

Justice Needs
and Satisfaction
in **Morocco**
2019

Legal problems in daily life



It is nice that we can make user-friendly vacuum-cleaners, but we think justice is a little bit more urgent.

We are friendly rebels who are passionate about social impact. We aim to empower 150 million people to prevent or resolve their most pressing justice problems by 2030. Why?

Each year, 1 billion people have a new justice problem. Shockingly, over 70% of those people do not find a satisfactory resolution. 30% don't even feel empowered enough to take action. This has a high impact on their lives and society: from violence to seriously damaged relationships and business conflicts.

To make a long story short: justice does not deliver what people need in their most difficult moments.

The problem is that we are still using models developed in the previous centuries. It makes the process of getting justice today slow, difficult, and very expensive.

We truly believe basic justice care for everyone is possible. With data and technology we co-create high quality justice based on what people need in today's world.

At HiiL we call it: user-friendly justice.

Justice that is affordable, accessible and easy to understand. It is justice that works.

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This research was supported by the Ministry of Foreign Affairs of the Kingdom of The Netherlands. ADALA and the Judges club were invaluable local partners and this research benefited greatly from their collaboration.



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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/projects. This version of the report was generated on January 12, 2019.

Executive Summary

Hiil conducted a nationwide Justice Needs and Satisfaction survey (JNS) in Morocco with the cooperation of the Ministry of Foreign Affairs of the Kingdom of The Netherlands. First, we aim to make the demand for justice of Moroccan citizens transparent. Our second goal is to find out how the people perceive the available justice journeys. Using a bottom-up approach, we interviewed 6,000 randomly selected adults across all 12 regions of Morocco between July and September 2018. Our partner ADALA conducted in-depth qualitative interviews with users of justice to complement the quantitative data with the human stories that normally remain hidden behind the numbers

This report is the result of the examination of thousands of justice journeys. We discovered how and where people seek legal advice, and what steps, if any, they take to resolve their legal disputes. We asked about perceptions regarding the quality of the process, the quality of the outcomes and the tangible and intangible costs of justice. The data illustrates how the users of justice in

Morocco evaluate formal and informal processes for resolving legal problems.

The report has the following objectives:



To enhance the understanding of the justice needs of people in Morocco;



To examine the different paths to justice used by Moroccans;



To provide the basis for an evidence-based justice innovation agenda.

Article 118 of the Moroccan Constitution underlines the importance of access to justice. In order to meet SDG 16.3 and ensure equal access to justice for all, policy initiatives have to be based on a thorough understanding of the needs and experiences of citizens with regard to justice. Only then will the protection of the law grant people the freedom to pursue their ideas, protect their rights and assets, and establish productive relationships.

Justice needs in Morocco

Nearly half of Moroccans say that they encountered one or more legal problems during the past four years. This implies that every year there are around 3.9 million people who have to deal with one or more new legal problems. In Morocco, common and serious legal problem categories are crime (760,000 people affected per year), family (630,000 people affected per year), employment (350,000 people affected per year), and domestic violence (240,000 people affected per year). Together, these four categories account for almost half (44%) of all legal problems. The people facing these problems need access to user-friendly and effect justice journeys that deliver fair outcomes.

Access to qualified legal advice is uneven

Two thirds of Moroccans seek legal advice when faced with a problem. However, only one in five people with a serious legal problem rely on qualified sources of legal advice, such as lawyers, paralegals, or legal consultation centres. In fact, most people consult their family members. The direct implication is that people

are not being informed as well as they should be about their rights, who to talk to, and how to resolve their disputes.

Seven out of ten people use some sort of dispute resolution mechanism. This is an essential step in getting a problem resolved. One in three problems are completely resolved after people take action, while for those who do not act this number decreases to one in nine. However, even after taking action a significant number of problems remain unresolved. This places a large burden on the social fabric of society. Unresolved problems increase personal suffering and even undermine trust in the justice system itself. However, the opposite also holds: when user-friendly justice journeys exist that lead to fair outcomes, the basis for an equitable and productive society is strengthened.

Why do some people not seek legal advice or take active steps to resolve their dispute? The main barriers are a sense of hopelessness and not knowing where to go for help. Having insufficient funds is also problematic for people facing family and employment disputes as well as

for those with a low level of income. Another significant barrier preventing people from taking action is facing a more powerful other party. This is particularly pressing for employment disputes.

Professional dispute resolution mechanisms are used often

The use of courts and the police is comparatively high in Morocco. People also often indicate that these are the most helpful paths to justice they pursued. However, access is uneven. People in rural areas use these institutions less often either due to lack of access or because they do not know how to use them. Additionally, for people with a lower level of income, the use of courts can be prohibitively expensive.

One size does not fit all

Different sections of society face different problems and have divergent ways of resolving their disputes. The law should provide equal protection to all members of society. Regardless of one's gender, wealth, level of education, age, or any other personal characteristics.

Women in Morocco are in a more vulnerable socio-economic position than men. They also face different problems than men. Family disputes and domestic violence are particularly pressing for them. Resolution rates tend to be slightly lower than for men. All of these factors are amplified for low-income women, who seemingly face an uphill battle when trying to get justice. It is important to improve gender sensitivity when designing new procedures and explicitly take the needs of women into account.

People in rural areas have less access to institutions, are less knowledgeable on how to resolve their problems, and take action less often. All of this points to a gap between rural and urban areas. Rural women in particular face the consequences of this, as they evaluate their justice journeys substantially worse than urban women do.

Young people are less likely to experience legal problems. However, this is where the good news ends. They struggle to find qualified sources of legal advice. Most of them consult their family members. They are also less likely to take action to resolve their problems and, as a consequence, are less likely to resolve their problems.

People with a high level of income are significantly more satisfied with the quality of the process than those with a low level of income. They feel they are more respected, have more opportunity to be heard and are more informed on the specifics of the procedure. This suggests a duality in the legal system, where those who have more money have access to better and more user-friendly justice.

Bright spots of justice in Morocco

The use of courts and lawyers is quite high in Morocco, irrespective of income status. This seems to imply that they are quite accessible to parts of the population. Courts are used often and generally score well on the quality of the procedure. People feel their voice is heard and the decision maker is unbiased. However, there is of course room for improvement. People indicate spending substantial amounts of both time and money when using courts. Furthermore, the quality of the outcome is not great, particularly the damage restoration aspect.

People in Morocco indicate a high level of legal empowerment. Despite the fact that many serious legal problems remain unresolved in the current

system, people generally state they are quite confident that they will find fair resolutions when faced with a problem. However, the exception is employment justice. People are more sceptical and reserved about their likelihood of finding fair resolutions to these kinds of disputes.

The government of Morocco is dedicated to rule of law reform. The 2011 Constitution contains a clear message on improving access to justice for all and ensuring an independent judiciary. We hope this report will contribute to this mission by mapping out the justice needs of citizens and indicating areas for improvement. It serves to further support a movement that has already achieved much.

45%

Moroccans report
a legal problem

3.9
million

people have new
legal problems
every year

68%

people seek legal
advice. Most people
consult their family
members



Common and
serious legal
problem categories:
crime, family,
employment,
domestic violence

70%

people use some
sort of dispute
resolution
mechanism

62%

legal problems are
not resolved



The way forward

Align justice reform with the needs of the people in Morocco

Most people indicate that they deal with everyday legal problems. They often report crime, family disputes, employment conflicts, and domestic violence. Focusing on improving the justice journeys of these problems will directly improve the lives of hundreds of thousands of people. This can be done with a step-by-step approach. Rather than trying to tackle all issues at once, reform can start small on a sub-national level for one very specific intervention aimed at achieving a predefined justice delivery goal. This opens up the opportunity to experiment with and learn from a range of different potential solutions. When a goal is achieved, the solution can be scaled and policy makers can move on to tackling the next challenge.

Data as a springboard for evidence-based interventions and support for implementation

Ill-informed policies do more harm than good. The data in this report can inform action plans for national and sub-national policies. Justice is not a static phenomenon. People learn, people move, people give up. This is why it is advisable to put in place

a measuring system to obtain up-to-date, bottom-up data on justice that will allow for the formulation of effective strategies. In other words, putting the user at the centre of justice reform.

The UN's Sustainable Development Goals (SDG) are an urgent global call for action to work toward peace and prosperity for all people and the planet, now and in the future. SDG 16.3 specifically aims to increase access to justice for all. However, the indicators that quantify the progress of governments toward reaching this goal are disconnected from what they are supposed to measure. The proportion of victims of violence who report their experience, for example, is not only difficult to measure, but certainly does not provide a complete picture of the state of access to justice.

Governments thus have the opportunity to formulate additional and more accurate national and sub-national indicators to track the progress they are making in reducing the gaps in access to justice. Data should be the cornerstone of evidence-based interventions. Additionally, it is a pillar for effective implementation of already defined policies.

Creative use of alternative dispute resolution processes and innovation

Many problems have the potential to be fairly resolved well before it becomes necessary to involve courts and lawyers. Since these are expensive mechanisms, sometimes it is better to look for alternative ways to resolve a dispute. Contacting the other party directly is very commonly used in Morocco, but not considered to be very helpful. Apparently people feel empowered to take action and take initiative to come to a resolution themselves quite often. We can build on this and enable people to resolve their disputes in a user-friendly and fair way through alternative means. This also implies that courts would only be considered for the most serious problems, potentially reducing caseload and ensuring judges can spend more time on the complex cases, with a high impact on people's lives.

On-line dispute resolution has the potential to play an important role as an enhancement and alternative to traditional dispute resolution. Embracing the Internet as a mechanism for delivering solutions would open the field to innovation and entrepreneurship. However, it is

important to keep in mind that there are substantial parts of the population who do not have access to the Internet. Other avenues have to be explored to reach these groups.

Off-line mechanisms such as reconciliation, assisted negotiation, and mediation could potentially also aid in the resolution of commonplace everyday legal problems, such as disputes between neighbours or conflicts over boundaries. People need a structure to facilitate negotiations that help them resolve their disputes outside of formal institutions.

Bridging the gap between rural and urban areas

The data in this report points to the fact that people in rural areas are more vulnerable, have less access to qualified legal advice, and are less satisfied about their justice journey experience. If the goal is to provide access to justice for all, as stated in SDG 16.3, this gap between rural and urban areas cannot be overlooked. Improving the rural justice infrastructure is an essential part of this.

Increase availability of qualified sources of legal advice

Having access to high quality legal advice is the first step in resolving a dispute and getting better outcomes. Once people have a better understanding of their rights, where to go, and who to talk to the chances of successfully resolving a dispute increase. Hence, a key component of improving access to justice is to increase the delivery and flow of accurate and user-friendly legal advice to citizens. This will empower and guide them through the legal maze in the most effective and efficient way. User-centric, targeted and actionable legal advice should be provided as close to the people as possible. So that when people run into a serious legal problem, resolution is just a little more in reach.

Explore the potential of a one-stop-shop for employment justice and domestic violence

Employment justice and domestic violence are the most impactful serious legal problems in Morocco. Creating a one-stop-shop for these problems could go a long way to alleviating suffering. It would serve to confidentially provide accurate and

user-friendly legal advice to people, point out their rights, and guide them towards professional help when the situation asks for it. Different formats can be used to reach different groups of people. It could be an on-line platform, a local office staffed by trained volunteers, or a combination of the two. The potential for Internet based solutions is quite high for these two problem categories, since one in six already use this resource when seeking legal information.

This can happen by experimenting on a local scale. Try setting up the one-stop-shop in one particular city or region. Set a clear and specific delivery goal, such as reduce the number of domestic violence cases in the area by 50% in the next year. Evaluate and learn. Implement the necessary changes. And then try to scale up the idea. Innovative ideas like these have the potential to significantly improve access to justice for the most pressing legal problems and people who are most in need. All it takes is a bold idea and the will to implement it.

Next steps

One way to use the conclusions of this study to develop effective innovation strategies is HiIL's Justice Transformation Lab. Here is how we do it.



Form a coalition

The first step is to bring together a diverse group of empowered and committed individuals from across the justice spectrum. They are committed to using the data to develop innovation strategies and realise solutions.



Develop a Justice Innovation Strategy

Next, the team develops an innovation agenda based on the data. The agenda contains specific justice delivery goals which address the justice needs of the Moroccan people. The team also discerns the available capacity within Morocco to realize these Justice Delivery Goals. This will be done through the development of different pathways, which map out different challenges and opportunities on the road toward meeting the goals.



Deliver the Justice Innovation Strategy

In the final step of the process, the team supports innovation at scale. They form working groups that develop concrete solutions to reach the targets set in the Justice Delivery Goals. Solutions could include innovative tools, partnerships, knowledge platforms and financing models. This process can be supported by HiIL's Justice Accelerator.



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Introduction to the Study in Morocco

Introduction
Methodology
Our approach
Demographics

Introduction

HiIL conducted a Justice Needs and Satisfaction (JNS) study in the Kingdom of Morocco with the support of the Ministry of Foreign Affairs of the Kingdom of the Netherlands. We worked in close collaboration with two local partners: the Judges Club and ADALA.

Between July and September 2018, 6,000 randomly selected adults told us about their experiences with legal problems during the past four years. We visited their homes in all 12 regions of Morocco. We asked them whether they had faced a legal problem and how they tried to resolve this problem. We identify which paths they follow and how satisfied they are with the process, the outcome and the costs. The interviews were conducted by our local data collection partner Global for Survey and Consulting (GSC).

Legal reforms aimed to improve access to justice in Morocco are an integral part of the rule of law discourse in the last decade. In 2011, in response to protests demanding democratic reform, the country adopted a new Constitution by referendum. The

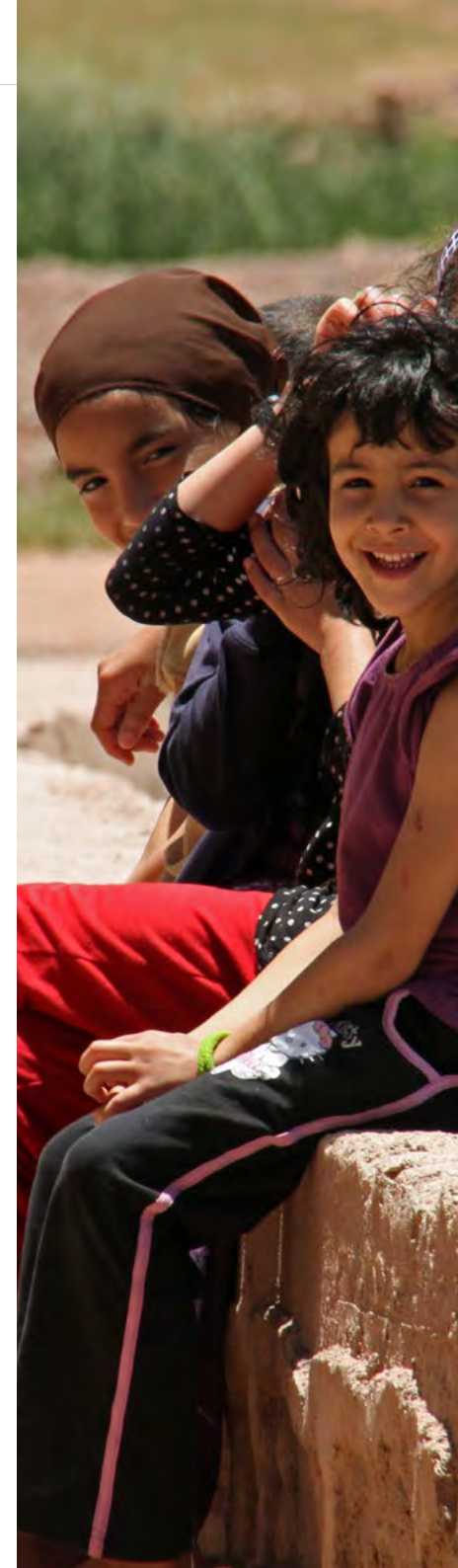
most important change for the rule of law can be found in Article 107 of the Constitution, which guarantees the judiciary independence from the legislative and executive branches of government. Recently the government has transferred the office of public prosecution from the Ministry of Justice to the Court of Cassation. Hence, the office moved from the executive branch to the judicial branch.

