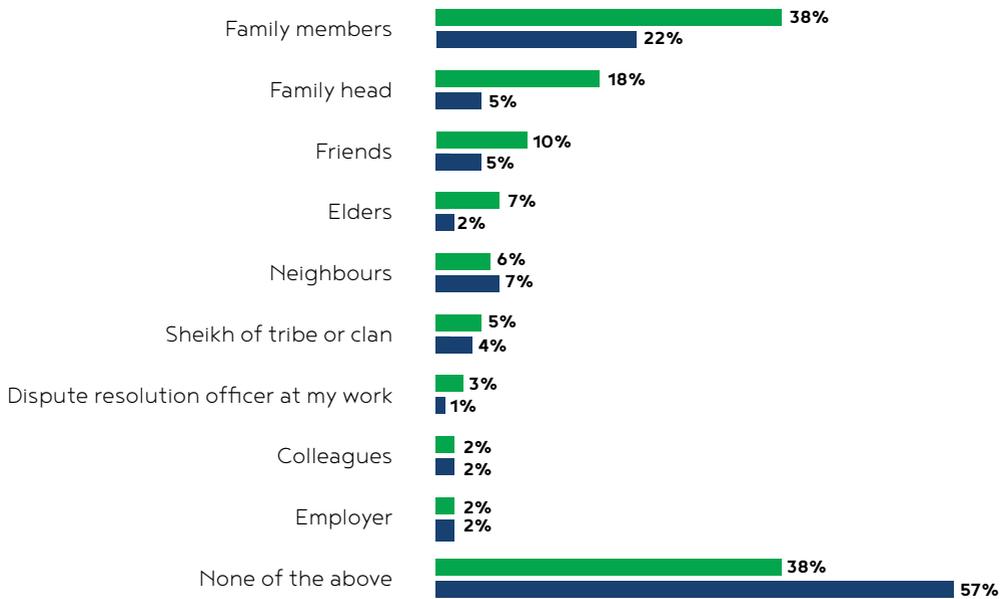


FAMILY JUSTICE

7

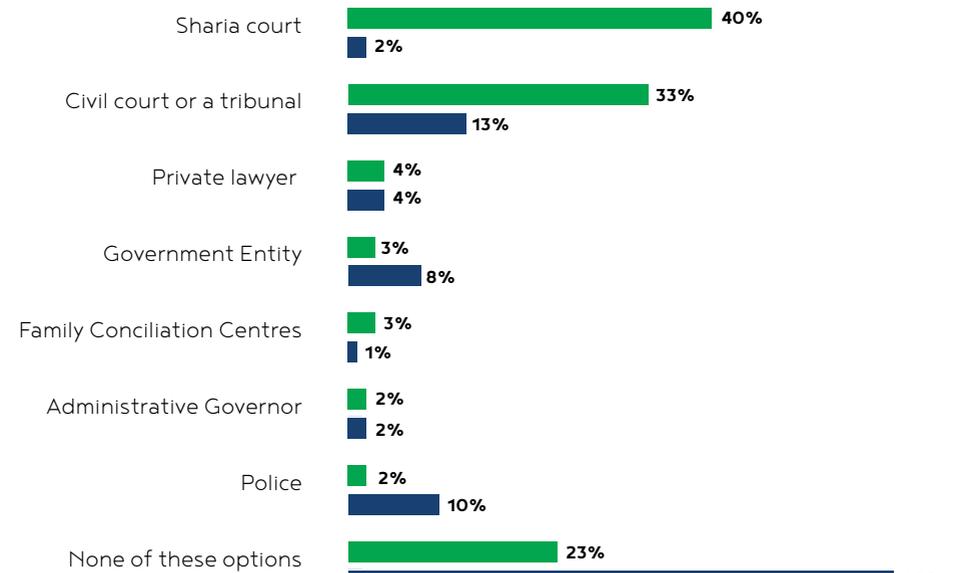
USING NON-INSTITUTIONAL DISPUTE RESOLUTION MECHANISMS

Divorce  
Other problems



USING INSTITUTIONAL DISPUTE RESOLUTION MECHANISMS

Divorce  
Other problems



FAMILY JUSTICE

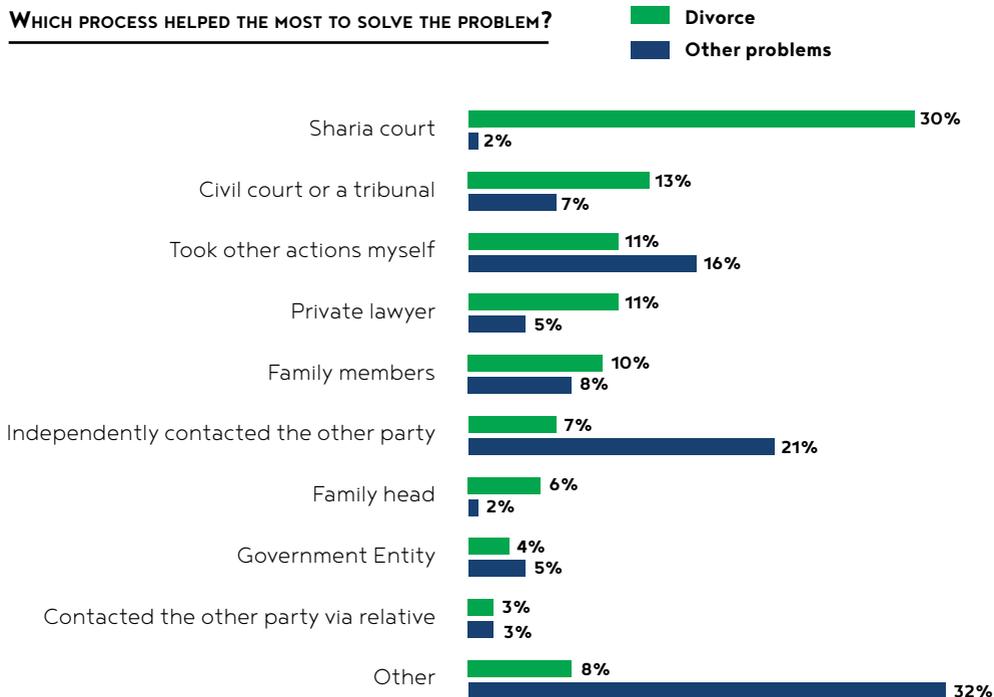
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## Most helpful mechanisms for resolving family problems

Sharia Courts are mentioned by 30% of the respondents as being the most effective process for resolving divorce issues. Civil courts or tribunals are ranked in second place, at 13%, and then lawyers at 11%. With all these institutional mechanisms for resolving disputes, people argue that

they help the most to solve their family problems in greater proportion than for other problems. Independently contacting the other party, on the other hand, is perceived as less helpful in handling divorce issues.

WHICH PROCESS HELPED THE MOST TO SOLVE THE PROBLEM?



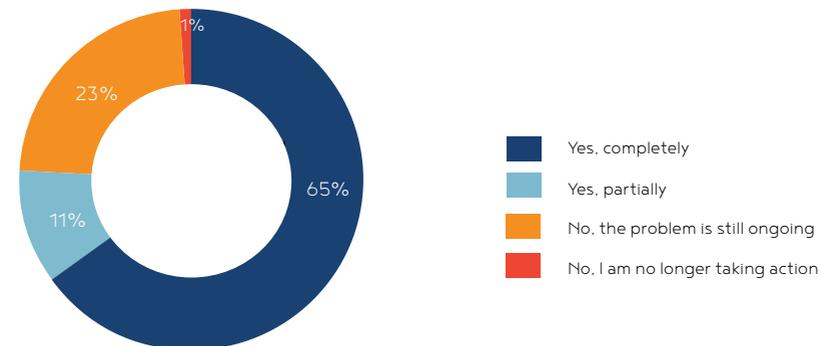
## To what extent do the available justice journeys resolve family related legal problems in Jordan?

According to the users of justice, family legal problems in Jordan have relatively high rate of resolution. About 60% of the reported family legal problems are resolved either fully or partially. If we focus on divorce, this is a problem with an even higher resolution rate. Seventy-five percent of the respondents describe their divorce situation as resolved. We do not have data about the specifics of the outcomes of these problems, but the assumption is that the justice journey has

been completed and there is a result at the end. For instance, some respondents say that the dispute has been resolved amicably between the involved parties. Others say that resolution has been achieved through a decision of a formal or informal third party.

Later in the report, we discuss how the users of justice perceive the quality of these outcomes.

HAS YOUR DIVORCE PROBLEM BEEN RESOLVED?



## FAMILY JUSTICE

7

# Assessment of dispute resolution processes

The chart at the right shows how people in Jordan perceive the cost and quality of their family justice journeys. The first three dimensions (Voice, Respect and Procedural clarity) measure how the people rate the process. The next four (Fair distribution, Damage restoration, Problem resolution, Outcome explanation) gauge the quality of the outcome of the justice journey. The last three dimensions reflect different types of cost of the justice journey (Money spent, Time spent and Stress and Emotions). The chart compares the experiences of people who experienced divorce versus those who experienced other family justice problems.

Overall, divorce receives lower scores on the quality of the outcomes. The users of justice have reservations regarding the four dimensions of the result:

- Fairness of the distribution
- Restorative effect
- Ability of the outcome to resolve the problem
- Extent to which the outcome has been motivated and explained

People who had to deal with divorce are particularly dissatisfied that the disputed value has not been distributed equally between the parties. It should be noted that both men and women are dissatisfied with this dimension of the justice journey. At the same time, they say that it was quite important for them that the result is divided in equal parts.