Additionally, Article 118 highlights the importance of equal access to justice for all Moroccan citizens through the reformation of the justice system. However, in reality there is still an implementation gap and work remains to be done. The state is a critical part of providing all citizens with access to justice in an affordable and fair way when they need it most.

We make justice needs transparent and facilitate the development of innovation strategies. Our partners from the Judges Club and Adala underline the need for reform. Citizens should benefit from improved access to justice and live under the protection of the rule of law. We identify the

challenges and bright spots of the justice system. We could not have completed this research without the support of our partners. The Judges club and ADALA are the leading organisations working on improving access to justice in Morocco. ADALA collected the qualitative interview data for the report.

The justice experiences of Moroccans are central to the JNS methodology. We collect the opinions of regular women and men. We do preparatory work and analyses with Moroccan legal experts, but the data we present comes from the daily experiences of Moroccans with legal problems and access to justice. We ask them to tell us what works and what does not work. This enables stakeholders and service providers to develop evidence-based strategies and interventions. Justice innovators can use the knowledge to design and deliver innovative solutions that benefit individuals, communities and businesses.



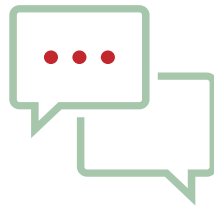
INTRODUCTION TO THE STUDY IN MOROCCO

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Methodology

Here we provide an overview of the general Justice Needs and Satisfaction (JNS) methodology. We start by describing HiiL's approach to citizens' needs; the bottom-up justice approach. We explain why bottom-up justice matters. Then we highlight the specific goals of this study, its aim, what we do, what we do not do, and how we do it.

We end with a word of caution about the data, recognising its limitations.



HiiL's approach

- The focus is on justice in people's daily lives. We aim to understand their experiences in seeking access to justice. For this we map out formal and informal justice journeys, rather than only following the letter of the law;
- People are asked to assess the fairness of dispute resolution outcomes and processes in detail. This shows whether people feel respected and heard during their justice journeys;
- The data enables decision-makers to focus on justice when and where people need it the most. Citizens highlight problem areas that are most pressing for them - this is a true bottom-up approach. It provides robust evidence to support programming and policy-making in the areas of justice and the rule of law;
- We aim to build on local knowledge about what works best;
- We inform users and suppliers of justice about the quality of existing services. This enables users to be informed about where to go and which services to use. It assists suppliers in improving their services;
- We offer a cost-effective way of monitoring progress in the justice sector. The standardised approach leads to economies of scale. This reduces operational costs and increases efficiency.

INTRODUCTION TO THE STUDY IN MOROCCO

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Why the bottom-up justice matters

Moroccans experience diverse justice needs in their daily lives. Not all of these problems are referred to the formal justice system of courts and lawyers. Whether citizens actually receive fair and effective resolutions through transparent processes is rarely part of the debate about justice reform and its priorities. Most often, the focus is on the supply side: How do courts, prosecutorial services, police and other justice institutions mobilise resources, cope with demand and deliver results?

Understanding the demand for justice is key for the justice sector. More effective and innovative solutions could be designed and implemented if the citizens are at the centre of the reform. Change also works best if it considers the problems at a macro level. Solutions should be implemented where people interact with justice mechanisms. Justice innovation is all about the re-design and improvement of justice journeys. This is an iterative process. If implemented well, it can deliver more justice to Moroccans.

There are no small justice problems: Every conflict that is prevented or resolved fairly, contributes to

improving access to justice. Moreover, justice and the rule of law are positively linked to socio-economic development. It creates a level playing field, enables protection of property rights, and ensures fair and equitable contract enforcement. The UN General assembly¹ underlined this in 2012 by declaring:

"We are convinced that the rule of law and development are strongly interrelated and mutually reinforcing, that the advancement of the rule of law at the national and international levels is essential for sustained and inclusive economic growth, sustainable development, the eradication of poverty and hunger and the full realization of all human rights and fundamental freedoms, including the right to development, all of which in turn reinforce the rule of law."

¹ www.un.org/ruleoflaw/files/A-RES-67-1.pdf

How we measure access to justice

We use our research instrument, the Justice Needs and Satisfaction Tool, to measure justice needs. The questionnaire addresses a range of topics:

- The types of legal problem people encounter;
- Where people seek legal information and advice;
- Which dispute resolution mechanisms people engage;
- How people experience the resolution process and its outcomes.

The tool has been used in more than 15 countries and is accepted as a standard methodology.

What is a legal problem?

We define a legal problem as a situation in which there is a serious dispute, disagreement or grievance. There must be a legal action through which the specific legal problem can be resolved. However, it does not matter whether the person in question recognises the legal aspect of the problem or not. It also does not matter whether or not they formulate legal or

non-legal strategies to respond to the problem. We use a reference period of the past four years.

Legal problems are situations in which the individual was directly involved. The problems should be serious and non-trivial. What constitutes a serious problem is left up to the individual.

INTRODUCTION TO THE STUDY IN MOROCCO

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One of the distinctive features of the method is that we measure the cost and quality of the dispute resolution procedure identified as the most helpful by the user. Below you can find some examples of what we ask in order to measure the cost and quality of the justice journeys:

To what extent (on a 1-5 scale)...

- Did the process make you feel frustrated?
- 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/parties?
- 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?

And in a separate question:

- How many days did you spend resolving the problem?

People use both formal and informal processes to resolve their legal problems. We call these processes justice journeys. Hiil quantifies justice

journeys by asking people about three dimensions: the quality of the process, the outcomes, and the costs of the journeys. The questions are summarised and displayed in ten easy-to-understand indicators.

1. The costs of justice



Money spent on the process: Monetary costs for legal fees, travel, advisors, etc.;



Time spent on the process: Time spent searching for information, evidence, attending hearings, travel, etc.;



Stress and negative emotions related to the process.

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 and accurate explanation of procedures and rights.

3. The quality of the outcome



Fair distribution: Distribution is according to needs, equity and equality criteria;



Damage restoration: Fair compensation for monetary loss, emotional harm and damage to relationships;



Problem resolution: Extent to which the problem is resolved, and the result is enforced;



Outcome explanation: Extent to which the people receive an adequate explanation of the outcome.

INTRODUCTION TO THE STUDY IN MOROCCO

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What we did

We used a full multi-stage randomized sampling procedure, which gives every adult equal chance to be part of the sample. We then included gender and age quotas.

6,000 people were sampled for face-to-face interviews. The data collection company provided experienced enumerators and supervisors. HiIL trained them on the particularities of the JNST in July 2018. They were deployed to knock on people's doors in all 12 regions. The resulting sample matches the national proportions of residents in each region. This ensures the sample is nationally representative, which means we can make general claims about justice needs in Morocco based on the data.

The enumerators conducted the survey with a tablet. This has several advantages:

- Automatic, centralized storage of completed interviews through instant online submission where possible, or daily submissions in remote areas;

- Real time monitoring of fieldwork;
- Automatic capture of GPS coordinates;
- Built-in logic to prevent errors.

In a joint effort with our partner organisations we conducted a triangulation workshop in November 2018 in Rabat. We presented the preliminary results of the report to judges, lawyers, legal experts, and members of civil society. This provided the opportunity for dialogue around the data. This dialogue with stakeholders and local experts added more depth to our analysis.

In addition to the survey data, ADALA conducted qualitative interviews with users of justice during the summer of 2018. The objective was to get a more in-depth account of their experiences. Their stories, in their own words, illustrate the JNS data.



A word of caution about the data

Our approach includes quantitative survey data supported by qualitative interview data with users of justice. We also conduct interviews and rounds of feedback with local experts. Despite these efforts, there are limitations to the data, just as in every study.

- Some findings are based on answers from a limited number of people. For detail about people's experiences with specific justice journeys, different and larger samples are needed. This can be achieved with, for example, problem-specific research instruments;
- Some people might not report problems due to shame and fear. For example, when people have spent time in prison or have had problems with figures of authority;
- Cultural norms may cause people to under or over-report problems. Dependency relationships also play a role;

- We did not include sub-samples for particular vulnerable groups, such as disabled people or victims of gender based violence. We recognise that these are important problems and populations for Moroccan society and hope to collect data on their justice needs in the future.

On statistical significance

The data that is presented in this report has been tested for statistical significance. Our standard approach is to disaggregate results based on a number of variables, such as gender, income level, education level, etc. We only report differences if they are statistically significant at a 10% level or better.

INTRODUCTION TO THE STUDY IN MOROCCO

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Demographics

Sample: 6,000
randomly selected adults

Interviewed between
July and September 2018



Respondents:

50% male, 50% female



Average age:
40

Average household consists of
5.5 people

Age category		Marital status	
Youth (18-24)	17%	Single, never married	29%
Young adulthood (25-39)	38%	Married	58%
Middle adulthood (40-64)	40%	Married, but separated	3%
Senior (65+)	6%	Divorced	5%
Income level		Widowed	6%
Low	19%	<i>Income levels are based on the combined monthly income of the household:</i> <ul style="list-style-type: none"> Low: 2,000 MAD or less Lower-middle: 2,001-3,000 MAD Middle: 3,001-4,000 MAD High: 4,001 MAD or higher 	
Lower-middle	21%		
Middle	18%		
High	30%		
Refuse to answer	13%		

FORMAL EDUCATION LEVEL




Formal education levels:


- None: No formal schooling
- Low: Primary school
- Medium: Secondary school
- High: University



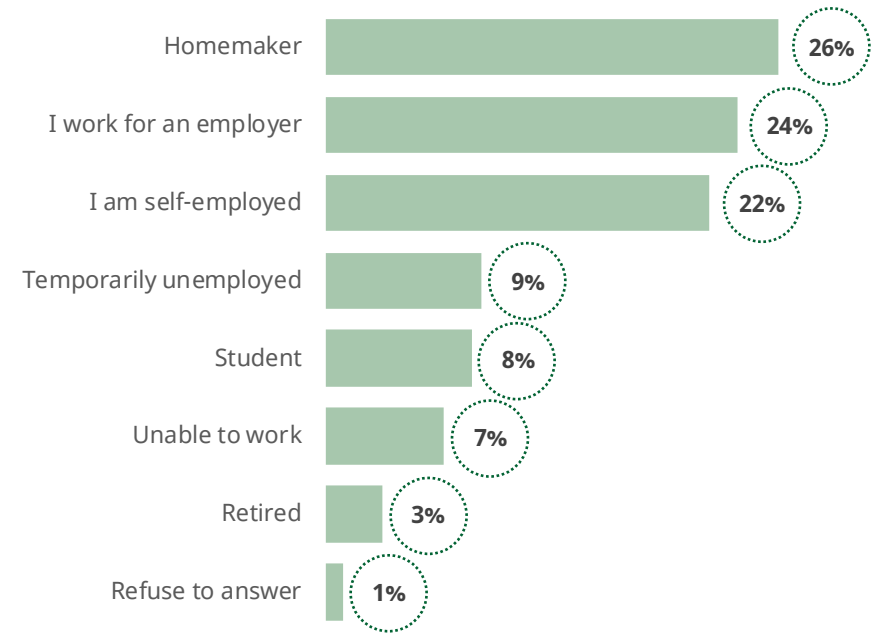
INTRODUCTION TO THE STUDY IN MOROCCO

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Do you have access to the internet? 	
Yes	56%
No	44%

Do you have paid work (public or private; formal or informal)? 	
Yes	53%
No	47%

EMPLOYMENT STATUS



At 60%, respondents are predominantly from urban areas, while 40% are from rural areas. According to the World Bank, 62% of Moroccans live in towns and cities and 38% live in rural areas².

The study was conducted in all 12 regions of Morocco. The master sampling frame is the 2014 RGPH (Recensement Général de la Population et de l’Habitat), which is used for all national socio-economic surveys. This ensures the sample is nationally representative. The exact breakdown of respondents per region is displayed in the table below.

Region	Respondents	%
Tanger-Tétouan-Al Hoceima	640	11%
Oriental	420	7%
Fès-Meknès	740	12%
Rabat-Salé-Kénitra	800	13%
Béni Mellal-Khénifra	440	7%
Grand Casablanca-Settat	1220	20%
Marrakech-Safi	800	13%
Drâa-Tafilalet	240	4%
Souss-Massa	500	8%
Guelmim-Oued Noun	100	2%
Laâyoune-Sakia Al Hamra	60	1%
Ed Dakhla-Oued Ed Dahab	40	1%

² <https://data.worldbank.org/indicator/SP.RUR.TOTL.ZS?locations=MA>



2

Legal Problems in Morocco

Problem prevalence
Most serious problems
Impact

Legal Problems in Daily Life

We asked people to tell us whether they had encountered one or more legal problems during the past four years. Legal problems are situations in which there are serious disputes, disagreements or grievances. There must be a legal action through which the problem can be resolved. It is

important to note that people were not asked about legal problems, but about recognizable life-events. Based on previous research and consultations with Moroccan experts we identified 89 legal problems. These legal problems fall into the following **14 categories**:

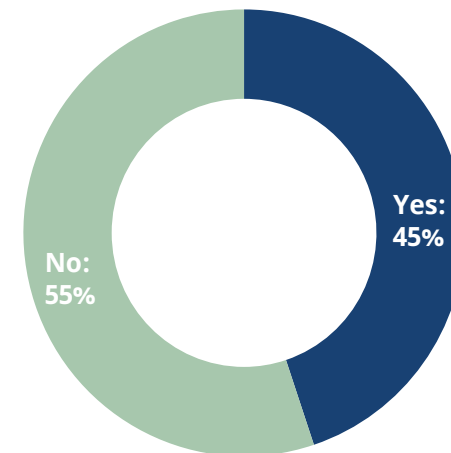
Land
Domestic violence
Housing
Neighbours
Employment
Family
Social welfare and public services

Crime
Consumer problems
Accident/personal injury
Money
Obtaining ID documents
Police related problems
Corruption problems

Almost half (45%) of the Moroccan people say that in the past four years they encountered one or more legal problems.

This implies that every year there are around **3.9 million** people who have to deal with one or more new legal problems.

EXPERIENCED A LEGAL PROBLEM

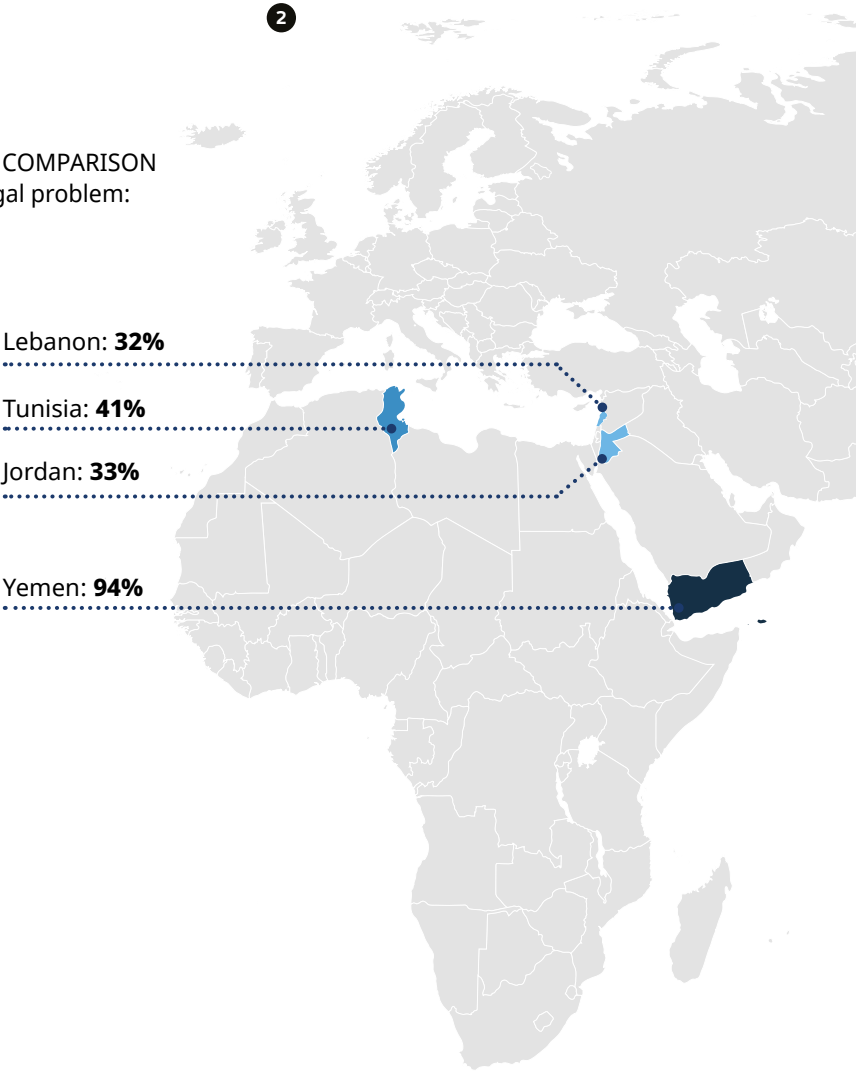


N=6,000

LEGAL PROBLEMS IN MOROCCO

2

INTERNATIONAL COMPARISON
Experienced a legal problem:



In the rest of this chapter we will focus the analysis on people who have experienced one or more legal problems.

There are significant differences in the prevalence of legal problems across Morocco.

Province	Prevalence
Oriental	55%
Tanger-Tetouan-Al Hoc	53%
Rabat-Salé-Kénitra	53%
Fès-Meknès	50%
Béni Mellal-Khénifra	50%
Laâyoune-Boujdour-Sak	47%
Marrakech-Safi	43%
Souss-Massa	41%
Guelmim-Oued Noun	40%
Drâa-Tafilalet	39%
Grand Casablanca-Sett	32%
Ed Dakhla-Oued Ed Dah	30%

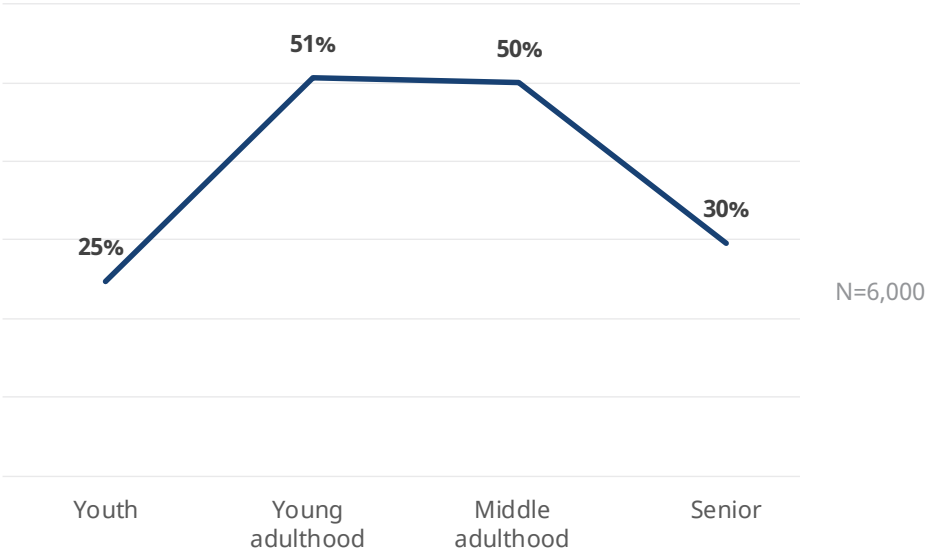


LEGAL PROBLEMS IN MOROCCO

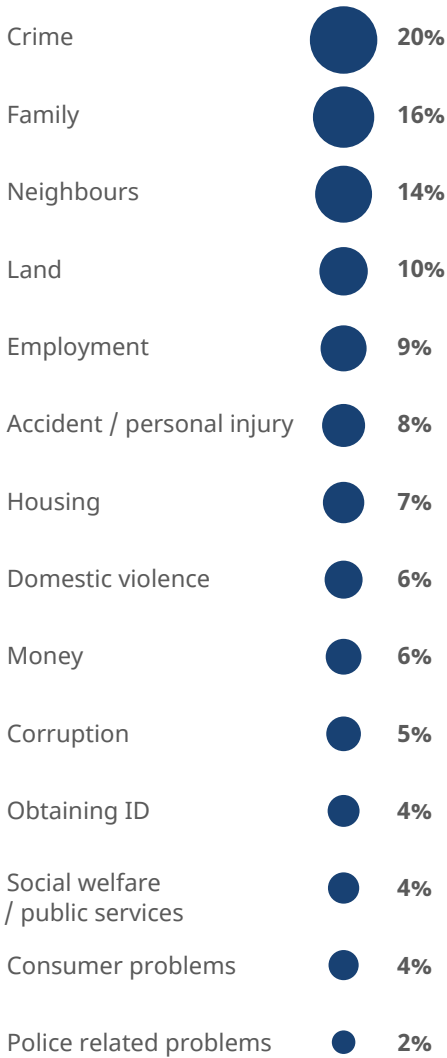
2

- Moroccan men are more likely to report problems than women (50% vs. 40%);
- Separated (83%) or divorced (79%) people report more legal problems - particularly in the realm of family problems;
- People in urban areas (48%) report legal problems more often compared with those living in rural areas (41%);
- There is no clear association between income level and the likelihood of experiencing a legal problem;
- People who have one or more children are significantly more likely to report a legal problem (49% vs. 38%).

EXPERIENCED A LEGAL PROBLEM



PREVALENCE OF LEGAL PROBLEMS



It is important to keep in mind that people can report multiple problems. This is why the numbers in the graph add up to more than 100%.

N=2,692

LEGAL PROBLEMS IN MOROCCO

2

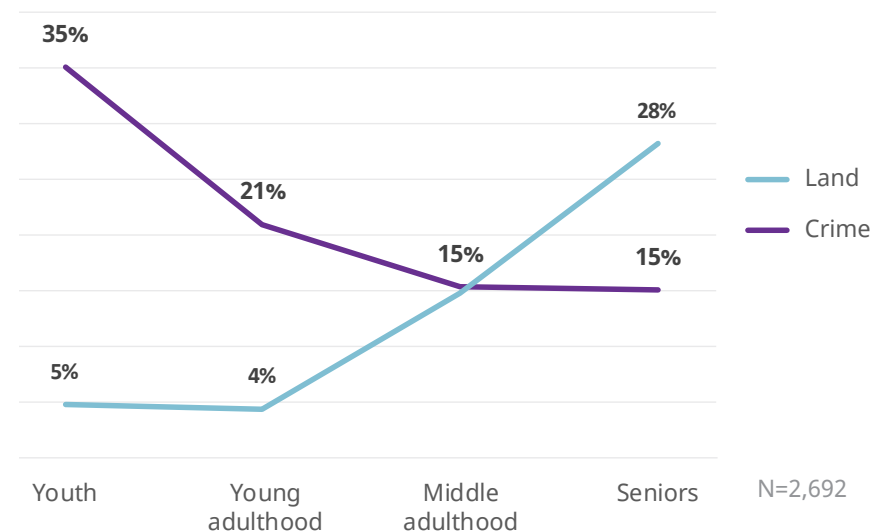
The table below extrapolates the prevalence for the five most common problem categories. It shows the estimated number of people who experience a particular problem category every year.

Problem category	People affected per year
Crime	760,000
Family	630,000
Neighbours	540,000
Land	390,000
Employment	350,000



- Women are more affected than men by family problems (24% vs. 10%) and domestic violence (12% vs. 2%);
- Men are more likely than women to experience employment problems (11% vs. 6%), accidents (10% vs. 5%) and land related disputes (12% vs. 8%);
- People in cities are more likely to report crime (22% vs. 15%) disputes between neighbours (16% vs. 11%) and housing issues (9% vs. 4%). In rural areas, land disputes (18% vs. 6%) are reported more frequently.
- High-income Moroccans report crimes more often (24% vs 18%);
- Land disputes are reported more frequently by low-income individuals (15% vs. 9%).

PREVALENCE OF CRIME AND LAND DISPUTES



LEGAL PROBLEMS IN MOROCCO

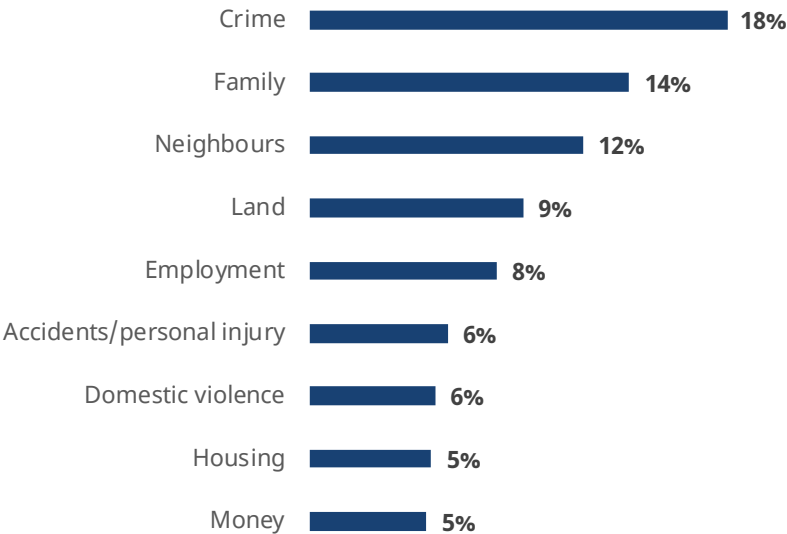
2

Most serious problems

Since people can encounter more than one legal problem, we ask them to identify the most serious one. This is according to their own judgement. Then we map out the justice journey in detail for this particular problem. The rest of this report focuses on these serious problems.

About 90% of the reported legal problems are defined as personal. Problems are typically only classified as business when they are about employment.

MOST SERIOUS PROBLEMS



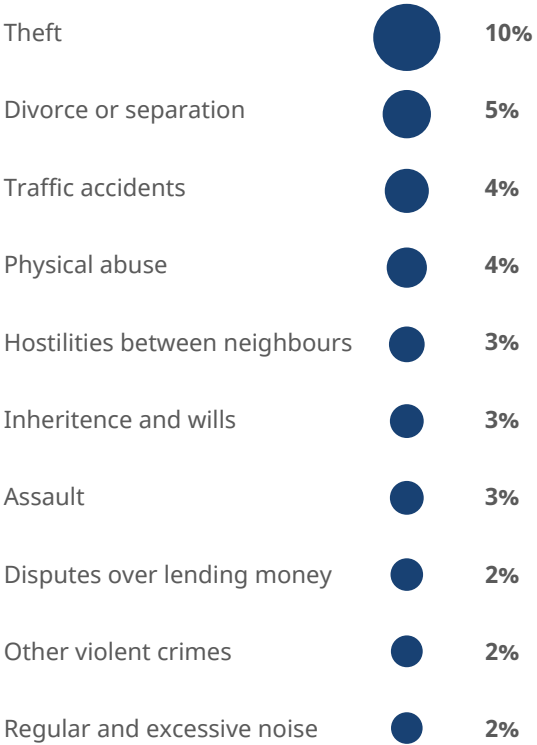
N=2,692

Specific and serious legal problems

The above problem categories aggregate specific legal problems. Of the 89 specific legal problems on our list, theft is the most common serious problem in daily life. Young people are twice as likely as other to report

theft. Men are more than twice as likely as women to report traffic accidents. Women are more often involved in situations of physical abuse as well as divorce and separation.

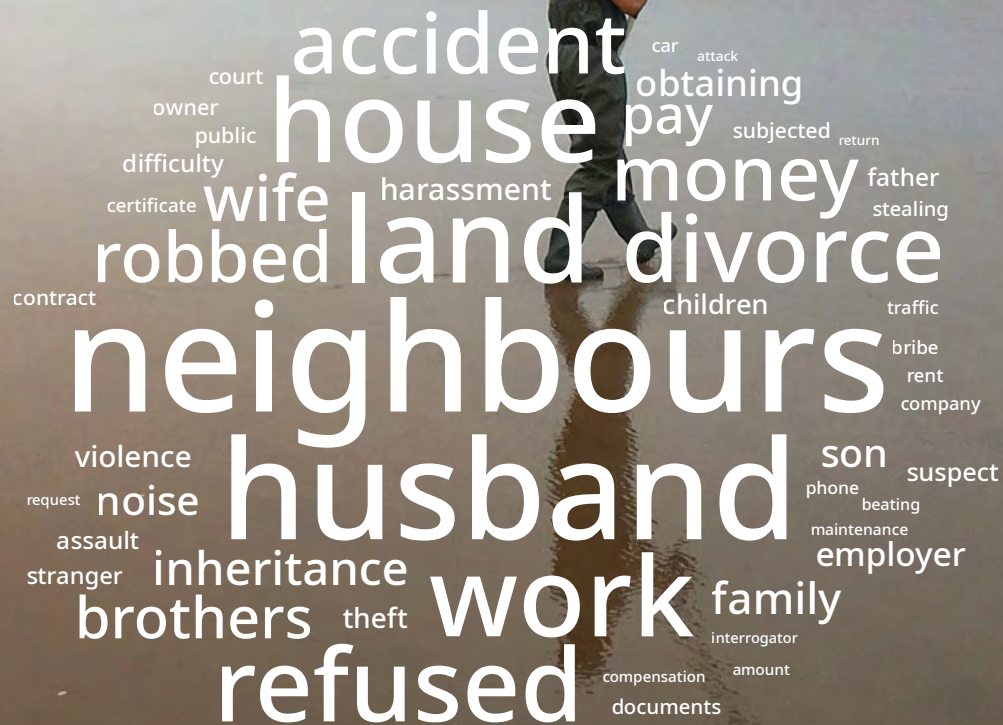
TOP 10 SPECIFIC SERIOUS PROBLEMS



LEGAL PROBLEMS IN MOROCCO

2

We also asked the people to tell us briefly what the problem was about. This is summarised in the word cloud below.



The story of Hamza

I earn a modest salary as an accountant. I saved up my money in order to purchase a small-unfinished apartment. According to the plans that the real estate developer gave me, the ceilings were supposed to be 10 feet high but were less than 9 feet in construction. I had already spent 40,000 dirhams to receive the formal notice and arrange a meeting between the parties. I had been advised by them to continue with the purchase, but half of my savings were already gone and I did not want to lose anymore, so I gave up and settled the difference with the real estate developer. I consulted a lawyer who confirmed what I feared: I had been clearly put into a money trap. I was a victim of my ignorance. The real estate developer's attorney told me I had no rights and that I would have trouble proving I was a victim. He said everything was done with my complete consent, but it wasn't. I decided to direct my cause to associations before going to court. This seems like the best alternative to court. Even when you have a good cause, justice is very inaccessible. The fight is unequal when the other party has unlimited means to make you understand that it will cost you dearly. Rather than seeking justice, people just want to win at all costs. It takes a lot of means to make justice a matter of principle.

LEGAL PROBLEMS IN MOROCCO

2

What people expect to achieve by resolving the problem

EXPECTATIONS



N=2,692

- The most common expectation of people is that they have certain rights or entitlements and that resolving the problem will help them to realize those rights;
- To realize one's right is very important for people who deal with employment disputes (70%);
- In cases of domestic violence, the most important objectives are to improve the relationship (53%) and receive an apology (49%);
- For land disputes, the most prevalent expectation is to recover property (58%);
- For crimes, the most common expectation is for someone to be punished for wrongdoings (70%).