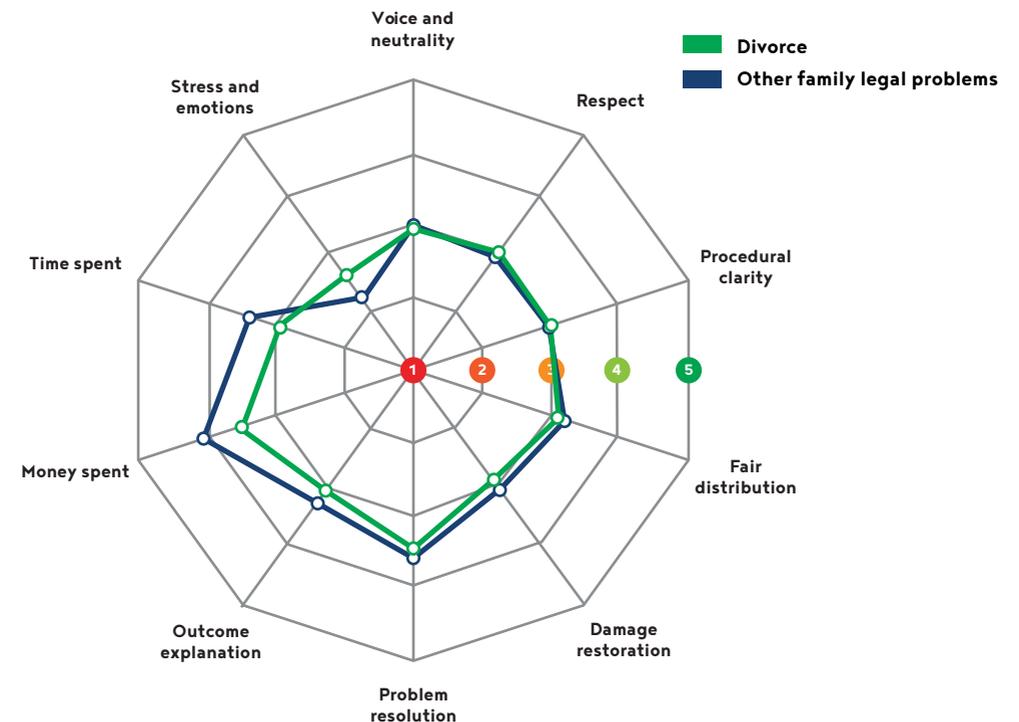
Similarly, the individuals undertaking divorce do not feel that the final outcome is being decided according to what they deserved to receive. Men believe to a higher extent that the result of the divorce procedure is in line with what the other party (the ex-spouse) deserved to receive.

Divorce procedures receive a particularly low score in terms of the ability to repair the relationship between the two parties. Both women and men rate this aspect of the justice journey very low.

Divorce also scores rather low on monetary and time costs. This can be explained by the fact that most, if not all, of the justice journeys dealing with divorce involve courts. Compared with other, less formal

justice processes, courts carry significant costs.

## USING INSTITUTIONAL DISPUTE RESOLUTION MECHANISMS



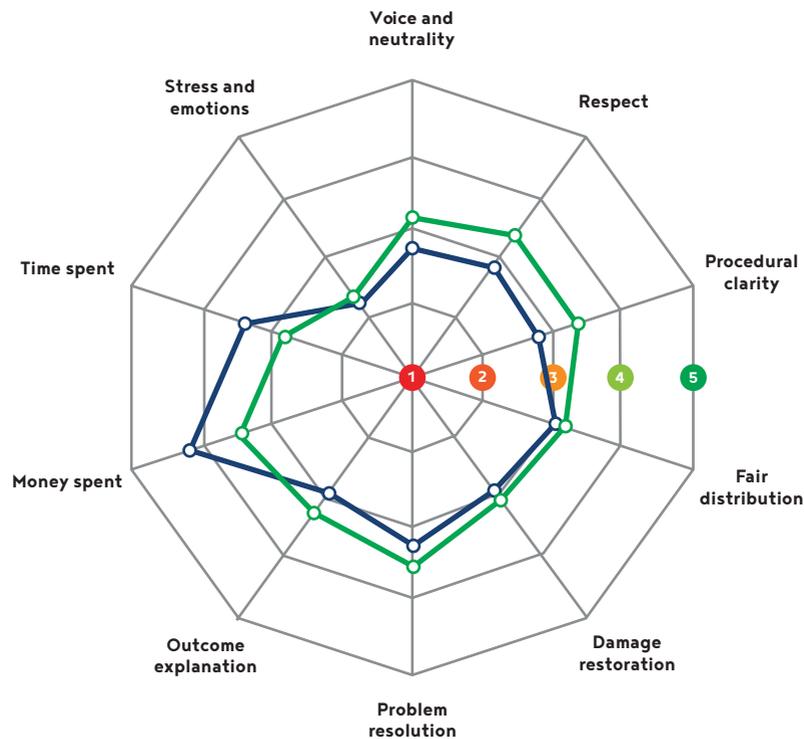
FAMILY JUSTICE

7

# Farah's justice journey



**FAMILY PROBLEMS FOR WOMEN BY STRATEGY**



■ Sharia Court  
■ Family members

Using our data and the qualitative interviews, we developed the fictitious story of Farah, who is in an unhappy marriage. In this way, we bring the data to life.

Farah is 39 years old, married, and has three children. She has completed secondary education and is trained as an administrative assistant, but does not have much work experience due to her three children. Farah has experienced many years of quarrelling with her husband, which, eventually, affected the three children. She is contemplating a divorce, but she first wants to know what her rights are. Recently, she has lost her father, who had two wives and left 8 children behind. There are quarrels about the inheritance between some of her siblings and now that her marriage seems to be breaking down, she wants to make sure she does not miss out on any inheritance she may be entitled to. In order to get information, she first consults her family members. Like many other women, she is hesitant to consult professional sources for legal advice. Farah believes that family members are the most helpful source of legal information.

As she gets closer to asking her husband for a divorce, she maps out which procedure would be most likely to work in her situation. Some of her family members who have little education have advised her that lawyers are expensive and not very helpful. They said that it is better to try work out the problem within the family or go to the Sharia court without professional support. Following her family's advice, Farah approaches a Sharia court to receive a divorce from her husband. Although her case was solved, the procedure was very stressful for her.



## Conclusions



- Vulnerable groups are disproportionately affected by family problems. In particular, young women and poor people.
- Divorce is the most predominant legal problem from the category of Family problems.
- Women report almost three times more domestic violence than men.
- Family problems have significant consequences. They affect important and valuable relationships, cause stress and sometimes even lead to violence. Hence, accessible and effective justice journeys are important for human development and for safeguarding fundamental human rights such as the right to physical integrity and the right to family life.
- People who have to deal with family problems are rather active. Many of them engage in justice journeys consisting of various steps, either their own actions or involvement of various neutral third parties, in the process of resolving the problem.
- Courts, namely Sharia courts, play a central role in the resolution of the most frequently occurring and pressing family problem, divorce.
- The people of Jordan see significant room for improvement in the quality of the procedures and the quality of the outcomes of the justice journeys concerning family problems.
- Courts are seen as providing a fair process, but their costs are higher compared to other justice journeys.



# 8

## Trust and Legal Empowerment

Trust in institutions  
Perceptions of courts in Jordan  
Subjective legal empowerment



# Trust and legal empowerment



Respondents were asked to rate five institutions by indicating to what extent they agree with the following statement: I trust [institution] in Jordan. The overall level of trust in government institutions expressed by the people living in Jordan was 3.8, on a scale from 1 (strongly disagree) to 5 (strongly agree). Having experienced a legal problem reduces trust

levels: Respondents who encountered a legal problem in the previous four years expressed less trust in the institutions than respondents who reported no such problems. The difference does not seem very substantial, but it is an important difference that highlights how the different groups experience trust in institutions.

## TRUST AND (NOT) EXPERIENCING LEGAL PROBLEMS

**3.8** Overall trust

**3.9** Did not experience legal problems

**3.7** Experienced legal problems

### INSTITUTIONAL TRUST



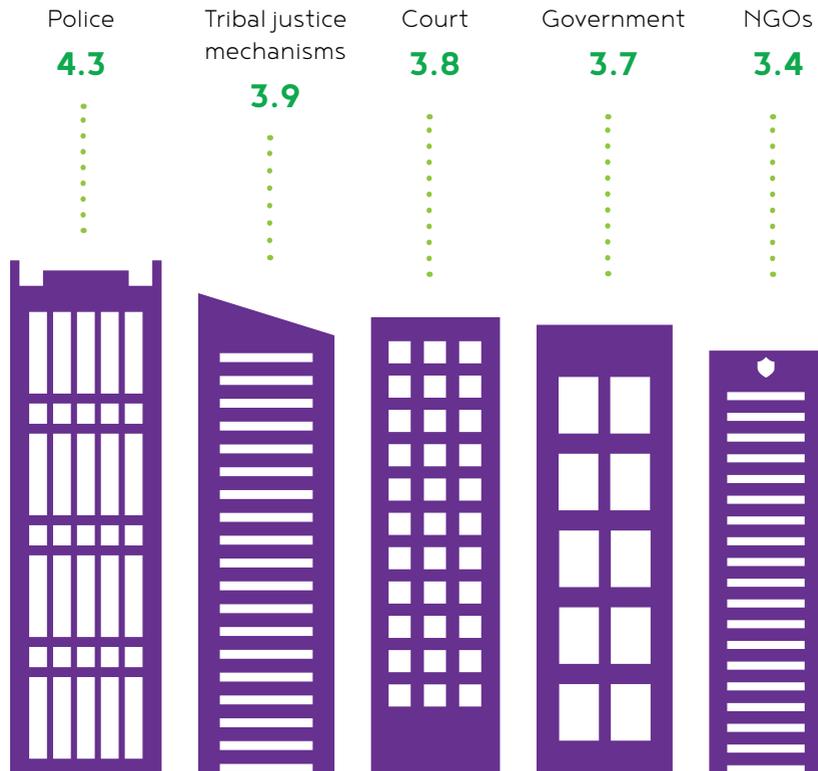
People place the highest trust in the police and the tribal justice mechanisms. The government and the non-government legal aid organisations enjoy the lowest level of trust. Further analyses should therefore explore the role of police in Jordan and how this can be used to leverage any action to help meet the justice needs of the people.