LEGAL PROBLEMS IN MOROCCO

2

Impact of legal problems

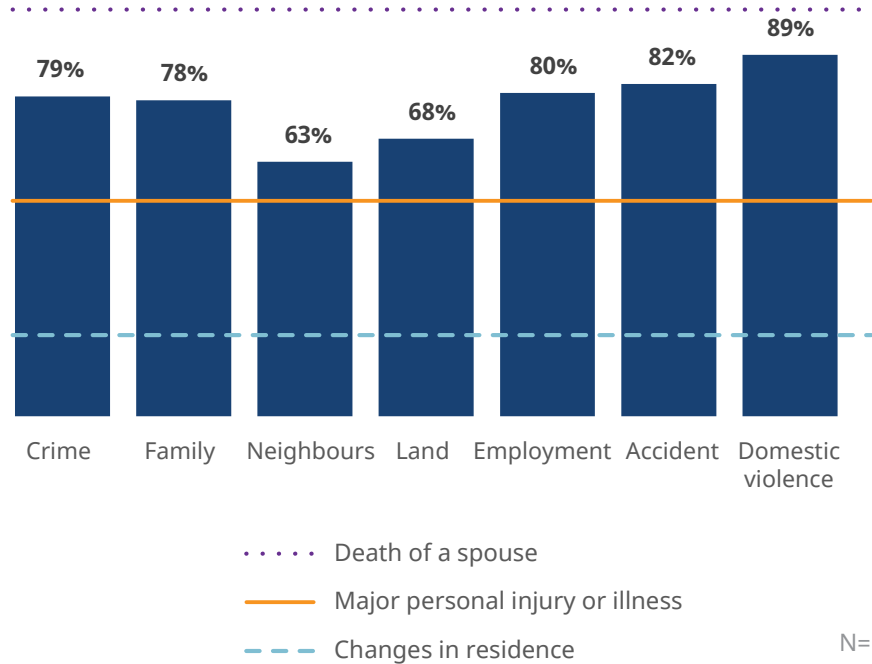
Psychological research shows that certain life events are more stressful than others. We use the stress of such life events as a benchmark for the impact of legal problems.

Event	Stress (%)
Death of a spouse	100%
Divorce	73%
Major personal injury or illness	53%
Being fired at work	47%
Major change in financial state	38%
Major change in responsibilities at work	29%
Changes in residence	20%
Major change in sleeping habits	16%
Minor violation of the law (i.e. traffic ticket)	11%

We ask people to assess the stress of their legal problem on a scale of 0% to 100%. Domestic violence is the most stressful legal problem. It is quite close to the stress associated with the death of a spouse.

All other legal problem categories are seen as close to or exceeding the stress caused by a divorce.

PERCEIVED STRESS BY PROBLEM CATEGORY



N=1,979

LEGAL PROBLEMS IN MOROCCO

2

Around 15% of legal problems cause people to have to take time away from work. For those that have to do so, an average of 58 days¹ are lost.

HOW MUCH TIME DID YOU LOSE BECAUSE OF THE PROBLEM?



- N/A
- Less than a day
- A day to a week
- A week to a month
- A month to six months
- More than six months

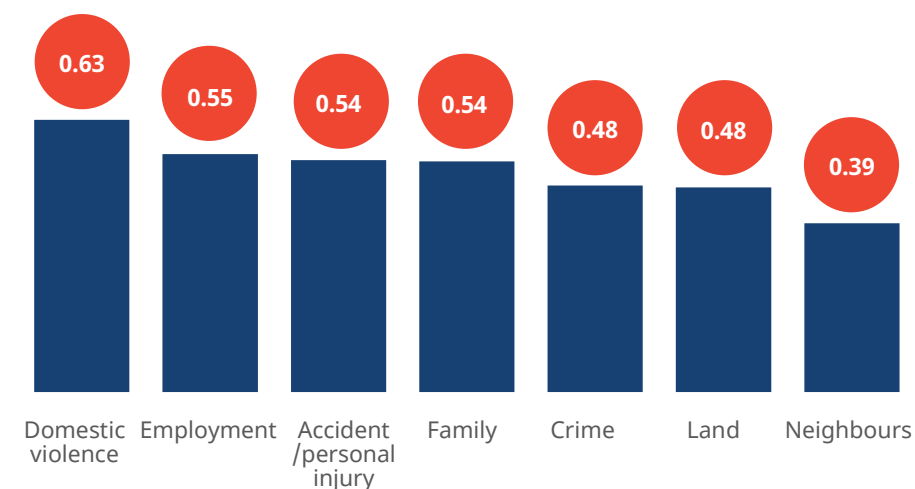
N=2,692

- People lose most time when faced with domestic violence, family and employment problems. More than half of the domestic violence problems cause people to lose more than six months;
- Around 13% of legal problems lead to a need for medical treatment beyond first aid and 7% are seen as the primary cause of a significant injury or illness diagnosed by a physician;
- People feel most disrespect as a result of domestic violence. Employment problems are also associated with a high level of disrespect. Women report higher rates of disrespect than men;
- Domestic violence and employment are the two legal problem categories that affect the lives of the concerned people the most. These two categories are also seen as causing most damage to people's important relationships;
- We also asked people about the impact of these problems on their financial well-being. Domestic violence, land disputes, family and employment legal problems are perceived as the most impactful. Women report a significantly higher impact on their financial well-being.

The graph below highlights the scores on the overall impact index, which captures all of the different dimensions discussed above.

The scores range from 0 to 1, with higher scores indicating a more negative impact on one's life.

IMPACT INDEX BY PROBLEM CATEGORY



N=1,979

¹ Outliers above 500 days are excluded. The average of all values is 89 days

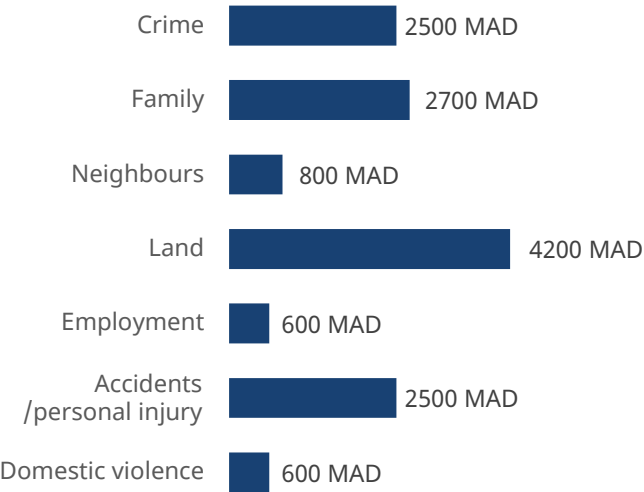
LEGAL PROBLEMS IN MOROCCO

2

Willingness to pay

- People are willing to pay an average² of 2100 MAD (around 220 USD) for a service that resolves their legal problem quickly, fairly and completely.
- The type of problem is more important for the willingness to pay than the income level of the respondent;
 - Men are willing to spend more (2,400 MAD) for fair resolution of their problems than women (1,700 MAD);
 - There is a positive but very weak correlation between WTP and the perceived stress caused by the problem.

WTP PER COMMON
PROBLEM CATEGORY



N=1,979

² Three outliers exceeding 200,000 MAD are excluded from the analysis

Conclusions

Almost one out of every two adult Moroccans have to deal with one or more legal problems every four years. This means that 3.9 million people need access to just and fair resolutions for their problems every year. The problem rate differs per region, with a high of 55% in Oriental and a low of 30% Ed Dakhla-Oued Ed Dah. Furthermore, men and economically active people are more likely to experience legal problems.

Crime, family related problems, conflicts between neighbours, and land disputes are the most frequently occurring problems. On a more specific level, people are most often concerned with theft, divorce and separation, traffic accidents and physical abuse.

People perceive the impact of legal problems as very serious. We asked people a range of questions to assess this impact. The questions covered the amount of lost time and income to impacts on people's health. Domestic violence, family disputes, and employment conflicts are rated as most impactful.

To achieve a fair resolution for their problem, people are willing to spend around 2100 MAD or 220 USD. How much people are willing to spend varies based on the type of problem and their gender. Men are willing to spend significantly more than women, at 2,400 MAD. People who are faced with a land dispute are most willing to pay a substantial sum to have their problem resolved, at 4,200 MAD.

3

Access to Legal Information and Advice

Seeking legal information and advice

Main barriers

Sources

Satisfaction with legal advice



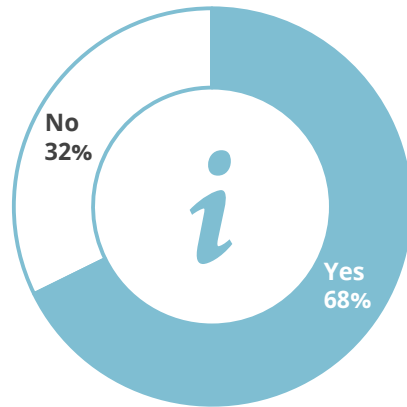
Introduction

In a perfect world, a justice journey would start by acquiring legal information and advice. This includes, among other things, gathering details about the problem, establishing the legal position of the parties and figuring out what can be done in the next steps. How does the reality in Morocco compare to this ideal scenario?

That is the focus of this chapter. Competent, trustworthy and timely information is key for people's ability to use the law. Here we identify where people go, which barriers they face and how satisfied they are with the information received.

Most Moroccans seek some sort of legal advice when they encounter a legal problem. More than **2.6 million** people do so every year, while 1.3 million do not.

DID YOU SEEK LEGAL ADVICE?



N=2,692

INTERNATIONAL COMPARISON:

Yemen **83%**
 Tunisia **60%**
 Jordan **58%**
 Lebanon **58%**



LEGAL INFORMATION & ADVICE

3

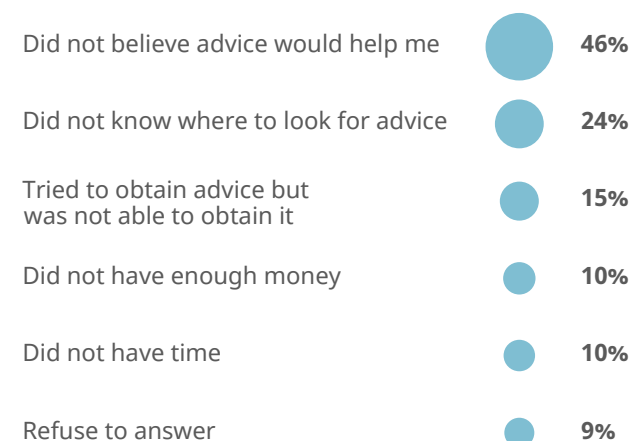
The percentage of people who actively seek out legal advice differs strongly per problem category. People are not necessarily more likely to seek legal advice for problems with a high impact index.

Problem category	%	Impact index
Land	83%	0.48
Family	82%	0.54
Accident/personal injury	76%	0.54
Police related problems	72%	0.53
Crime	69%	0.48
Social welfare / public services	69%	0.50
Neighbours	64%	0.39
Housing	64%	0.48
Employment	63%	0.55
Domestic violence	59%	0.63
Money	59%	0.42
Obtaining ID documents	54%	0.49
Consumer problems	43%	0.36
Corruption problems	42%	0.45

Hopelessness and not knowing where to look are the main barriers

One in three people do not seek legal advice. We asked them why.

REASONS FOR NOT SEEKING LEGAL ADVICE



N=869

LEGAL INFORMATION & ADVICE

3



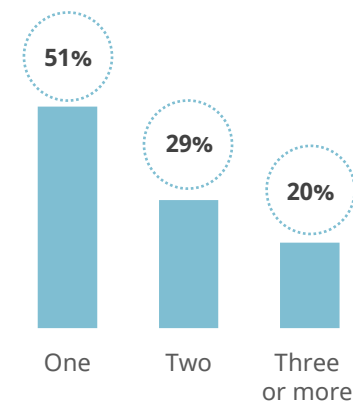
- Not having enough money is more of a constraint for those without formal education (15% vs. 9% for those with any level of formal education) and those in the low-income group (15% vs. 9% for other income groups);
- A lack of funds is also a bigger constraint for people facing family (22%) and employment (21%) disputes;
- Not knowing where to look for advice is more common among seniors (32%);
- For crime, neighbour conflicts and domestic violence over 50% indicate that they do not believe the advice would help them;
- For land disputes, 26% indicate that they tried to obtain advice, but were unable to obtain it

In the rest of this chapter we will focus the analysis on people who do seek legal advice.

Below is a breakdown of the number of sources people use. For every 10 people who seek either professional or non-professional legal advice:

- Five rely on a single source;
- Three use two sources;
- The remaining two go to three or more sources.

NUMBER OF LEGAL ADVICE SOURCES



N=1,823

People tend to turn to more sources when faced with land disputes, housing issues, family conflicts and accidents. Those who experience neighbour disputes, consumer problems, conflicts around money, and police related problems use the fewest.



LEGAL INFORMATION & ADVICE

3

Sources of legal advice

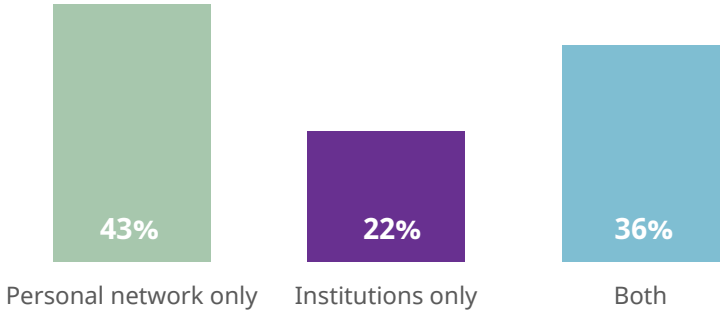
We divide the sources of legal advice into two groups, namely the personal network and institutions. The table below shows the options people could select.

Personal network	Institutions
Family	Local public authority
Friend	Central public authority
Colleague	Lawyer
Neighbour	Paralegal
Employer	NGO or human rights organisation
Religious leader	The police
Community leader	Legal clinics
Political figure	Legal consultation centres
Other trusted person	Other institution

People can choose to seek out legal advice from more than one source. This can be a sign that people use a diversified strategy to find the best possible advice. But it can also be a sign that qualified legal advice is hard to come by and people use multiple sources because they have no other choice. The quality of legal advice is

presumably higher from institutional sources. In the graph below we highlight which sources of legal advice people rely on by category. It shows that some people just use their personal network, others rely only institutions, and a third group applies a mixed approach that combines both categories.

SOURCES OF LEGAL ADVICE



N=1,823

LEGAL INFORMATION & ADVICE

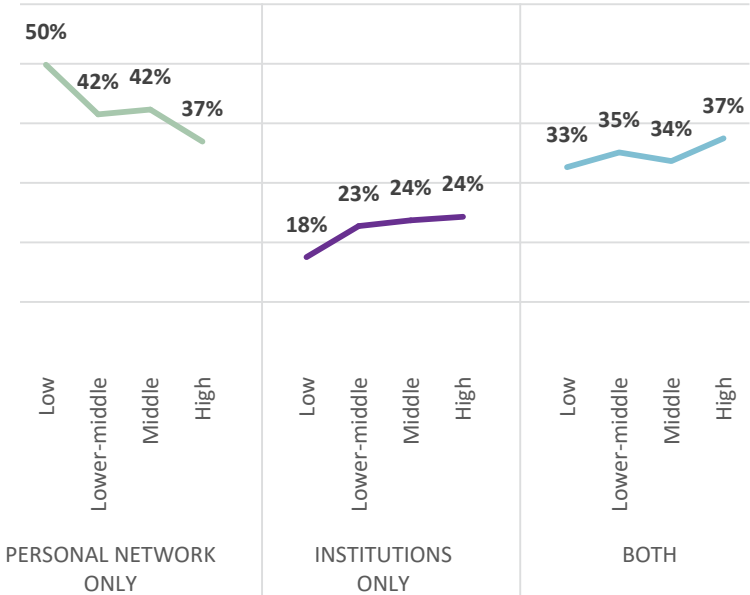
3

People are most likely to seek legal advice from their personal network, often use a mix of both approaches and are least likely to exclusively rely on institutions. People who only rely on their personal network do not have access to professional legal advice.

- Men (24%) rely on institutions more often than women do (18%). Women (38%), on the other hand, use a mixed approach more often than men do (34%);
- The use of the personal network is more common among lower income groups, while higher income groups tend to use institutions more often;
- The use of institutions is higher among seniors than for younger people;

- People with a higher level of formal education use institutions more often, while they use the personal network less often;
- People in urban areas are more likely to only use institutions (24% vs. 17%), while individuals in rural areas are more likely to only use their personal network (49% vs. 39%).
- For domestic violence, neighbour conflicts and employment disputes, people predominantly rely on their personal network. When faced with a crime or accident people rely more on institutions. Lastly, for family and land disputes people are more likely to use a mixed approach.

LEGAL ADVICE BY INCOME



N=1,823

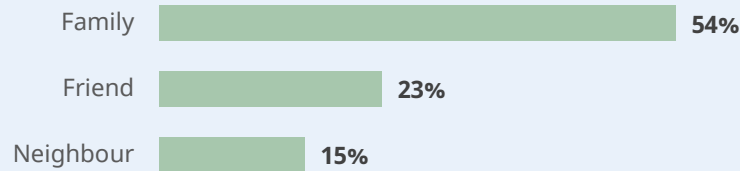


LEGAL INFORMATION & ADVICE

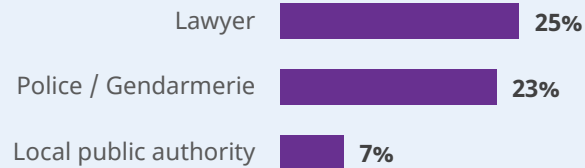
3

MOST COMMON SOURCES OF LEGAL ADVICE

PERSONAL NETWORK



INSTITUTIONS



N=1,823



Family members are by far the most commonly used source of legal advice. From the personal network, people tend to stick with people they know and are close to them. Lawyers and the police are the most commonly used professional sources of legal advice.

- Women (65%) rely more on family members than men do (46%). Men rely more on friends (26% vs. 20%) and the police (25% vs. 20%) than women do;
- Young people are more likely to go to family members (68%) and the police (30%);
- Relying on family members is more common among people with lower levels of income and/or formal education;
- Friends, colleagues, and the police are used more by people with higher levels of income and/or formal education;
- People in urban areas rely more on lawyers (27% vs. 22%) and the police (25% vs. 18%) than people in rural areas do. People in rural areas are more likely to go to their family members (61% vs. 51%) than people in urban areas do.

The problem category has a strong influence on where people go for legal advice:

- For domestic violence (92%) and family conflicts (81%) people rely more on their family members;
- For employment disputes people are more likely to consult their friends (34%) and colleagues (30%);
- For neighbour (55%) and housing (28%) issues people go to their neighbours;
- In cases of an accident (51%), family conflict (48%) or land dispute (33%) people are most likely to consult a lawyer;
- In cases of domestic violence people are more likely to go to an NGO / human rights organisation (11%);
- When faced with a crime (67%) or an accident (42%) people rely on the police;
- Legal consultation centres are used most often when people are faced with money (11%) or employment conflicts (10%).

Relative helpfulness

Which sources of legal advice are seen as most helpful? To get a better understanding of this we use the relative helpfulness of a source. We define this as the ratio between the number of people who contacted a specific source of legal advice and the number of people who identified it as the most helpful source.

The graph on the next page plots the use of specific sources of legal advice against their relative helpfulness. A source is considered to be helpful if more than one in two people who used it say it was their most helpful source. This is represented by the horizontal dashed line at 50%. A source is considered to be commonly used if more than one in five people rely on it. This is represented by the vertical dashed line at 20%.

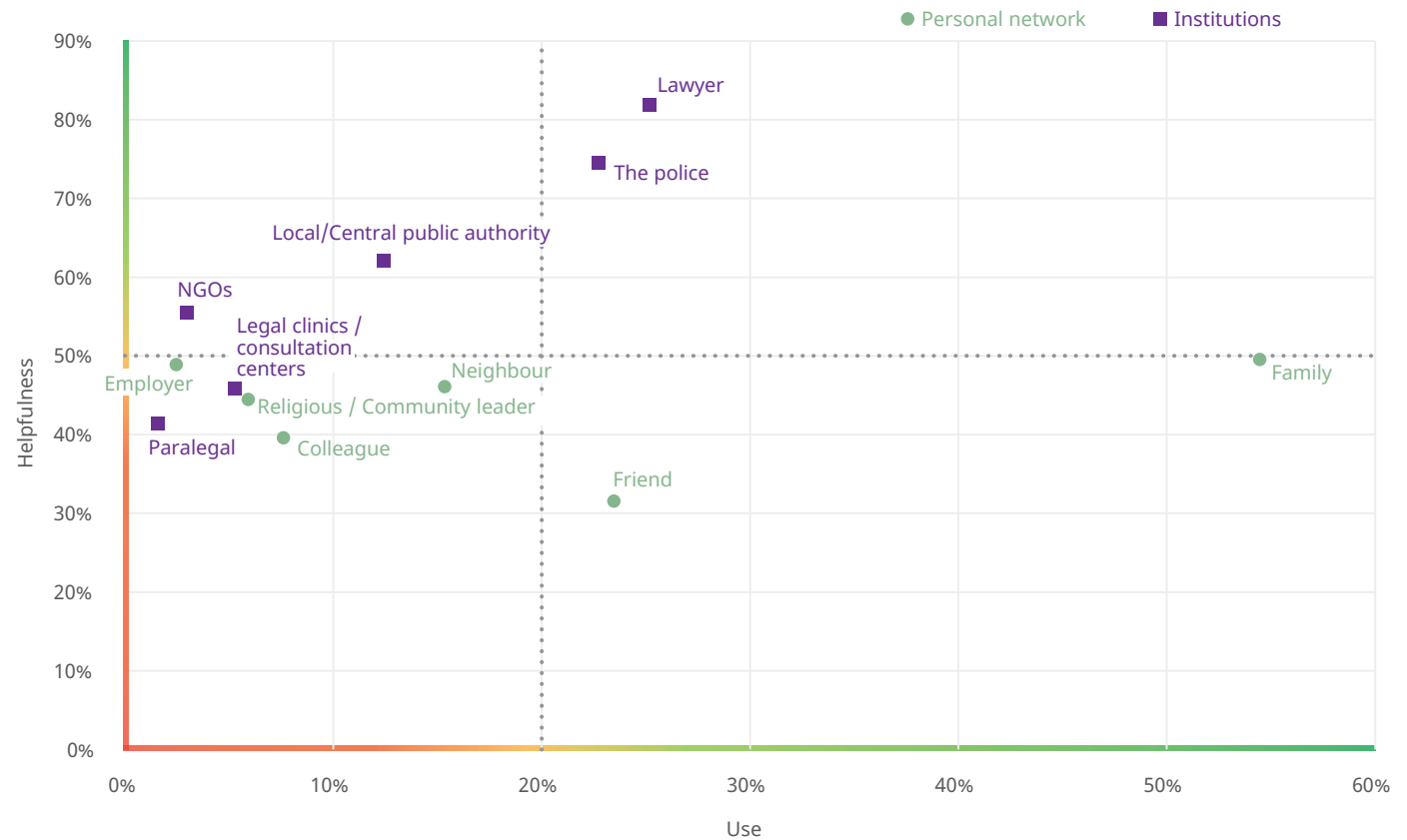
The graph is thus divided into four zones:

- *Bottom left:* Sources that are neither used frequently nor considered to be helpful;
- *Bottom right:* Sources that are used frequently, but are not considered to be helpful;
- *Top left:* Sources that are not used frequently, but are considered to be helpful;
- *Top right:* Sources that are both used frequently and are considered to be helpful.

Ideally, sources are located in the top right corner of the graph. The challenge is how to get there. Enabling innovation and prioritising are important first steps in this process.

The two most commonly used institutional sources of legal advice, lawyers and the police, have the highest relative helpfulness. More than seven out of ten people who use these sources indicate they are most helpful to them. For sources from the personal network, this is always fewer than five out of ten people. For friends it is particularly low, at three out of ten.

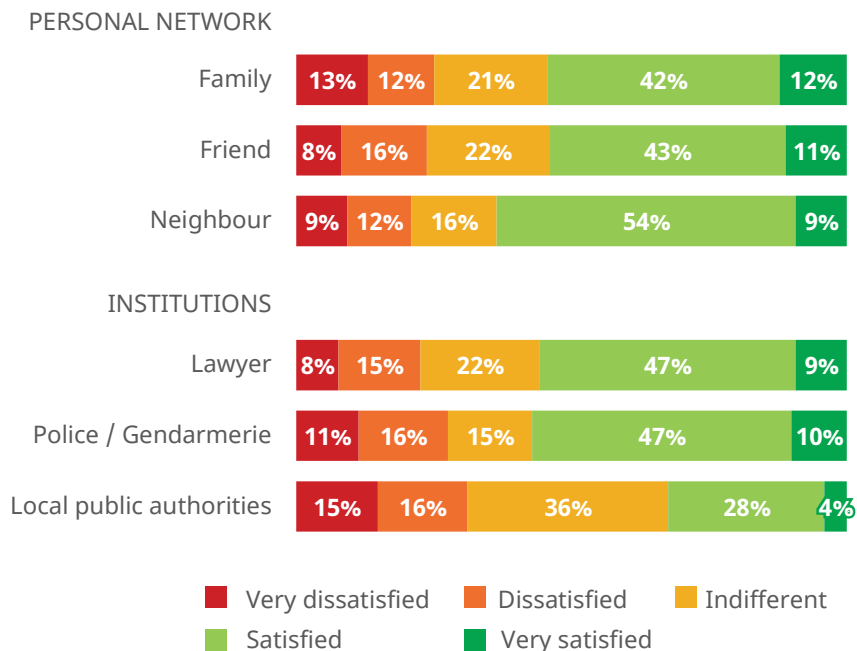
RELATIVE HELPFULNESS OF LEGAL ADVICE SOURCES



N=1,823

Satisfaction with legal advice is generally high

SATISFACTION



N=1,823

The graph above illustrates how satisfied people are with the advice of their most helpful source. For all but one of the sources, over 50% of people are either 'satisfied' or 'very satisfied'. For local public authorities the satisfaction level is lower.

The potential of new media as a source of legal information

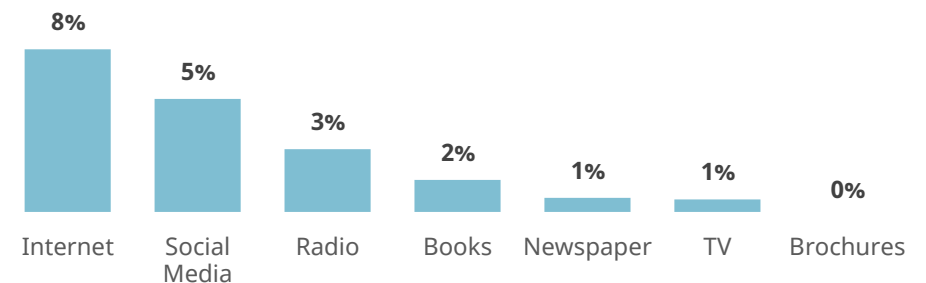
One in seven people seek legal information from electronic or printed media. Having access to the Internet plays a significant role here. One in five people with access to the Internet seek legal information from these sources, while for those without access to the Internet, this is only one in twenty.

Just under 8% use the Internet and 5% rely on social media (like Facebook or Twitter). There is a large difference between rural and urban areas. Internet and social media are used more in urban areas (14%) than in

rural areas (6%). Access to the Internet is also much lower in rural (36%) than in urban (70%) areas. Traditional media - such as radio, TV and newspapers - are not used very frequently, irrespective of location.

The findings point to an opportunity for legal innovators. Targeted, reliable legal information can be delivered at the right time through the Internet and social media. These channels offer excellent economies of scale and have a wide reach. They offer an ideal space for innovation.

LEGAL INFORMATION FROM MEDIA



N=2,692

Furthermore, if we focus exclusively on people who used either social media or the Internet to seek legal information, there are some major consequences. This group of people is much more likely to seek legal advice (86% vs. 65%) and take action (82% vs. 71%). However, they are not more likely to resolve their problems. So, despite the fact that this group is more active overall, they are not getting any better results.



Social media and the Internet are used most commonly for domestic violence and employment disputes, which are the most impactful problems according to the impact index.

Two out of three people seek legal advice when faced with a problem. This is the essential first step to making well-informed decisions. People are most likely to seek out legal advice for land and family disputes. However, they are less likely to do so for employment conflicts and domestic violence.

Why do a third of people not seek any legal advice? The main reasons are not believing it would help and simply not knowing where to look. Money is a substantial barrier for people with a lower level of formal education and/or income. Money also plays an important role for people facing family disputes and employment conflicts.

Where do people go for legal advice? People can go to sources from their personal network and institutions. Lower income groups tend to rely more on their personal networks. Higher income groups, on the other hand, use institutions more often.

Conclusions

One in two people rely on their relatives for legal advice. One in four rely on either a lawyer or the police. Lawyers are used very frequently for legal advice in cases of family dispute. One in two people do so. NGOs are consulted by one in ten people for problems around domestic violence, social welfare, and obtaining ID documents.

Lawyers and the police are not just commonly used, they are also considered to be very helpful. On the other hand, relying on family and friends is common, but considered to be much less helpful.

One in ten people use the Internet and social media to obtain legal information. This is more than double the rate of other countries, such as Lebanon, Tunisia, and Jordan. These channels offer excellent economies of scale and have a wide reach. Hence, they would be an ideal space for innovation.



4

Dispute Resolution

Taking action

Barriers to action

Dispute resolution strategies

Most common paths to justice

Resolution rates

Evaluation of justice processes

Introduction

In this chapter we look at the ways people try to resolve their problems. By investigating what people do and what works, or doesn't work for them, we get a detailed picture of access to justice – including the practical barriers people face.

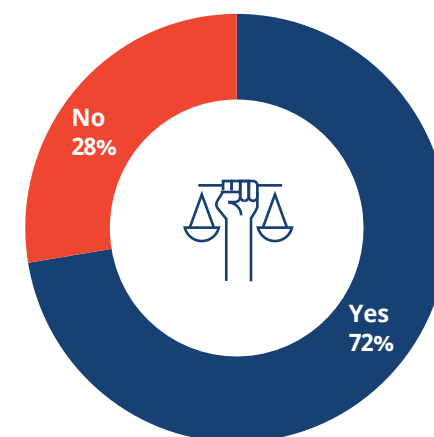
Additionally, we invite you to discover how Moroccans rate the quality of the process, quality of the outcome and the costs of justice when trying to get a legal problem resolved.



Seven out of ten Moroccans act to resolve their problem

Most Moroccans act to resolve the legal problem they encounter. Recall that there are about 3.9 million legal problems every year. Just over 2.8 million people act, while 1.1 million do not.

DID YOU ACT TO RESOLVE YOUR LEGAL PROBLEM?



N=2,692

INTERNATIONAL COMPARISON:

Jordan **80%**
 Yemen **78%**
 Tunisia **71%**
 Lebanon **71%**

DISPUTE RESOLUTION

4

The likelihood of taking action differs strongly per problem category. People are not necessarily more likely to take action for problems with a high impact index.

Problem category	%	Impact index
Land	90%	0.48
Neighbours	81%	0.39
Family	80%	0.54
Accidents / personal injury	79%	0.54
Money	73%	0.42
Housing	72%	0.48
Employment	71%	0.55
Police	70%	0.52
Crime	67%	0.48
Obtaining ID	64%	0.49
Consumer problems	62%	0.36
Social welfare / public services	59%	0.50
Domestic violence	57%	0.63
Corruption	45%	0.45

Hopelessness and power imbalances are important barriers to action

Three in ten people do not take action. We asked them why.

MOST IMPORTANT REASONS FOR NOT ACTING



DISPUTE RESOLUTION

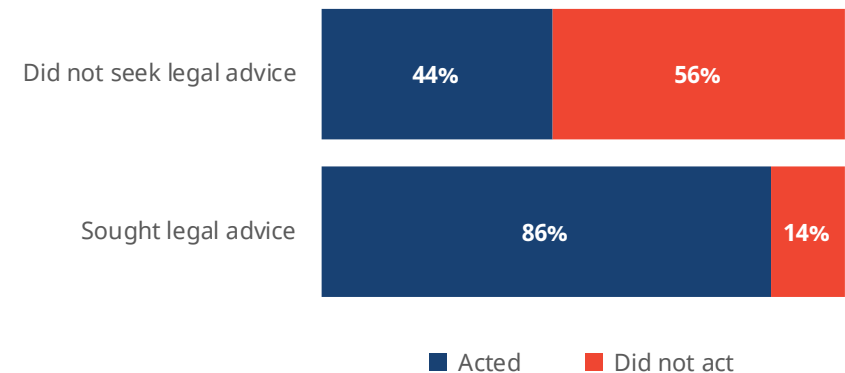
4

- For women, fear of aggravating the relationship with the other party (17%) and being constrained by customs and traditions (19%) are significant barriers;
- Customs and traditions are a bigger barrier for younger people, for people either without formal education or with a low level of education, and for those who fall into the low-income group;
- Not having enough funds is a substantial barrier for those in the low-income group (26%);
- For urban residents not believing in a positive result is the biggest barrier (30%), while for people in rural areas not knowing what to do is the main barrier (28%).
- For employment disputes, the other party being more powerful (46%) and not believing in a positive result (35%) are important barriers;
- For family conflicts, domestic violence and land disputes there are two important barriers:
 - Fear of aggravating the relationship with the other party. With 44% for domestic violence, 31% for land disputes, and 28% for family conflicts;
 - Customs and tradition. With 56% for domestic violence, 27% for family conflicts and 27% for land disputes.