TRUST & LEGAL EMPOWERMENT

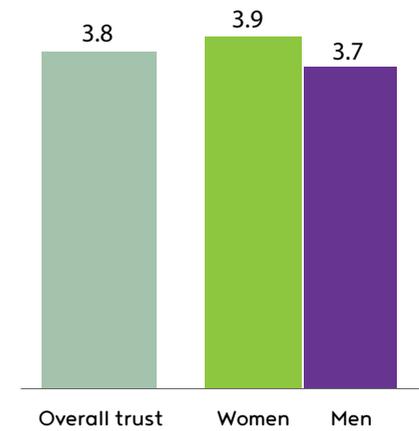
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AVERAGE LEVELS OF TRUST BY INSTITUTION

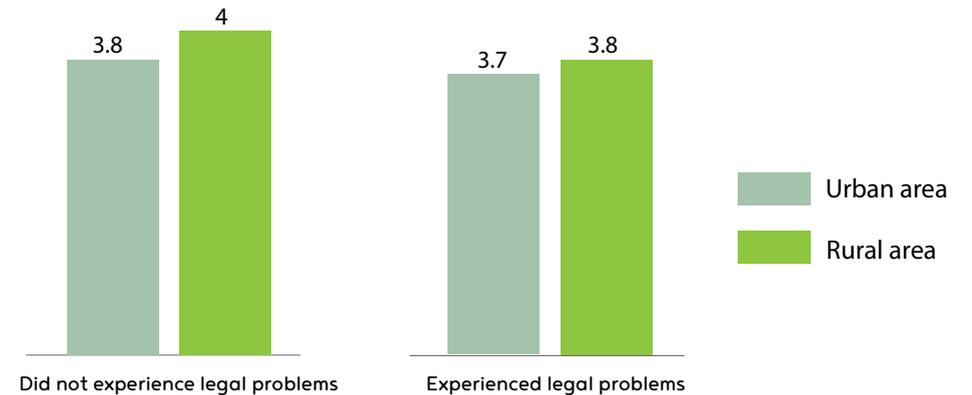


TRUST AND GENDER

There is also a difference when it comes to trust in the judicial institutions. Women tend to trust these institutions more than men. Looking at the differences between urban and rural areas, respondents in the urban areas trust the judicial institutions less than respondents in the rural areas. This is regardless of reporting having experienced legal problems or not. Again, these differences do not appear to be very substantial, but they are important factors in understanding trust levels among these groups.



TRUST AND URBAN/RURAL DIVIDE



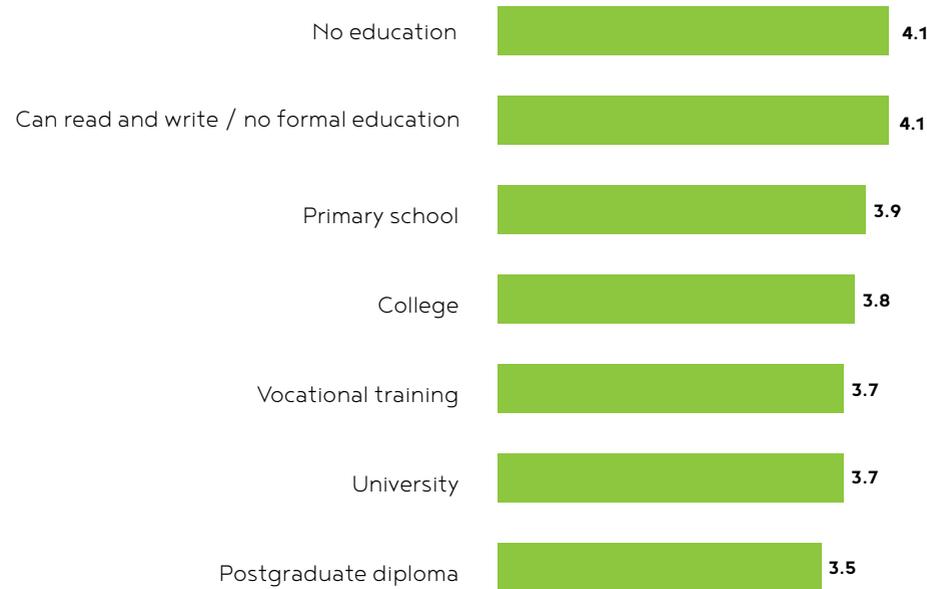
TRUST & LEGAL EMPOWERMENT

8

The higher the level of education, the lower the trust in the judicial institutions expressed by the people living in Jordan.

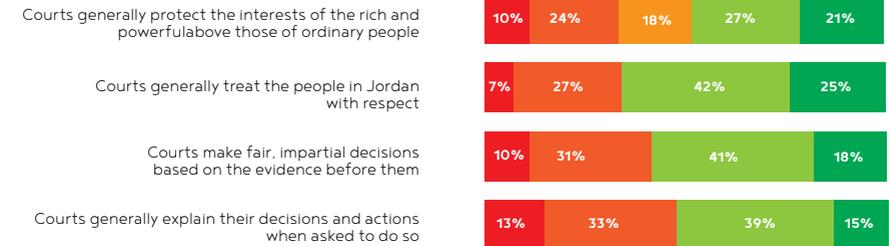


TRUST AND LEVEL OF EDUCATION

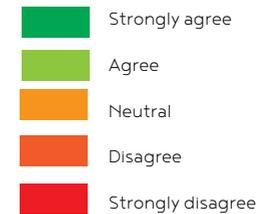


# Perceptions of the courts in Jordan

PERCEPTIONS OF COURT



Our analysis shows that roughly half of the people living in Jordan believe that courts generally protect the interests of the rich and powerful above those of ordinary people. The agreement with this statement is higher among those who reported to have experienced at least one legal problem in the previous four years.



TRUST & LEGAL EMPOWERMENT

8

# Subjective legal empowerment



Subjective empowerment refers to the extent to which people have the subjective belief that they are legally empowered to deal successfully with their legal problems. Overall, there seems to be a high level of empowerment in Jordan. However, people who had experienced legal problems in the previous four years were significantly less optimistic that they would get a solution to a hypothetical problem than those who had not experienced a legal problem in the previous four years. This may be connected to some of the dead ends and

potholes people experience in some of their justice journeys, as we have seen in the previous chapters. Judging how serious the consequences may be in these different situations, it is clear from our data that people in Jordan feel generally empowered to deal with difficult situations (i.e., being a victim of domestic violence) more than with the less difficult situations (i.e., when a friend refuses to pay back an amount of money that was lent).

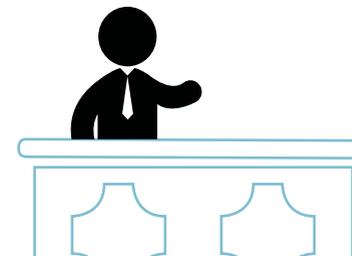
## HOW LIKELY IS IT THAT YOU WILL BE ABLE TO RESOLVE THE PROBLEM?

Did not experience legal problems  
Experienced legal problems



## HOW LIKELY IS IT THAT YOU WOULD GET A FAIR RESOLUTION TO THE PROBLEM?

Did not experience legal problems  
Experienced legal problems





## Conclusions



- People who experienced a legal problem show lower levels of overall trust in institutions, compared to those who did not. However, the difference is not substantial, but may indicate that different groups with different experiences perceive the work of institutions differently.
- Respondents indicated a relatively high level of trust when it comes to the official justice institutions in Jordan. The police enjoy the highest level of trust in Jordan.
- Although trust in courts ranks third compared to the other official institutions, half of the people living in Jordan consider that courts generally protect the interests of the rich and powerful above those of ordinary people.
- Unlike the overall levels of trust in institutions, subjective levels of legal empowerment may be dependent on whether people experience a legal problem or not. However, the results show that people living in Jordan feel, in general, legally empowered and are confident of being able to solve their legal problems themselves.





# 9

## Justice Needs of Refugees

Demographics  
Prevalence of legal problems  
Strategies for responding to legal problems

## Justice needs of refugees

In order to understand the justice needs of the refugees from Syria we oversampled this population. About **10%** of all respondents self-identify as Syrian refugees. The large majority of them (81%) arrived in Jordan in the period 2012-2013. The study took place after the terrorist attack near Baqa'a refugee camp in June 2016. As result of this and other incidents, access for researchers to the refugee camps in Jordan was tightened and it was not possible to interview refugees living in the camps. Instead, we spoke to Syrian refugees living in Jordanian cities. According to unofficial estimations around 80-85% of the Syrian refugees in Jordan live outside of the official camps.



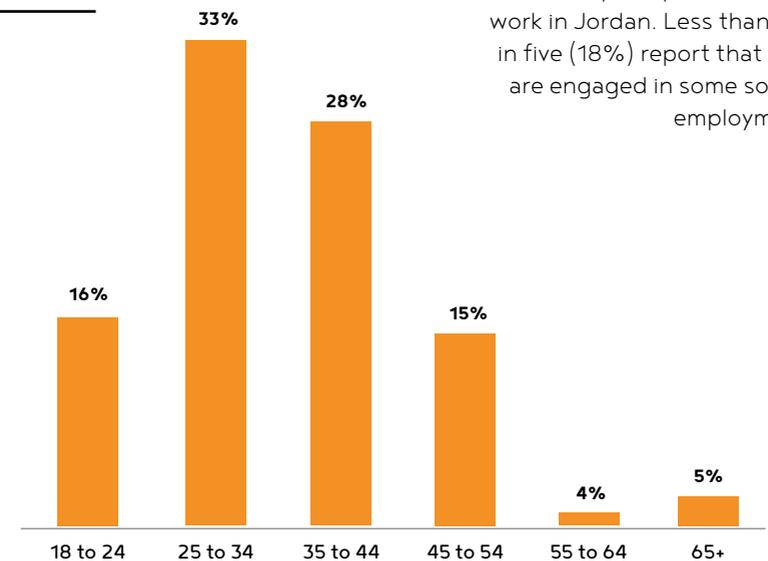
## Demographic profile of the refugees



Slightly more than half of the refugees in our sample are women (55%). Most of the interviewed refugees are young; about half are younger than 35. 59% of the refugees have only primary education. People who came from the big cities of Syria more often have a university level education.

37% of the interviewed refugees live in Amman, 31% reside in Irbid, 15% in Zarga and 18% in Mafraq. Around one third (35%) of the Syrian refugees who were interviewed in this study live in rural areas of Jordan. On average, a household of refugees consists of almost six people.

### AGE OF REFUGEES



Very few of the Syrian refugees in our sample report that they work in Jordan. Less than one in five (18%) report that they are engaged in some sort of employment.