We now focus our analysis on the people who do take active steps to resolve their legal problem.

Which factors influence the decision to act?

- Seeking legal advice is strongly associated with acting to resolve the problem (see graph below);
- Men (74%) are slightly more likely to act than women (70%);
- Young people are less likely to act (59%) than others.



N=2,692



DISPUTE RESOLUTION

4

Dispute resolution strategies

We divide the dispute resolution strategies into three groups, namely self-action, the personal network and institutions. The table below shows the options people could select.

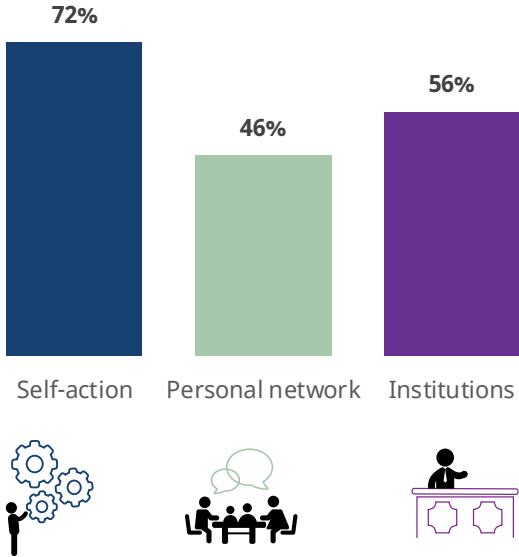
Most people do not rely on a single path to justice but try several different approaches. Hence, we asked them to identify all the different dispute resolution strategies they employed. Later in the chapter we focus on the individual mechanisms, but for now we focus on the aggregated categories.

The graph below illustrates that taking some form of self-action is the most common approach to resolving legal problems. However, since people can pursue multiple paths, most people

use a combination of these approaches (55%) when trying to resolve their legal problem. This can be a combination of any two aggregated paths or even combine all three types.

USE OF DISPUTE RESOLUTION CATEGORIES

Self-action	Personal network	Institutions
Contact other party	Family	Court of law
Gather evidence	Friend	Arbitrator
Contact witnesses	Colleague	Mediator
Other	Neighbour	Local public authority
	Employer	Central public authority
	Religious leader	The police
	Community leader	Lawyer
	Other	NGOs and/ or human rights organization
		Paralegal
		Other

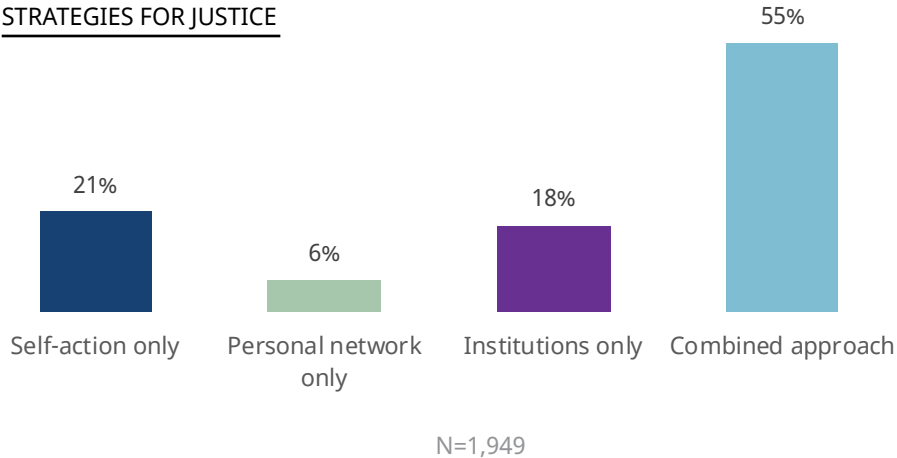


N=1,949

DISPUTE RESOLUTION

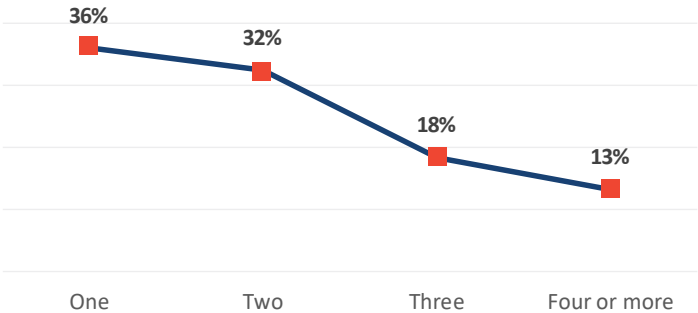
4

STRATEGIES FOR JUSTICE



Combining this insight with the fact that people use an average of 2.2 paths to justice, it becomes clear that many people go through complex justice journeys. We explore the consequences of this later in the chapter.

PURSUED PATHS TO JUSTICE

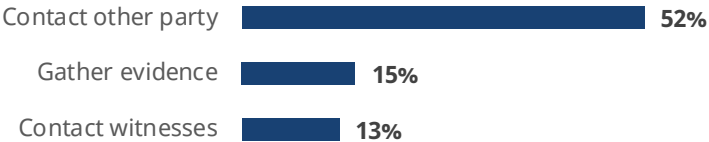


The graph below highlights the most commonly used specific paths to justice. Contacting the other party directly is a very common approach, with one in two people trying to resolve the dispute in this manner. From the

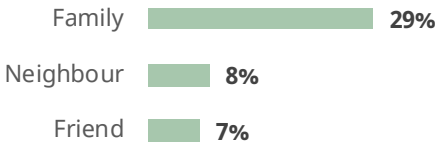
personal network, relatives play the largest role. For institutions, three traditional actors - the court of law, the police and lawyers - are the most common paths to justice.

COMMON PATHS TO JUSTICE

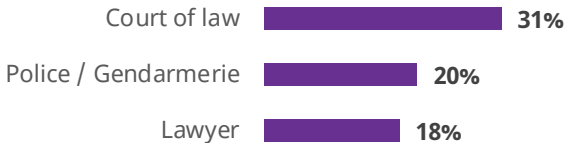
SELF-ACTION



PERSONAL NETWORK



INSTITUTIONS



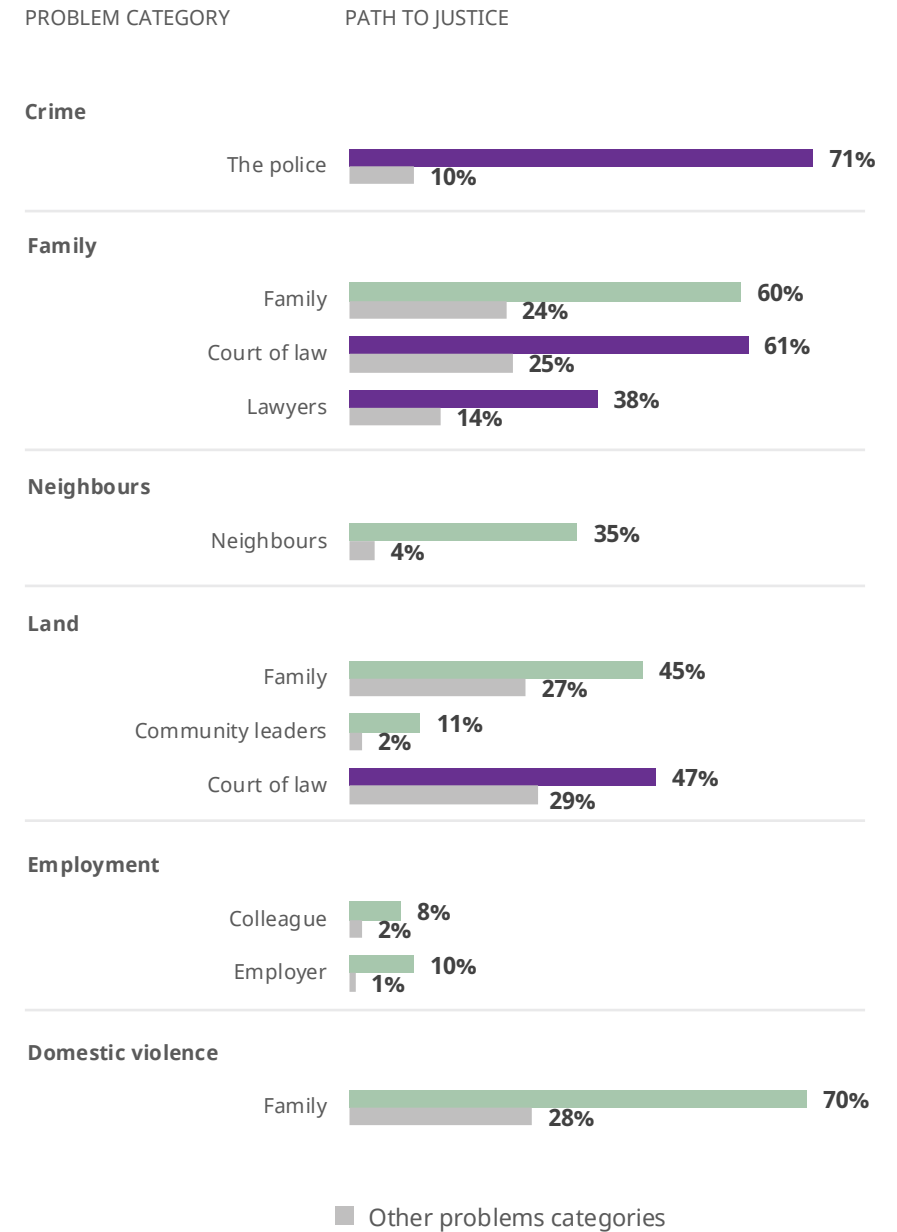
N=1,949

DISPUTE RESOLUTION

4

- Women are more likely than men to rely on family (36% vs. 24%), the court of law (34% vs. 29%) and lawyers (21% vs. 15%);
- Young people are much less likely to take any self-action (54% vs. 74%), while they rely more on family (38% vs. 29%) and the police (34% vs. 19%);
- People in urban areas are more likely to rely on lawyers (19% vs. 14%) and the police (23% vs. 15%) than those in rural areas. Those in rural areas are more likely to rely on contacting the other party directly (56% vs. 51%) and going to family members (33% vs. 27%);
- The problem category people experience plays a large role in the path they choose:

PROBLEM CATEGORY AND MOST COMMON PATH TO JUSTICE



DISPUTE RESOLUTION

4

Which path to justice do people find most helpful? To answer this question, we asked people to identify the path to justice that they considered most helpful out of all the paths they pursued. The graphs below show how many people selected a path as most helpful relative to how many people used the path overall. This is split by category and specific path.

The number outside of the bar indicates the percentage of people who used a certain category or path.

The number in the coloured part of the bar indicates the percentage of people who said a specific category or path was most helpful. Hence, 56% use institutions to resolve their problem and, of that group, 87% also believed this is the most helpful category.

People who indicate using institutions are very likely to also indicate this path is most helpful to them in resolving their dispute.

Let's break it down and look at the most helpful paths in more detail. Which path to justice is actually perceived as most helpful? To get a better understanding of this we use relative helpfulness. We define this as the ratio between the number of people who pursued a specific path and the number of people who identified it as most helpful.

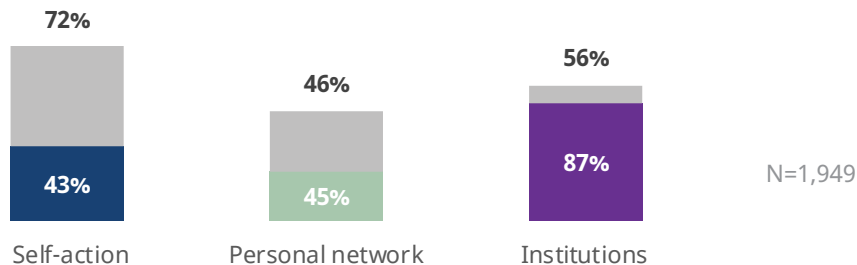
The graph on the next page plots the use of specific paths to justice and their relative helpfulness. A path is considered to be helpful if more than one in two people who used it, say it was their most helpful path. This is represented by the horizontal dashed line at 50%. A path is considered to be commonly used if more than one in five people rely on it. This is represented by the vertical dashed line at 20%.

The graph is thus divided into four zones:

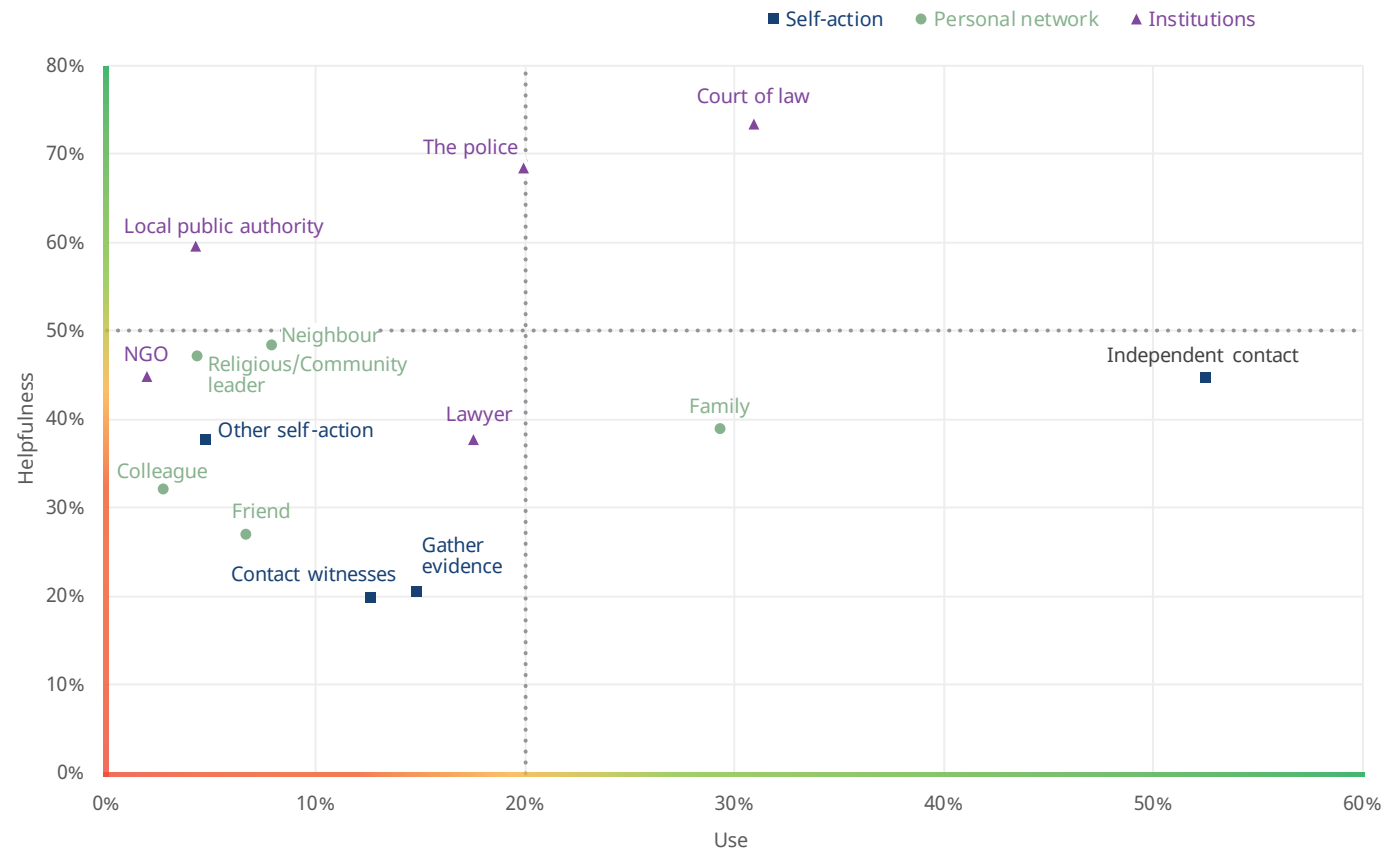
- *Bottom left:* Paths that are neither used frequently nor considered to be helpful;
- *Bottom right:* Paths that are used frequently, but are not considered to be helpful;
- *Top left:* Paths that are not used frequently, but are considered to be helpful;
- *Top right:* Paths that are both used frequently and are considered to be helpful.