JUSTICE NEEDS OF REFUGEES



## What types of legal problems do the refugees encounter?

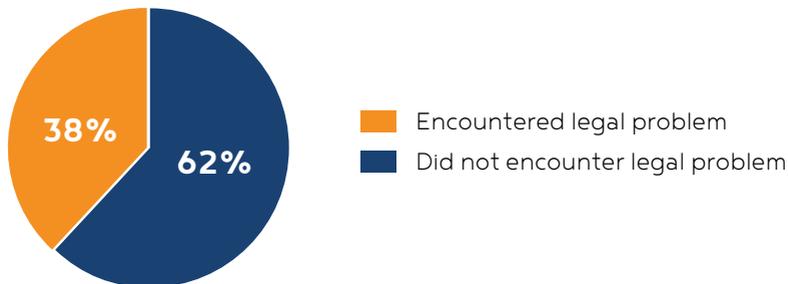


About four out of 10 refugees (38%) report experiences with a legal problem they consider serious. This is significantly more than the rest of the population sample. Men and women encounter legal problems at an almost identical rate. Age, however, significantly effects how the refugees experience legal problems in their daily life in Jordan. 42% of the refugees between the ages of 35 and 44 experience problems, while the youngest

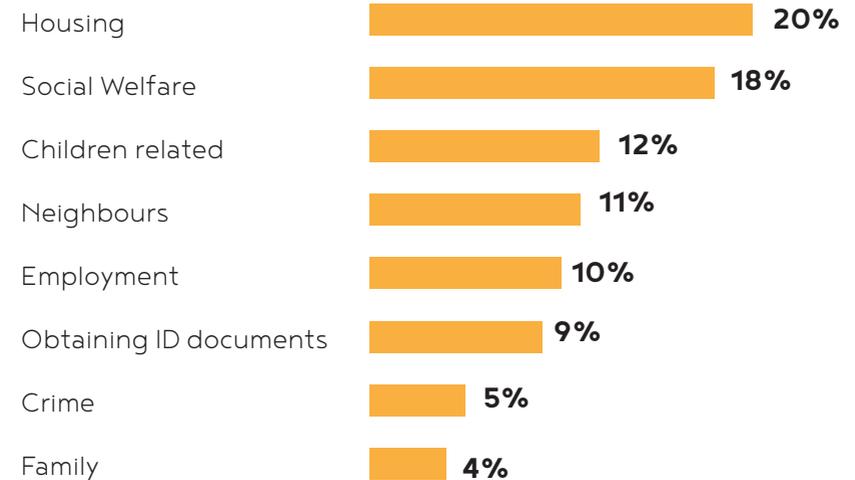
refugees between 18 and 24 years of age encounter problems at a rate of only 28%.

More than half of the refugees from the provinces of Zarqa and Mafraq had to deal with one or more serious and impactful legal problem. For comparison, around 30% of those living in Amman and 26% of the refugees residing in Irbid say that they experienced legal problems.

### PREVALENCE OF LEGAL PROBLEMS AMONG REFUGEES



### MOST SERIOUS PROBLEMS



## JUSTICE NEEDS OF REFUGEES

## 9

## What types of legal problems are experienced by the Syrian refugees living in Jordan?

Disputes around housing and social welfare are the most serious legal problems of the Syrian refugees. These problems affect two of the most basic human needs for secure and peaceful shelter and a stable income. The Syrian refugees in Jordan most often find themselves needing the law to protect these basic needs.

Problems which are specific to refugees, for example access to ID documents, are particularly common in the stories of the refugees to whom we spoke.

If we look deeper into the category of Housing problems, we see that particularly frequent and impactful problems occur around renting of housing on the free market. Two problems appear particularly often: disagreements over the price of rent and disputes over paying or receiving security deposits.

Many refugees complain that the landlords arbitrarily increase the rent. Evictions or threats of eviction occur slightly less often but have much more significant impact on the refugees. Often landlords use harassment as a non-legal instrument against refugee tenants.

Threats and actual violence are the most frequently reported legal problems among disputes with neighbours. Among legal problems related to children, the most prevalent is experience with violence against children. This is a clear indication of an insecure environment where disputes can escalate to the level of violence. Regular and excessive noise are examples of prevalent disagreements between neighbours or in the neighbourhoods where Syrian refugees live. Women

are particularly vulnerable to neighbourhood related problems.

More than 85% of the refugees who have encountered legal problems with social security report problems with cash disbursements from UNHCR.

More than half of the people who report an employment related legal problem say that it was about non-payment of wages. It should be noted that since only 3 % of the female refugees in our sample work, employment related problems are almost exclusively reported by men.

Refugees need a lot of support to continue with their lives. This is visible from the high need for legal protection in situations in which individuals from this vulnerable group need access to identification documents, public services and access to education for children. The Syrian refugees living in Jordan have clear and present needs for basic justice provision.



## JUSTICE NEEDS OF REFUGEES

9

## Sawsan's housing problem



Sawsan is a 35-year-old Syrian refugee who lives in Jordan. She has four children, one of them disabled, and her husband is in jail. Understandably, this makes it hard for her and her family to get by. Up until recently, they rented a house where the landlord required them to sign a promissory note. Due to Sawsan's lack of knowledge of financial practices and law, she did not cancel the note upon moving out of the house. The new tenants did not pay rent, and since the promissory note was not cancelled yet, the landlord demanded rent payments from Sawsan instead. He took her to court and Sawsan had to either pay 1200 Dinars to him or go to jail.

*"This was surely going to break my family apart, since I was going to be jailed leaving my children to the streets."*

Thanks to a lawyer who was provided by a local legal aid organisation, Sawsan was able to reach a settlement where she only had to pay 300 Dinars.

*"For me it was the lesser of two evils, I do not even want think about what would've happened if the lawyer would have not helped me."*

### How do the legal problems look through the eyes of the refugees?

Encountering a legal problem has significant implications for the Syrian refugees living in Jordan. More than 60% of those who recently had to deal with a legal problem report that it affected their life either very much (20%) or severely (40%). For comparison, the respondents who do not identify as Syrian refugees and encountered legal problems report fewer negative impacts on their lives.

Among the three most prevalent and serious categories of legal problems that the Syrian refugees encounter (housing, social welfare and children) social welfare is seen as the most pressing.

What do the refugees want from a fair justice journey? The answers are equally split among the wish to exercise certain rights (i.e. receiving a public service or social benefit), receiving back money

and improving the relationship with the other party in the dispute. Punishing Someone or receiving an apology are less often selected as important goals of dispute resolution.

There are differences between female and male Syrian refugees in what they expect from the processes of resolving their legal problems. Men more frequently expect to receive money or avoid further monetary loss, while women are twice as likely to expect that the resolution of the legal problem will lead to retribution for the wrongdoer.

JUSTICE NEEDS OF REFUGEES

9

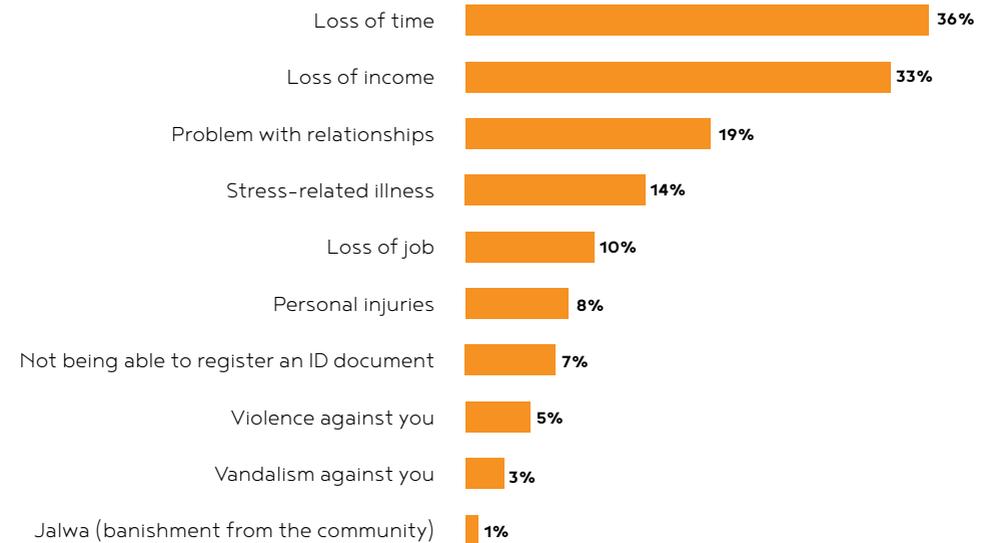
Who is the other party in the dispute?

Most of the time, the other party in the dispute is another individual. This is most frequently the case in categories of legal problem such as crimes, accidents, legal problems with children and housing. On the other hand, a public organisation is the other party in the dispute when it comes to disputes around public services, corruption and treatment by the police.



Most often, the consequences of encountering a legal problem are loss of time and loss of money. Many refugees also report that disputes lead to deteriorated relationships and stress. About 7% of the refugees say that the main negative consequence of the problem is the inability to obtain an ID document.

CONSEQUENCES OF THE LEGAL PROBLEMS THAT SYRIAN REFUGEES EXPERIENCE



## JUSTICE NEEDS OF REFUGEES

9

# Legal information and advice



Nearly half (44%) of the Syrian refugees who encountered legal problems did not seek information or advice about resolving their legal problem. The main reason for not searching for information and advice is that the respondents did not believe that the matter was serious enough (32%). One in five refugees did not believe that anything could be done, and another 19% did not believe that seeking information and advice would have any impact on the problem.

Among informal sources of advice, the Syrian refugees most frequently seek help from relatives (17%), neighbours (16%) and friends (14%). Around 10% of the refugees report that they wanted to receive legal advice but did not know where to obtain it. Another 15% say that they were not aware of such options. Very few refugees who had problems were able to receive legal advice from a knowledgeable and reliable source. The police, public authorities and lawyers from civil society organisations are the most frequently used sources, but all of these

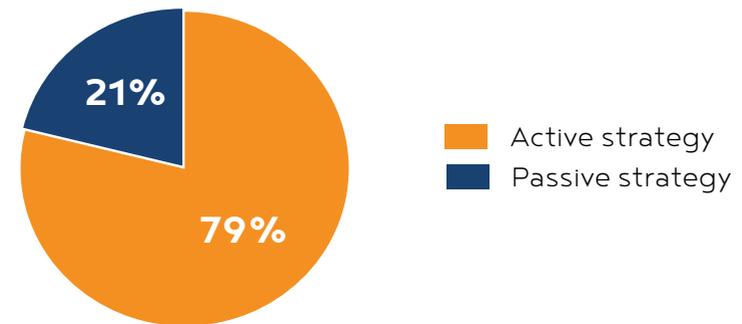
institutions were used by less than 5% of the refugees who had legal problems.