Ideally paths to justice are located in the top right corner of the graph. For both the court of law and the police, approximately seven out of 10 people indicate it is the most helpful path to justice they used. When used, institutions are thus seen as the most helpful way to resolve a dispute by most people. Lawyers, however, are considered to be much less helpful.

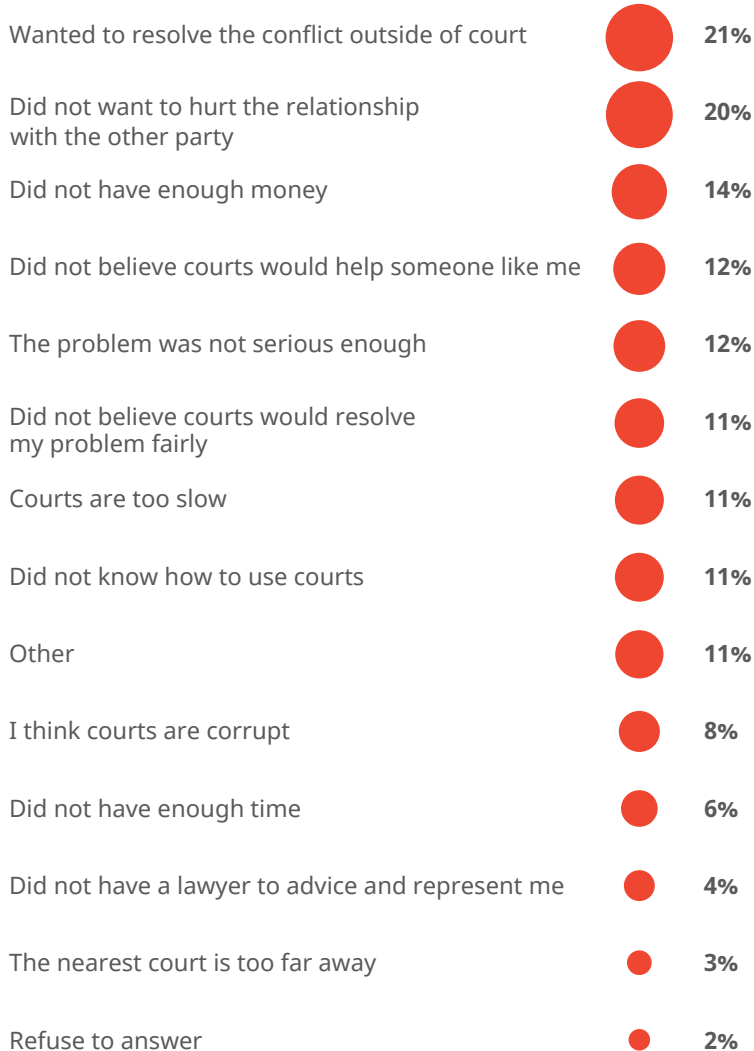
MOST HELPFUL CATEGORY



RELATIVE HELPFULNESS OF PATHS TO JUSTICE



REASONS FOR NOT INVOLVING COURTS



N=2,089

DISPUTE RESOLUTION

4

People who did not use courts, including those who did not act at all, were asked to tell us why they didn't involve courts. The majority of people did so simply because they wanted to resolve the problem outside of court. However, there are people who indicate that they do not believe the courts would help someone like them, do not know how to access courts, or think courts are too slow. Not having sufficient funds is also often cited as a barrier to using courts.

Disaggregating the results reveals the following:

- People in rural areas (16%) are twice as likely as those in cities (8%) to say they do not know how to use courts;
- Women (24%) say they don't want to hurt the relationship with the other party more often than men do (18%);
- The higher someone's level of formal education or income, the more likely they are to say courts are too slow;
- Not having sufficient funds is a bigger barrier for lower income groups.

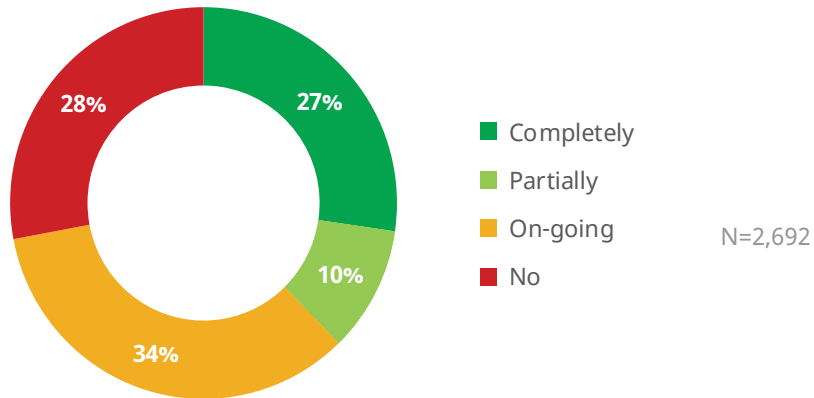


The story of Youssef

I live in a house on a piece of land my father inherited from his father. While he was alive he shared it with his brothers. Not long after my father's death I discovered that a woman filed a complaint against me. She claims that the home and land I inherited from my father belongs to her. It turns out my uncles had sold the property to her; they likely falsified the ownership papers. I believe my uncles did this because my father was in a disagreement with them before his death. I have no money to pay for a lawyer so I applied for legal aid. However, I'm still awaiting a response from the court. This house is the only place I have to live, yet I am stuck waiting for the courts.

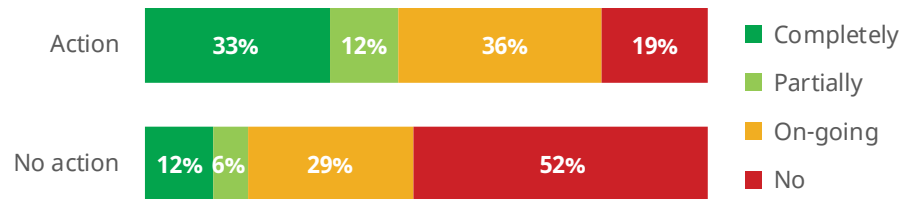
DISPUTE RESOLUTION

4

HAS YOUR PROBLEM BEEN RESOLVED?

Nearly four out of ten of the most serious legal problems are either completely or partially resolved. This implies that nearly 1.5 million problems are resolved every year and over 2.4 million problems are either on-going or abandoned altogether.

The decision to act is a crucial step in the dispute resolution process. The graph below illustrates the difference between those who acted and those who did not.

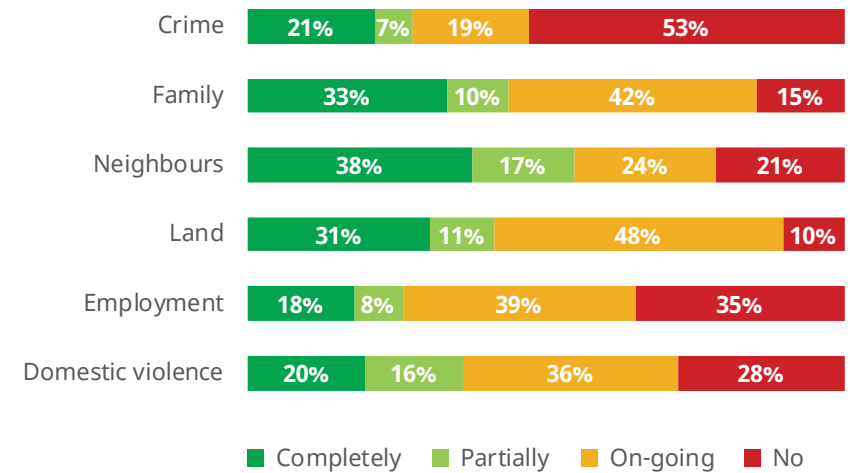
THE IMPORTANCE OF ACTING

Other factors that influence whether a problem is resolved or not include:

- Young people are less likely to completely resolve their problem (23% vs. 28% for other age groups) and more likely to abandon the problem altogether (37% vs. 27% for other age groups);
- Individuals with a low level of income are less likely to either

completely or partially resolve their dispute (30% vs. 39% for other income groups) and more likely to still be in the process of trying to resolve it (40% vs. 33% for other income groups);

- The resolution rate also differs strongly per problem type:

RESOLUTION AND PROBLEM TYPE

N=1,807

DISPUTE RESOLUTION

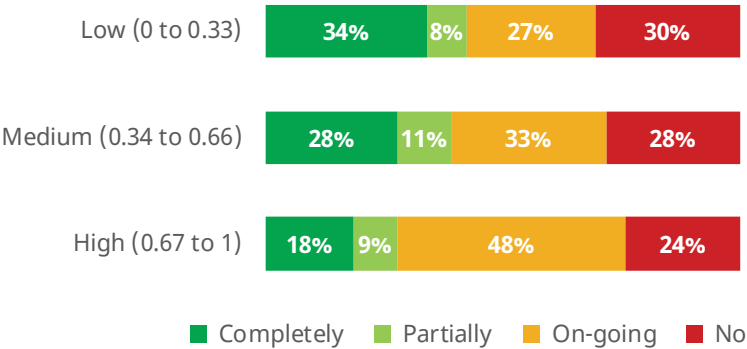
4

The graph on the previous page shows that neighbour problems are resolved more often than other disputes. Crime and employment disputes, on the other hand, have low resolution rates. Providing better paths to justice for people who experience these legal problems should be a priority. Additionally, for land and family disputes, we see that many problems

are on-going. This could be an indication that the current procedures are overly time consuming and not delivering justice in a timely manner.

If we focus on the impact index of problems, we also find substantial differences in the rate of problem resolution. Problems that are most impactful are least likely to be resolved.

RESOLUTION AND IMPACT INDEX



N=1,512

Outcomes delivered by courts or reached through direct talks

How has the problem been resolved?	%
Through a court decision	33%
Solution reached by talking to the other party directly	26%
Solution reached with help of a mediator	18%
Through a decision of a public authority	7%
Problem sorted itself out	5%
Other	11%

- Crime (47%) and family disputes (65%) are typically resolved through a court decision;
- Neighbour (47%) and employment conflicts (46%) are resolved more often by talking to the other party directly;
- Mediators mostly play a role in disputes around domestic violence (29%), neighbour disputes (24%) and land conflicts (23%).

DISPUTE RESOLUTION

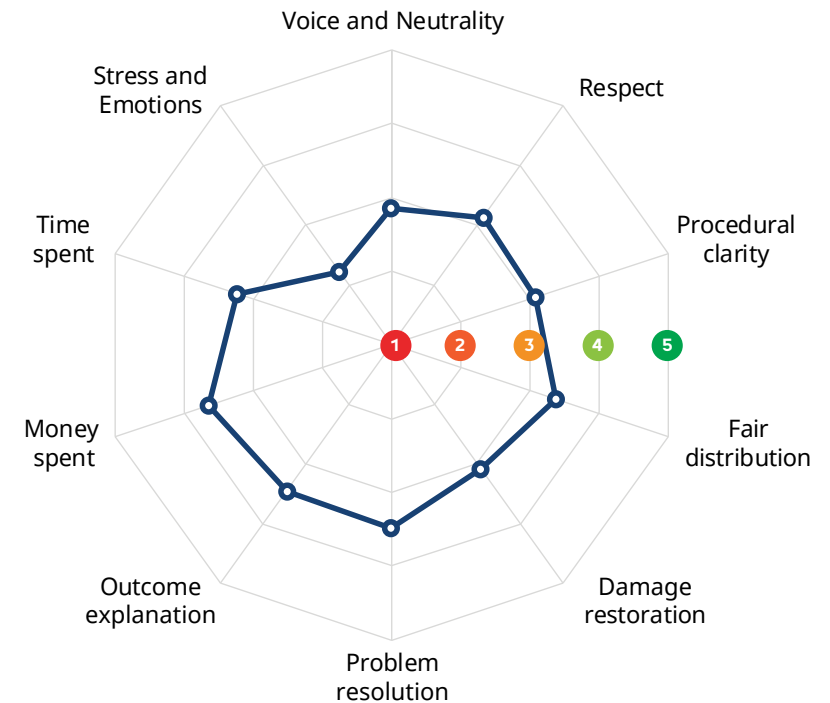
4

Evaluation of justice processes

The spiderweb chart allows us to visualise how users of justice experience their journey in terms of the quality of both the process and the outcome, and the costs. These three dimensions are displayed using 10 measures; each of these measures has one or more underlying indicators. Additional detail can be found in the methodology section.

The graph on the next page indicates that people tend to evaluate their journeys as average. The amount of stress and negative emotions that people deal with is a negative outlier, but overall the ratings are near the middle of the scale. This indicates that the situation isn't all that bad, but there is clear room for improvement.

OVERALL EVALUATION



DISPUTE RESOLUTION

4

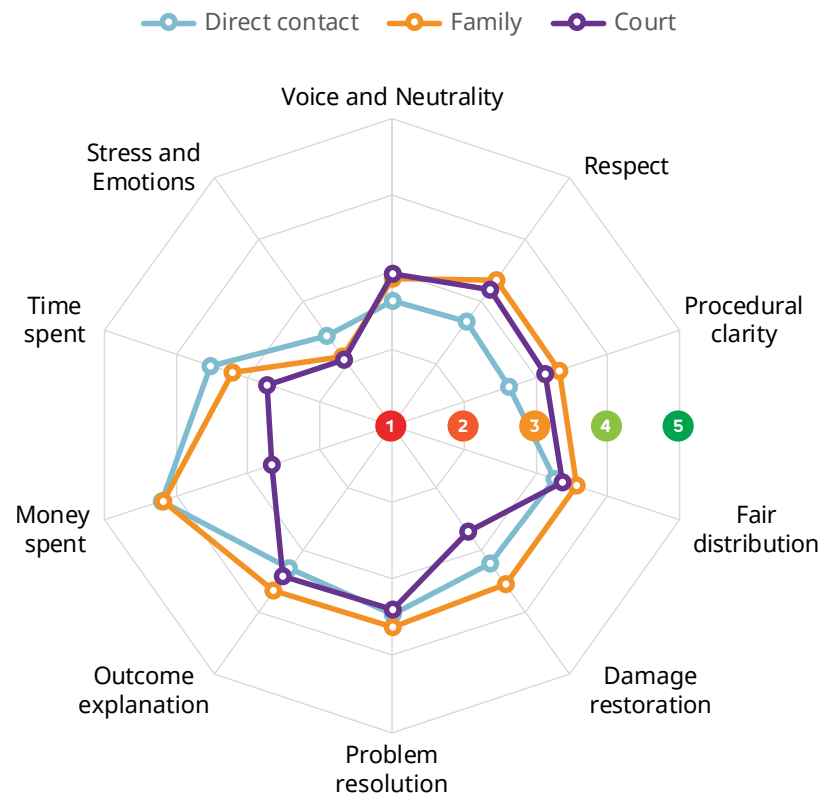
Next, we take a closer look at the different categories of dispute resolution mechanisms.

- Directly contacting the other party is consistently rated worse than the other two popular mechanisms on the quality of the process;

- Individuals who rely on their family for resolving legal problems rate their overall justice journey more positively;
- People who go to court typically face much higher monetary costs and are less satisfied with damage restoration.