Very few of the refugees sought information about their legal problems from sources such as the internet, radio, TV or brochures. Most of the interviewed Syrian refugees say that they either did not need information or did not know where to look for it.

## What do the Syrian refugees do to resolve their problems?

The majority of the refugees take action to resolve their legal problems (79%). This is a promising finding on which fair and effective justice journeys can be built.

## HOW DO REFUGEES RESPOND TO THEIR LEGAL PROBLEMS?



Refugees are less likely to take active steps to resolve their problems when they involve public authorities, such as conflicts with the issuance of ID documents and the use of public services.

Female refugees are more active in resolving their legal problems than male refugees. Those who were interviewed in West Amman and Zarqa report more often that they did not take active steps to resolve the encountered legal problem.

Another interesting finding is that refugees coming from rural parts of Syria more often employ active strategies to resolve their legal problems than those who lived in the big cities of Syria.

Those who received assistance from national or international organisations more frequently took active steps to find a fair resolution to the experienced legal problem.

Around one in five refugees say that they did not pursue resolution to their problems. In other words, they preferred or were pressed to do nothing. The most frequent reasons for such passive behaviour is the lack of confidence that the respondent can achieve a positive result (30%) and the perception that the opposing party is more powerful (17%).

JUSTICE NEEDS OF REFUGEES



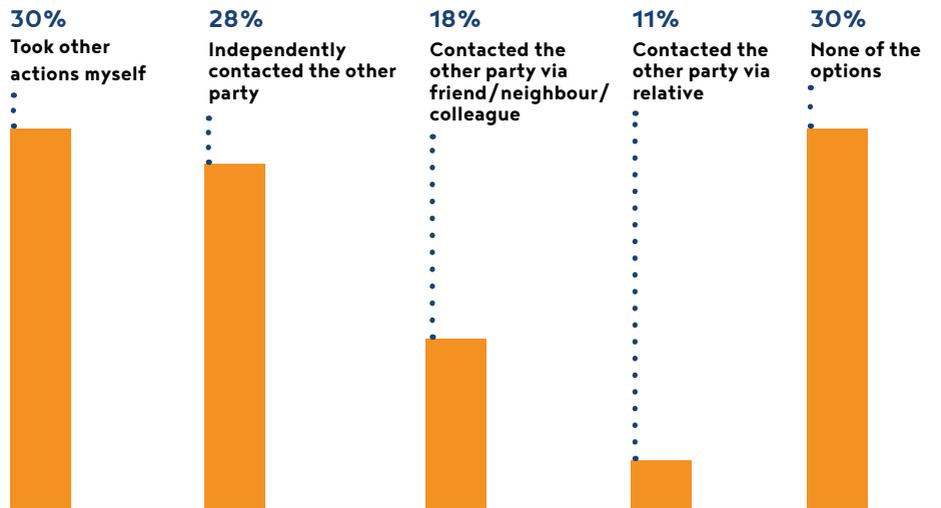
# Resolving problems with own actions



Most of the Syrian refugees who faced serious legal problems undertake some sort of action of their own to resolve the problem. Three out of four refugees who reported experience with legal problems attempted to resolve the

problem through contacting the other party directly, through some intermediary or through some other action. Women engage in their own actions to resolve legal problems slightly more often than men.

## OWN ACTIONS



# Informal dispute resolution process

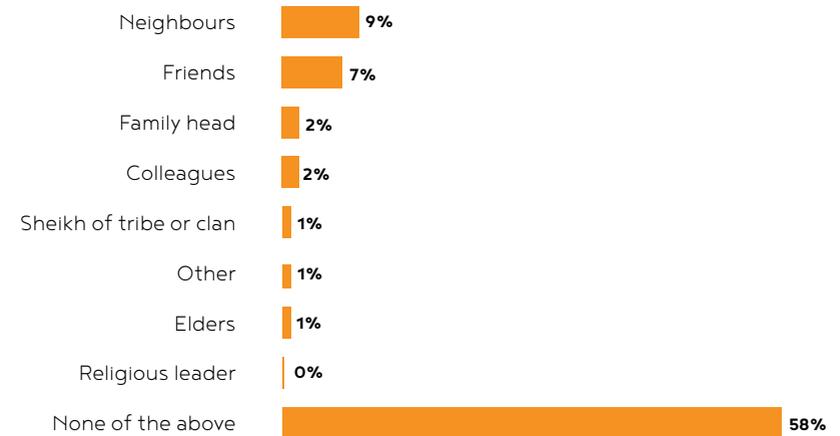


Various forms of dispute resolution through involvement of an informal third party are used significantly less often than own actions. Family members, friends and neighbours of the disputants are engaged as neutrals more often than the other options from this category. Women who are embroiled in legal problems are significantly more likely to

involve family members as a neutral third party.

Dispute resolution mechanisms such as elders, religious leaders, and communal or tribal authoritative leaders are rarely involved in the process of resolving the legal problems of refugees. This shows the fragility of the support network for the refugees when it comes to dealing with legal problems.

## INFORMAL DISPUTE RESOLUTION PROCESSES



*Elders and religious leaders are each used by less than 1% of participants.*

JUSTICE NEEDS OF REFUGEES



# Institutional mechanisms for resolving legal problems

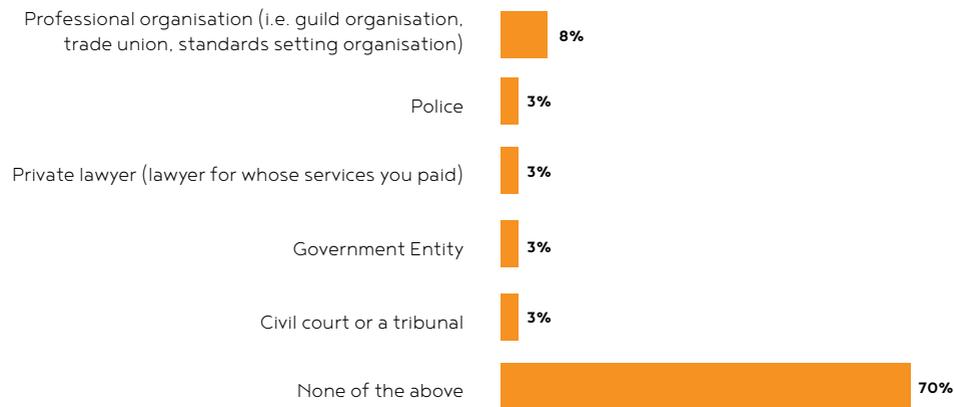


Access to formal justice institutions is not easy for the Syrian refugees in Jordan. Very few refer to the formal sector in order to receive just and fair resolution to their justice needs. Courts of law, central or municipal public authorities and even police are rarely used to solve the legal problems of the refugees.

Among the institutional providers, the refugees indicate that professional organisations are most helpful.

Civil courts are used by only 2.6% to resolve the legal problems of Syrian refugees.

## INSTITUTIONAL DISPUTE RESOLUTION PROCESSES



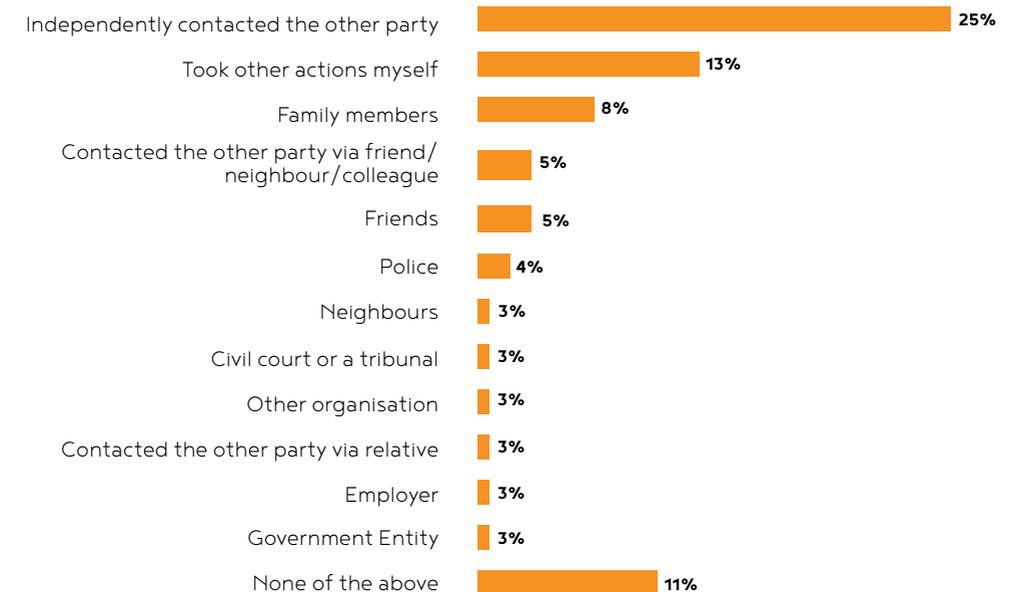
Sharia courts, family conciliation centres and municipal authorities are each used by less than 3% of participants.

Which of the employed dispute resolution mechanisms are considered to be most effective in resolving the problem?

Non-institutional approaches to resolving legal problems dominate the paths to justice used by the Syrian refugees in Jordan. When there was more than one response to the

legal problem, we asked which one was the most effective in resolving the issue. Self-action and informal mechanisms are the most frequently used options. Police, courts and public or municipal public authorities are addressed very rarely to help reach a resolution for the legal problem.

## MOST EFFECTIVE DISPUTE RESOLUTION MECHANISMS



## JUSTICE NEEDS OF REFUGEES

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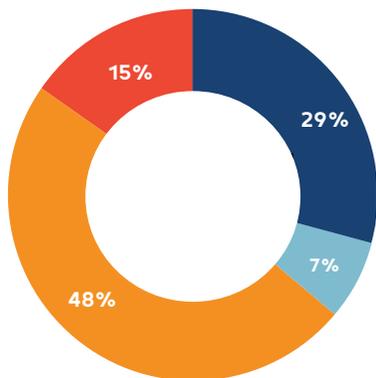
## Resolution of legal problems by refugees



Almost two thirds of the Syrian refugees who report a problem considered the problem as not being resolved at the moment of interview. One third of the problems is perceived as fully resolved

and 7% as partially resolved. 15% of the refugees gave up on achieving resolution of their problems, which is twice the rate for Jordanians.

### IS THE PROBLEM RESOLVED?



- Yes, completely
- Yes, partially
- No, the problem is still ongoing
- No, I am no longer taking action



JUSTICE NEEDS OF REFUGEES

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# Perceived costs and quality of justice for the Syrian refugees

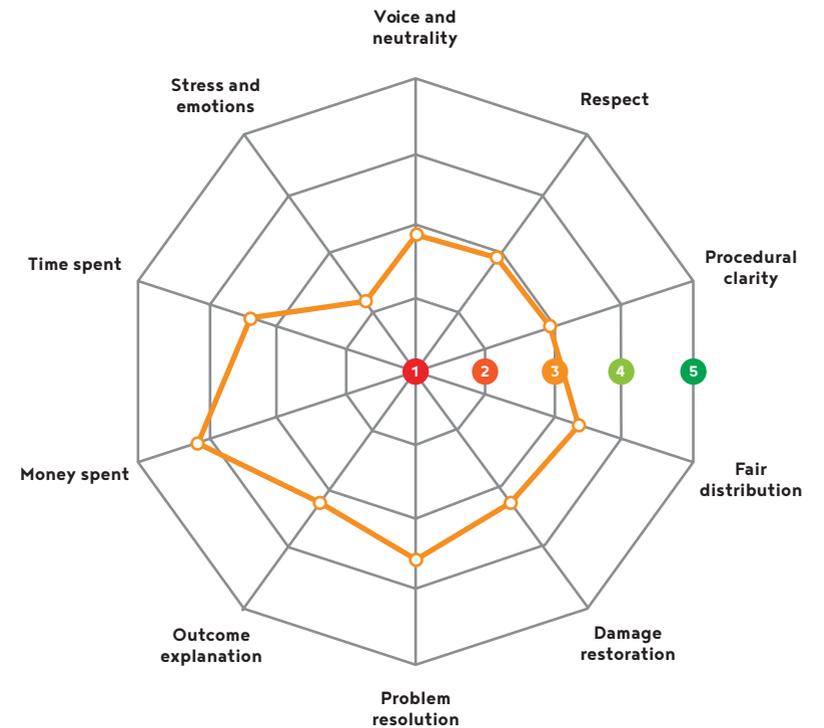


A lot of improvements are needed for the justice journeys experienced by the Syrian refugees. When the Syrian refugees assess their justice journeys, most of the 10 dimensions of process, outcome and costs of access to justice score low. In particular, the process fairness and stress costs of the justice journeys are viewed as inadequate.

The processes which the refugees use to resolve legal problems are scored at less than 3. This means that the refugees do not think that they can express their views and interests sufficiently in the dispute mechanism, the processes are not particularly objective or based on valid evidence or that the procedural and substantive rules are not applied equally. The perceived quality of the outcomes of the available justice processes is slightly better. Even when compared to the rest of the sample, we see a tangible difference; the refugees perceive the justice journeys as more fair in terms of distribution.



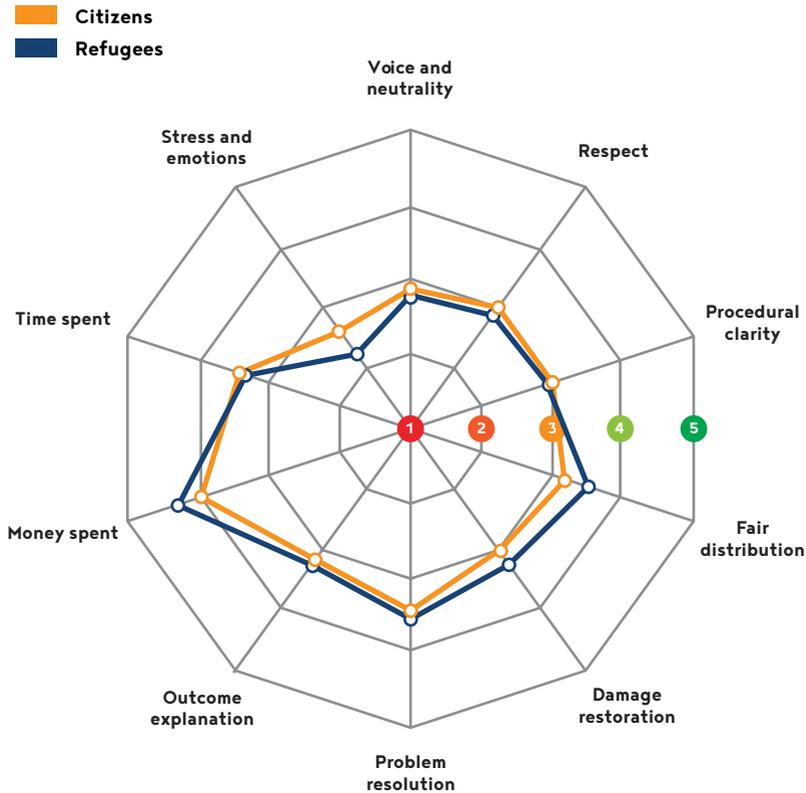
## PERCEIVED COSTS AND QUALITY OF JUSTICE JOURNEY



JUSTICE NEEDS OF REFUGEES

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**DIFFERENCES BETWEEN REFUGEES AND CITIZENS**



An area in which the refugees score particularly low is the experience with stress and negative emotions on the path to justice. The intangible cost of justice is the dimension of the justice journeys which receives the most negative perceptions.

# The perceived future

Most of the interviewed refugees anticipate returning to Syria when the situation there improves. Almost half of them (48%) say that they will return when the security situation is better and a further 37% add that a condition for return is the renewed provision of public services. Only about one in seven (14%) wish to remain in Jordan. Refugees who live with family members from Jordan are more sceptical about returning to Syria. Understandably, refugees who do not have such support are more willing to return to their own country and renew their lives.

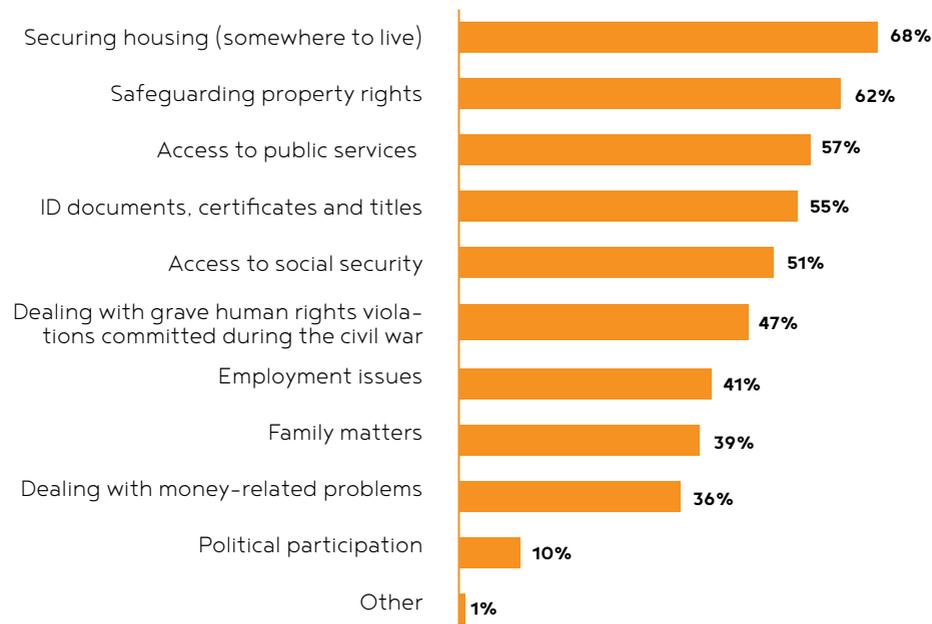
The interviewed refugees anticipate many legal problems ahead. On average, each of the interviewed believes that five or more serious legal problems are likely to occur in the near future.

More than two thirds of the respondents say that once the civil war is over they will have to deal with legal problems around securing safe housing. A related concern for 62% is the need to protect property rights. Many refugees will need to obtain new property titles and other documents establishing their rights over land and real estate.

More than half of the interviewed Syrian refugees (57%) expect that restarting their lives after the war will mean many legal disputes with public authorities over access to basic public services. In addition, 50% expect problems connected to issuance of ID documents.

## JUSTICE NEEDS OF REFUGEES

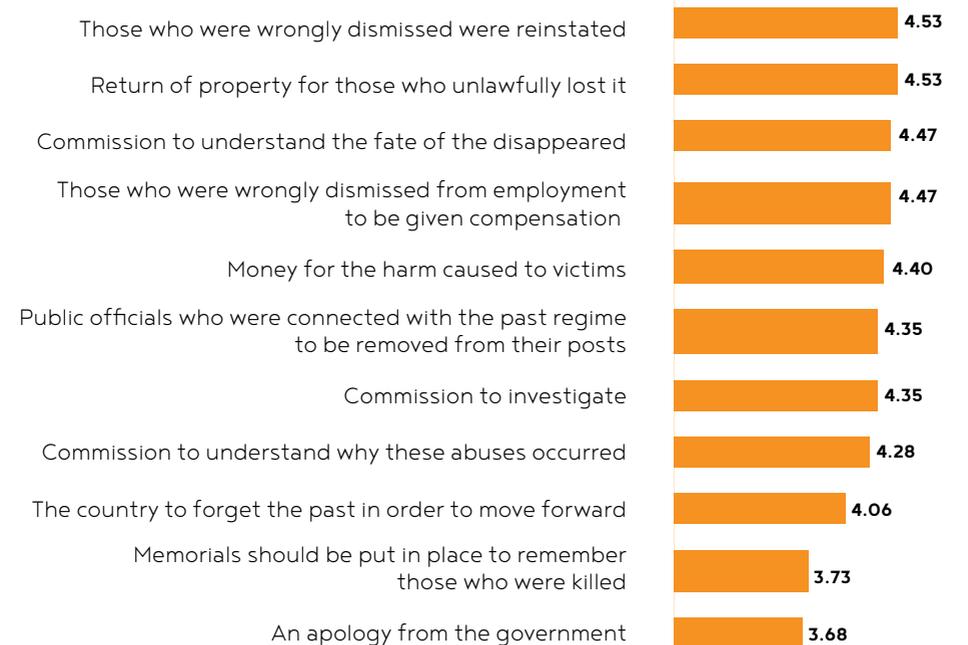
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**WHAT WILL BE THE MOST PRESSING NEEDS FOR JUSTICE WHEN THE CIVIL WAR IN SYRIA IS OVER?**

(sum of percentage exceeds 100 because more than one option possible)

As well as the anticipated civil and administrative legal problems, we see that almost half of the refugees (46%) say that there will be a need to address the grave human rights violations committed

in Syria since 2011. This shows that the Syrian people, namely the refugees living in Jordan, have high expectations about measures that will bring about transitional justice.

**TO WHAT EXTENT DO YOU WANT:**

There is large scale support for a broad array of measures which address restorative justice. Two restorative justice measures receive an equally high level of support (4.53 out of 5). First, the refugees want that all who have been wrongfully dismissed return back to their jobs in offices, factories, shops and farms across Syria. There is also a

strong expectation for compensation for the loss of ability to work (this measure scores 4.47 out of 5). Second, there is a hope that the efforts to rebuild Syria and establish the rule of law will lead to a fair restitution of the real estate and personal property which has been misappropriated by various parties during the civil war.



# Conclusions



Investigation of the fundamental human rights violations also receive very high support from the Syrian refugees living in Jordan. The establishment of a commission to investigate the fate of the many who disappeared during the conflict receives a score of 4.47. A similar level of support is expressed for monetary compensation for those who suffered harm as a direct or indirect consequence of the violations of human rights.

Retributive measures such as commissions to investigate the abuses and vetting of public officials involved in the atrocities are also anticipated and demanded measures.

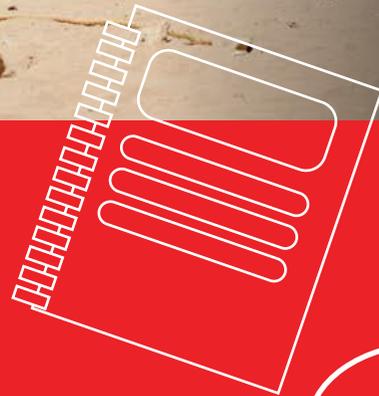
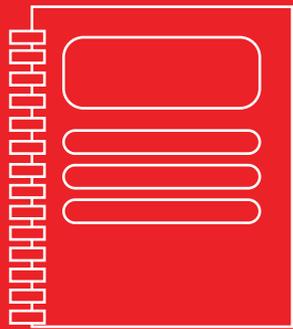
Softer transitional justice measures such as apologies from the Syrian officials involved in the bloodshed and the building of memorials to commemorate those who lost their lives or suffered otherwise attract less public support. This lower priority is understandable considering the fact that at the time of the survey the Syrian conflict is far from resolved. In the future, however, such long-term measures to deal with the grave violations might gain more popularity.

- The Syrian refugees who live in Jordan frequently encounter legal problems concerning their most basic human needs of secure shelter, a decent income, stable ID documents and securing education for their children
- Most refugees have to use their own resources, skills and knowledge to deal with their legal problems. Information and advice about the legal problems is much needed.
- The majority of the refugees who experience a legal problem take action to resolve it. However, their resources are mostly limited to the actions that they can organise and undertake themselves. Involvement of structured sources for resolution of legal problems in a fair way is rare. This leads to a very high proportion of legal problems that remain unresolved. This additionally increases the vulnerability of the Syrian refugees.
- About one fifth of the Syrian refugees do not act on their legal problems. People do not believe that they can resolve legal problems or are worried that the other party is more powerful and there is no point in trying.
- The quality of the procedure and the quality of the outcomes of the justice journeys are perceived as rather low. Particularly problematic is the dimension of process fairness.
- In terms of costs, stress and negative emotions are significant barriers to justice.
- Most of the interviewed Syrian refugees expect to return to Syria when the security situation improves. However, they clearly anticipate that there will be many legal hurdles in the future, mostly around securing housing, land, employment and access to public services
- The Syrian refugees are also adamant that transitional justice measures should take place in order to help them to return back to work and ensure secure housing. Nevertheless, they insist that the grave human rights violations are addressed, those who are guilty are punished and the victims are adequately compensated.



# 10

## Conclusions and Recommendations



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# Conclusions

## Pervasiveness of legal problems:

One in three individuals living in Jordan experiences one or more serious legal problems every four years. During this relatively short time period there are at least 350,000 disputes between neighbours, 180,000 family disputes and 160,000 housing disputes. Various aspects of these problems are governed by laws. The people involved, citizens and refugees, need accessible, affordable, fair and efficient justice journeys to find just resolutions and continue with their lives. Observed from the perspective of the people, the justice system of Jordan shows significant and pervasive needs for justice journeys that work.



## Most legal problems are not extraordinary events but intrinsic parts of daily life:

Disagreements with neighbours or family members, and disputes with landlords or employers require justice journeys that work. From a policy perspective these might be minor issues but for the people involved the impact of unresolved problems is substantial. Almost half of the respondents say that their legal problem had a severe or very serious impact on their life. Focusing on the delivery of justice for frequently occurring legal problems means impacting on millions of people. Improved justice journeys will lead to fewer conflicts, more stable relationships, less stress and greater focus on turning capabilities and resources into more prosperous lives. Accessible, fair and effective justice journeys will benefit the people of Jordan immensely.

## Many legal problems remain unresolved:

Almost half of the legal problems that people in Jordan encounter are not resolved. This is a huge burden for the personal, communal and social development of the country. Unresolved legal problems cause difficulties for the individuals, families and communities involved. Lack of just resolutions jeopardises the most important aspects of one's life: family, work, property, neighbours, public services. There are also higher level repercussions of the lack of justice: the social fabric is torn with every instance of a justice need which remains unmet. The opposite is also true: trust and voluntary abidance to the rule of law increases when people can access fair justice journeys.

## A big gap in the delivery of legal information and advice:

Seeking reliable information is the first milestone on almost every journey to justice. People need to know what their rights are, what they can do and how to proceed. A positive finding is that more than half (58%) of the people actively seek legal information and advice.

However, 42% of the users of justice say that they did not seek information and advice. The main barriers are that the legal problems are not perceived as serious enough to start the complex search for legal information or that people simply do not believe that they can do anything about their problems. Impactful legal problems are abandoned because the respondents do not believe in their capabilities of dealing with the problems.

For problems such as land disputes and disagreements around family disputes, which are perceived as high impact, people are significantly more active in seeking information and advice.

## CONCLUSIONS

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### Resolving disputes outside of formal institutions:

Most users of justice in Jordan take active steps to resolve their problems. This is mostly done outside of the formal dispute resolution forums such as courts, police, public authorities or mediation providers. Contacting the other party, sending letters, involving family members or neighbours are the commonly used mechanisms in the resolution of many problems.

### People want fairer and inclusive justice processes:

The quality of the procedures of the available justice journeys are not as high as they can be. This is a clear indication that the users of justice in Jordan want to see justice processes led by a fair, objective and respectful neutral decision maker. Currently, the users of justice rate very low their ability to influence the outcomes of the justice procedures. In a way, they see the justice procedures as black boxes in which their views, interests and expectations are not fully taken into account. Another challenging aspect to the perception of the quality of the procedures is that people think that different parties are treated differently.

### Justice journeys should provide mutual respect and a constant flow of information:

Overall, the users of justice in Jordan perceive the process interactions as poorly functioning. People give rather low scores to the respect and honesty they receive during the process. The needs for rich, useful and timely information about the processes are far from satisfied. It should be noted that the users of justice are more satisfied with the information about the result of the procedure.

### Results of justice journeys are seen as more positive than the processes:

Compared to processes, the outcomes of justice procedures receive higher scores. Particularly, the users of justice value relatively positively the ability of the justice journeys to resolve the problem in real life. An area of concern is the restorative effect of the justice procedures. Many legal problems are resolved with a result that users consider as not restoring the monetary damages or not improving the relationships between the parties.



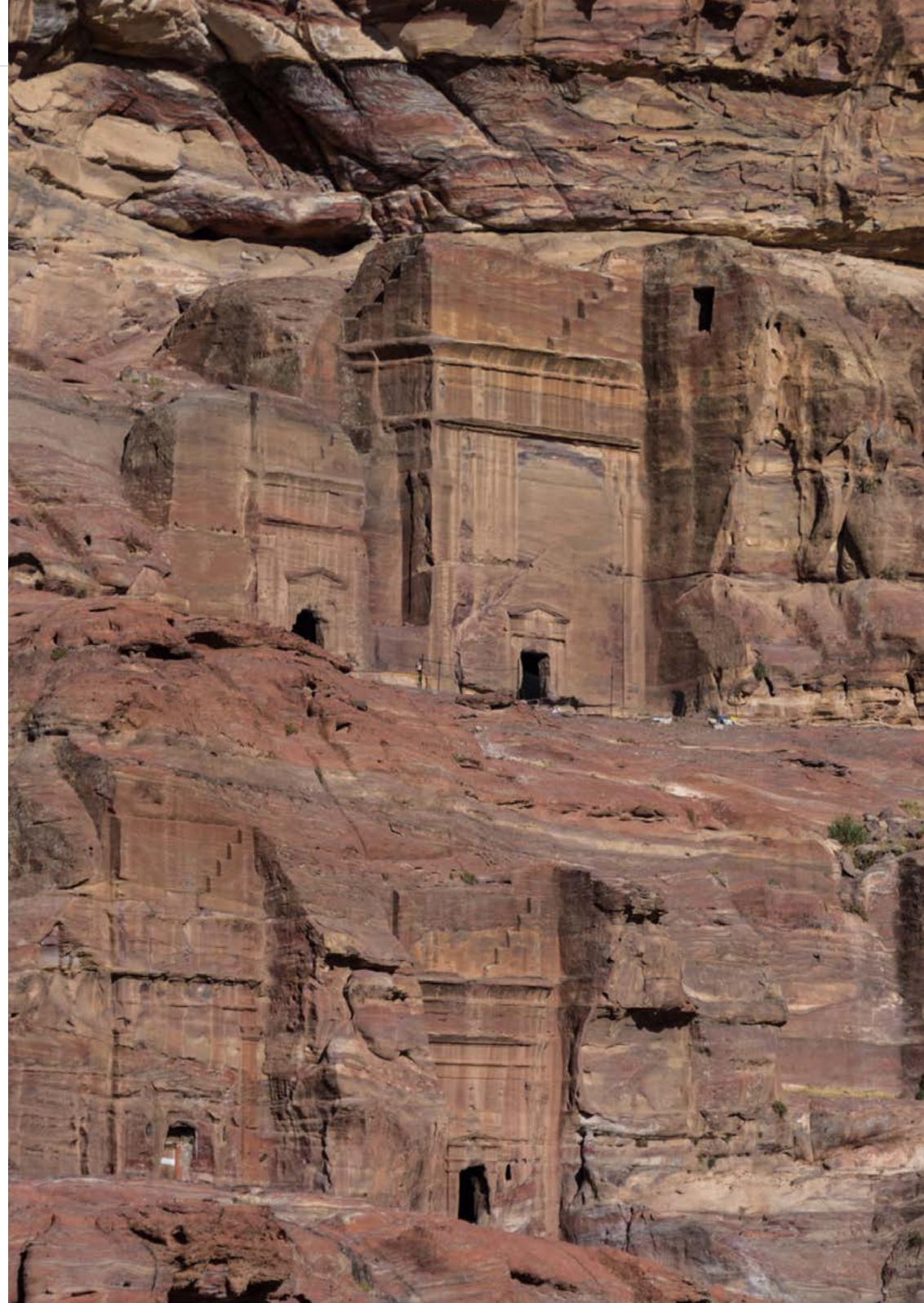
## CONCLUSIONS

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## Bright spots of justice in Jordan

Justice in Jordan takes many forms. Many disputes are resolved in a positive and constructive manner. Relatively few people remain inactive when they are challenged with a legal problem. Many undertake to resolve the problem alone or with help of their social network. This indicates social energy which can be used positively for justice.

Another bright spot is that the users of justice value as important that all parties in a dispute receive fair results. Instead of focusing on self-interest, most users of justice favour justice journeys which reflect the interests and legitimate expectations of the parties involved. There is also a clear preference that the parties in justice procedures should receive outcomes which reflect what the disputants deserve. This is a great foundation for designing and delivering justice processes which are based on the principles of equity and equality. Following people's preferences, such processes should move away from adversarial process and seek to constructively integrate the interests of the parties.



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# Recommendations

The Justice Needs and Satisfaction study reveals significant challenges but also many bright spots in access to justice in Jordan. Based on the evidence collected and our experience with measuring and innovating justice, we invite discussion on the following approaches towards improving justice journeys in Jordan:

- How can the building of a sustainable justice innovation system in Jordan be strategically invested in?
- What are the effective mechanisms for improving the provision of legal information and legal advice?
- How can the Jordanian justice sector promote the provision of hybrid justice services combining information, advice and dispute resolution?
- What is the place for experiments with innovative dispute resolution procedures in the areas of most pressing needs? Can the justice stakeholders design justice journeys that deliver process fairness, are based on rich information and promote mutual respect?
- How can justice processes be focused towards sustainable restoration of damages and improvement of relationships?
- Explore the value of developing standardised protocols for justice resolution.
- How can bottom-up monitoring of justice be promoted?
- Integrate monitoring into the training of lawyers, magistrates and law enforcement officers.
- Which policies are needed to integrate bottom-up evidence into justice reform?

## Invest strategically in building a resilient justice innovation eco-system in Jordan

Justice innovators have tremendous potential to address existing problems in new and creative ways, building on the resilience, expertise, and knowledge present in Jordan. Investing in an eco-system of justice innovation, innovators who compete to develop solutions can significantly improve access to justice in Jordan.

The data can be used to select particular justice needs that are most pressing in terms of people affected, the seriousness of their impact, or other criteria. Around these priority areas one can issue targeted innovation challenges and work with the private sector to empower justice entrepreneurship in developing new solutions. Entrepreneurs from all sectors in Jordan – civil society, government, the judiciary, business, law firms, and international organisations, can be brought together to kick-start

new justice innovations that address the most pressing justice needs of the people. Successful innovations built this way include online justice legal portals in Nigeria, Kenya, India and South Africa; blockchain technologies to verify and secure various types of legal transactions; app in Uganda aimed at improving relations between citizens and the police and many many other great innovations of access to justice.



## RECOMMENDATIONS

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### Improve the provision of legal information and legal advice

Our study shows that qualified legal information and legal advice are in high demand in Jordan. A sizeable proportion of the people who encountered legal problems (42%) say that they did not seek legal information or legal advice to resolve their legal problem. People go to informal providers, such as relatives, friends, and neighbours. There is significant room for the provision of legal information and advice from professional, knowledgeable and trustworthy sources. Extending the boundaries of traditional legal aid, delivered by Bar members, has its role and place. This is true particularly in criminal cases in which the rights of defendants and victims should be guaranteed to the highest possible standard. This can be a promising area in which to use the innovation approach described above.

Traditional legal aid organised and delivered by or through the Bars or Law Societies is not a sustainable solution for the mismatch between demand and supply. Innovative and creative approaches are the most promising way



forward. Smart designs enhanced with procedural and technological innovation have the potential to deliver useful and actionable legal information and advice. Such innovations can contribute radically to improving access to justice in Jordan. Accessible, effective and trustworthy legal information and advice will be a game changer for the problems that most often bother people in Jordan: disputes with neighbours, employment disputes, money-related problems, etc.

### Promote the provision of hybrid justice services combining information, advice and dispute resolution

Hiil's trend report "Basic Justice Care for All" identifies another promising area of justice innovation, hybrid justice care. People need legal information and advice in order to resolve their legal problems. Starting from the need of the justice

users to resolve a problem, a hybrid system provides justice care that merges provision of relevant information, advice on strategies for resolving the problem and dispute resolution. It focuses on the problems of the users of justice. A hybrid legal aid system is a single point of entry that is close to the users, has a high level of trust and provides seamless service.

### Experiment with innovative justice journeys in the areas of most pressing needs

Design justice journeys which deliver process fairness, are based on rich information and promote mutual respect: A predominant proportion of disputes in Jordan are resolved through informal and loosely structured mechanisms. This can be interpreted as a positive finding if the disputants in these procedures manage to reach fair resolutions. However, the justice journeys in Jordan do not always lead to such outcomes. An opportunity for the Jordanian justice sector is to experiment with the design and implementation of accessible processes which serve as an interface between formal and informal justice.

We advise to experiment with innovative designs in the approaches to some of the most prevalent legal problems in Jordan. The data reveals a particular need for procedures in which a neutral and objective decision maker applies the rules equally to the parties in a respectful manner. Redesigned justice journeys should be based on open and frequent exchange of information. Such innovations will lead to a multitude of providers of justice services who focus on their clients and strive to provide fair solutions. Competition will be based on the quality of the procedures, the quality of outcomes and costs of accessing justice.

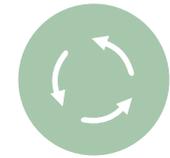
In which areas is innovative justice design needed? Tens of thousands of people in Jordan have to deal with **disputes with neighbours, relatives or employers**. Innovating procedures in these areas requires user-centred design. The needs, wishes and expectations of the users of justice should be central. Best international practices and technology in dispute resolution are available. Traditions and values from Jordanian dispute resolution can be extracted to place the design process in context.



### Develop standardized protocols for justice resolution

Both formal and informal dispute resolution mechanisms in Jordan are rated rather low on procedural justice. The users of justice do not feel that their views and interests are taken into consideration by the neutral decision makers. Many believe that the third party dispute resolution providers are not objective and unbiased. Processes and outcomes can be explained significantly better to the justice users in Jordan.

The people of Jordan expect more fairness in the procedures and their outcomes. Standardised protocols for resolving classes of legal problem is an effective and scalable way forward. Such treatment protocols are widely used in healthcare to standardize knowledge and deliver high-quality services. This can be done in the field of justice and Jordan can lead the way forward. Such protocols can be developed and disseminated among existing justice journeys, but can also be developed for new and innovative justice journeys.



### Promote bottom-up monitoring of justice

Knowledge about monitoring how the users of justice perceive the quality of processes and quality of outcomes should be integrated into the initial and continuous training of magistrates and lawyers. Specialised modules on quality management and constant improvement can be integrated into the curricula of law schools and the Judicial Institute of Jordan.

### Evidence-based justice reform

Currently, a legislative package is under review in the Jordanian Senate and House of Representatives. The results of the Justice Needs and Satisfaction study clearly show where the needs of the people are. They also reveal that the processes and outcomes of the existing justice journeys can be radically improved so that users experience and perceive them as accessible, affordable, timely and fair.

# About Hiil

Our mission:

By 2030, 150 million people will be able to prevent or resolve their most pressing justice problems.

Our approach focuses on empowering innovation in the justice system. We collect data about the needs and satisfaction of the users of the justice system. We aim to understand how justice works in ordinary people's lives and how they fulfil their justice needs. Our Justice Needs and Satisfaction Tool (JNST) is able to track more than 40 elements of the justice experience.

We believe that justice is about justice providers in the broadest sense, not only about courts or other formal institutions. We therefore argue that change needs to happen where justice occurs - recognising that many factors that influence justice lie outside the realm of 'traditional' legal services.

To achieve this aim, we rely on international and local expertise to identify what works best in the context we are in.

Furthermore, the JNST offers a cost-effective alternative to monitoring progress in the justice sector. This standardised and repeatable approach leads to economies of scale, a reduction in operational costs, increased efficiency (time and resources saved), a reduction in operational risk and cross-country benchmarking. We also make the data available to policy-makers through clever interfaces so they can keep working with the findings. Data gives knowledge, creates empowerment, and builds accountability.

The countries we have worked in since 2014 include: the Netherlands, Indonesia, Mali, Tunisia, Uganda, Ukraine and UAE. We are currently working in Bangladesh, Lebanon and Kenya. Our target countries for 2018 are: Nigeria, Rwanda, and second JNS studies in Mali and Uganda.

For more information, visit [www.hiil.org](http://www.hiil.org)



For more information about and contact details of the authors, please visit: [www.hiil.org/about-us/our-people](http://www.hiil.org/about-us/our-people)

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