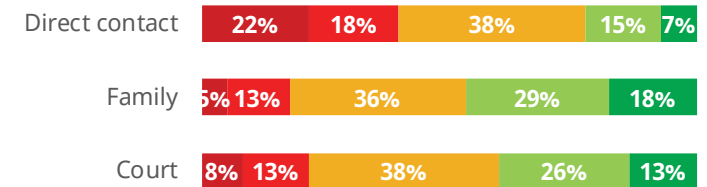
Looking at specific quality indicators from the process dimension, self-action performs significantly worse than the other paths on the amount of respect people receive and how well the procedure is explained.

EVALUATION BY MECHANISM

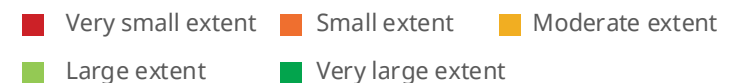
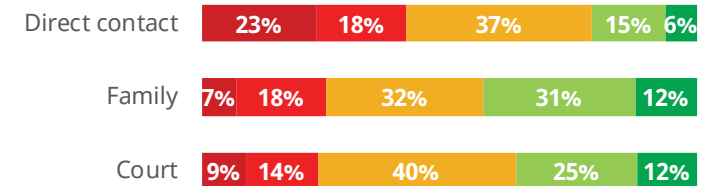


SPECIFIC PROCESS INDICATORS

WERE YOU TREATED WITH RESPECT?



WAS THE PROCEDURE EXPLAINED THOROUGHLY?



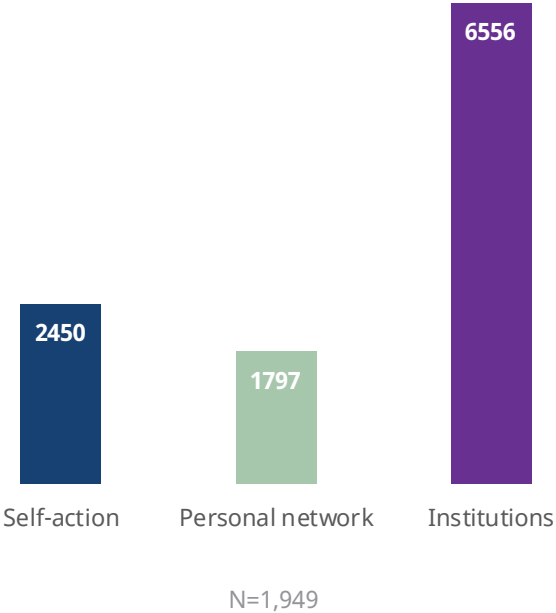
DISPUTE RESOLUTION

4

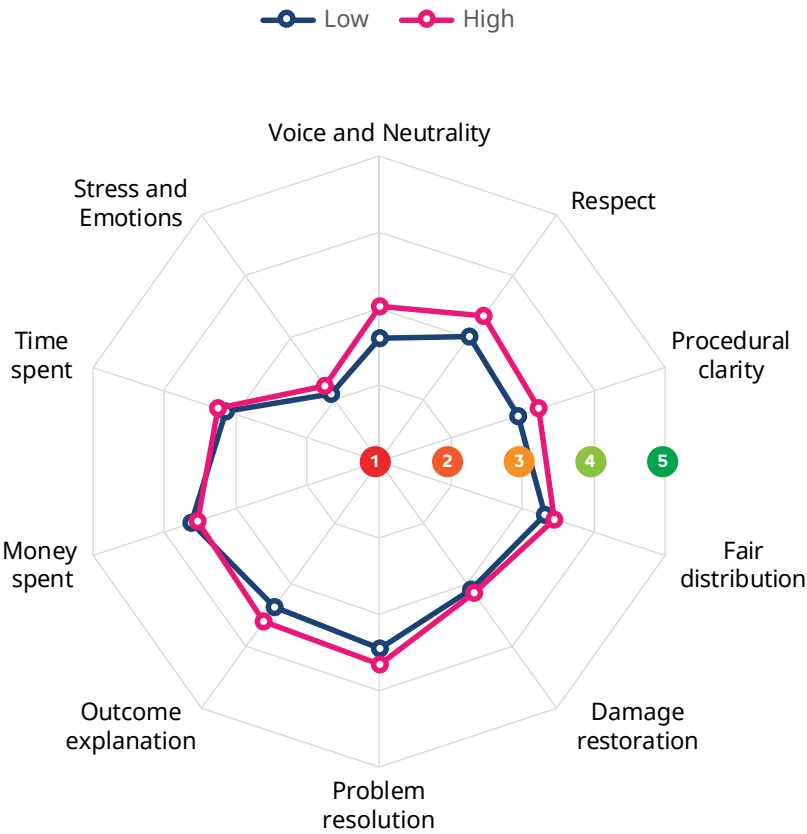
The graph below summarizes the average amount of money, in MAD, people spent on resolving their problems. This clearly illustrates the vast difference in cost between the three mechanisms.

People with a high level of income are significantly more satisfied with the quality of the process than those with a low level of income. They feel they are more respected, have more opportunity to be heard and are more informed on the specifics of the procedure.

AVERAGE EXPENDITURE (IN MAD)



EVALUATION BY INCOME



DISPUTE RESOLUTION

4

Conclusions

Seven out of 10 people actively try to resolve their problem. People are most likely to act when faced with land disputes, neighbour conflicts, and family issues. They are least likely to act in cases of domestic violence and corruption cases.

Why do three in 10 people choose not to act? People do not believe in a positive outcome, don't know what to do, or face a significantly more powerful other party. Money is an additional barrier for people with a low level of income. Power imbalances play a major role in employment conflicts. Fear of aggravating the relationship and customs are important barriers in domestic violence, family, and land disputes. Young people are less likely to act than others.

Where do people go to resolve their legal problems? The most common paths to justice involve contacting the other party directly, relying on family, and going to the court of law. Women are more likely than men to use courts and lawyers. Young people rely more on taking actions themselves, rather than on their personal network or institutions. People in urban areas are

more likely than people from rural areas to use lawyers and the police. Courts are used most often for family and land disputes. The police is used by seven out of ten people who act in cases of crime. People rely strongly on relatives when faced with family disputes and domestic violence. These are very personal problems and are typically resolved close to home.

Courts and the police are frequently used and considered to be helpful. On the other hand, contacting the other party directly and relying on family members are frequently used and not considered to be very helpful.

Why do some people choose to avoid going to court? The majority of people did so because they wanted to resolve the problem outside of court. However, there are people who indicate that they do not believe the court would help someone like them, do not know how to access courts, or think courts are too slow. Not having sufficient funds is also often cited as a barrier to accessing courts.

Less than three in 10 of the most serious problems are completely resolved. Young people and those with a lower level of income are less likely to resolve their problems. Only two in ten crimes, land disputes, and domestic violence issues are completely resolved. One in two crimes is abandoned altogether.

People evaluate their justice journey on the quality of the process, the quality of the outcome, and the costs. People with a high level of income are significantly more satisfied with the quality of the process than those with a low level of income. They feel they are more respected, have more opportunity to be heard and are more informed on the specifics of the procedure. People who directly contact the other party are less satisfied about the quality of the process. Courts are rated as expensive and score quite low on their ability to facilitate damage restoration.





5

Trust and Legal Empowerment

Levels of trust
Perceptions on courts
Legal empowerment

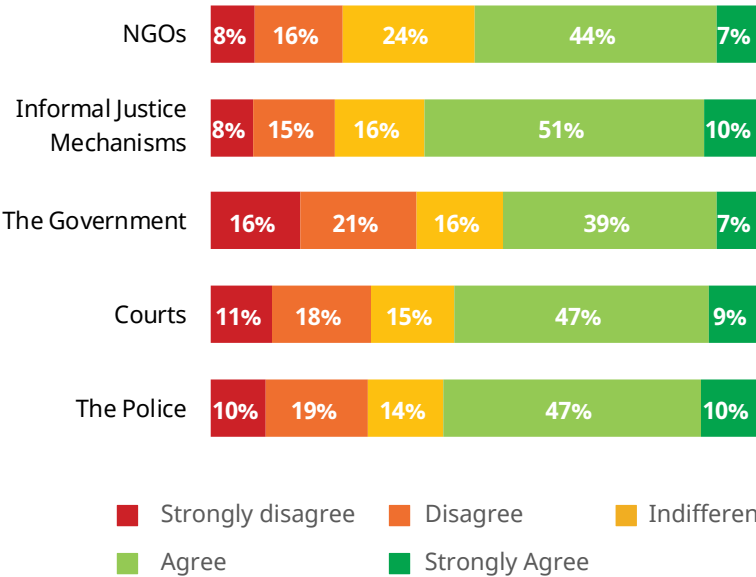
Introduction

In this chapter, we investigate the levels of trust in institutions and the level of legal empowerment in Morocco.

People can rate their level of trust in five different institutions on a scale from 1 (no trust at all) to 5 (high level of trust). These include institutions from the formal, informal and civil society domains.

Higher levels of trust in informal justice mechanisms

TRUST IN INSTITUTIONS



N=6,000



TRUST & LEGAL EMPOWERMENT

5

Consistent with previous studies¹, Moroccans tend to express higher levels of trust in informal justice mechanisms and lower levels of trust in the government.

Courts	Informal Justice Mechanisms	The Police	The Government	NGOs
3.24	3.40	3.29	3.00	3.27

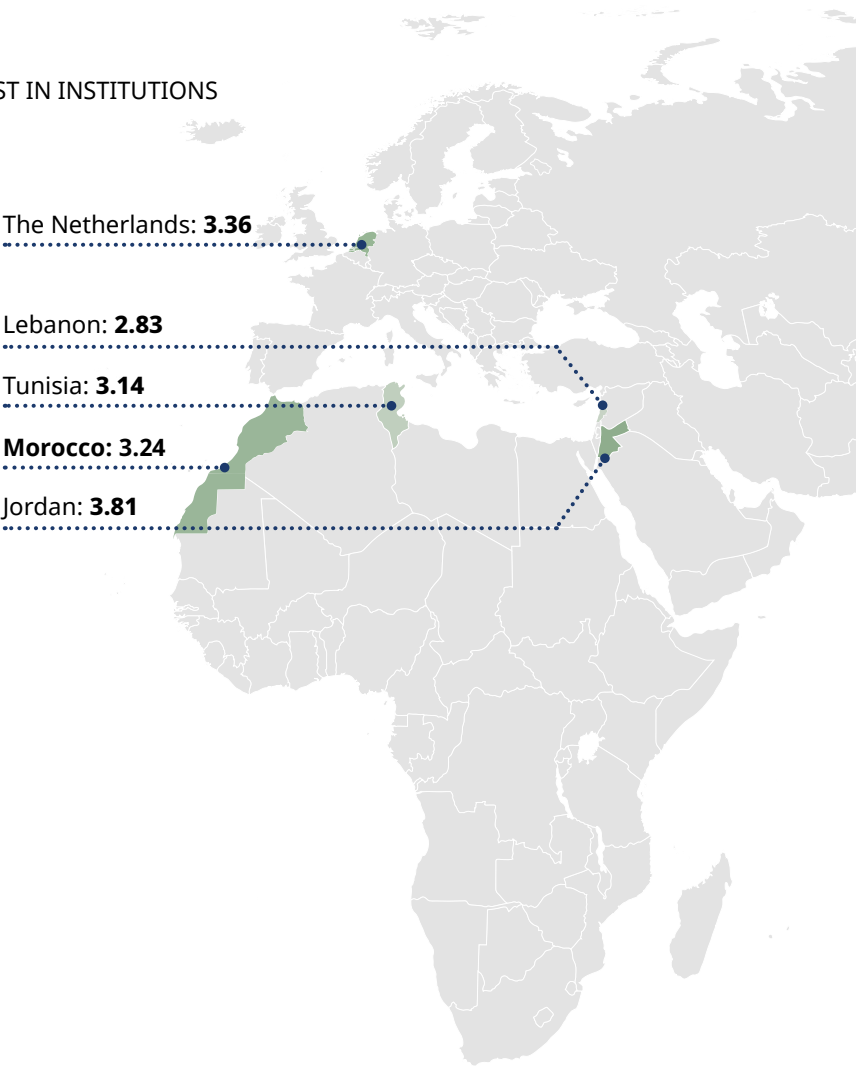
On average, trust in the government is the lowest.

- Men show lower levels of trust in the government (2.87) than women (3.13);
- Trust in the government decreases as formal education and income levels rise, but increases with age;
- People who experience crime (2.69) or employment disputes (2.60) tend to show lower levels of trust in the government.

¹ Afrobarometer - <http://afrobarometer.org/publications/pp39-access-to-justice-in-africa>

The general level of trust in institutions is average

OVERALL TRUST IN INSTITUTIONS

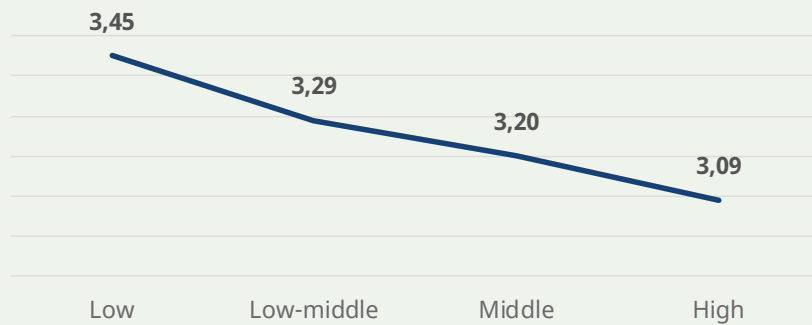


TRUST & LEGAL EMPOWERMENT

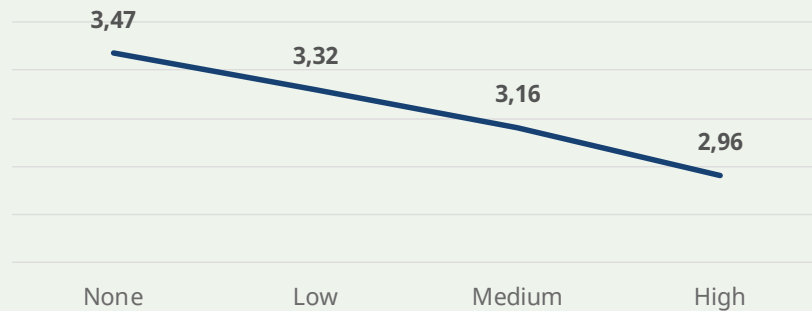
5

- People who experienced a legal problem report lower levels of trust (3.11), than those who did not experience a legal problem (3.34);
- General trust in institutions increases with age;
- General trust in institutions decreases as levels of income and formal education rise.

TRUST BY INCOME LEVELS

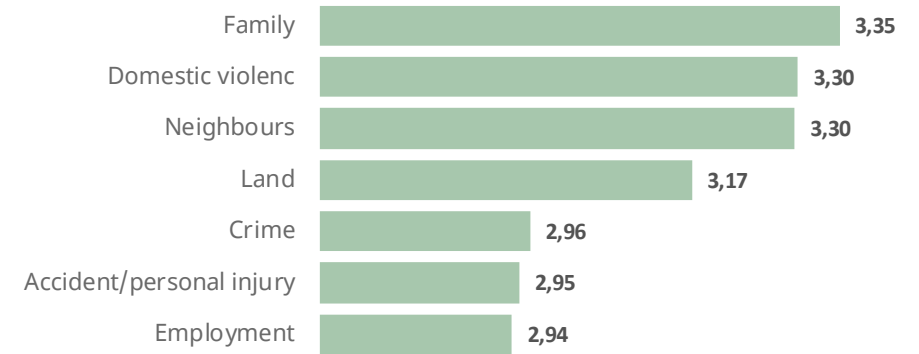


TRUST BY EDUCATION LEVELS



N=6,000

TRUST BY COMMON PROBLEM CATEGORIES



- As with trust in the government, people with employment disputes and those who experience crimes express the lowest overall level of trust in institutions.



TRUST & LEGAL EMPOWERMENT

5

Polarized opinions regarding courts

Courts generally protect the interests of the rich and powerful above those of ordinary people



N=6,000

■ Very often ■ Often ■ Rarely ■ Never

Moroccans seem to be divided in terms of how courts treat different members of society. One in two people perceive that courts often protect the interests of the rich and powerful over those of ordinary people. Among those who have an employment dispute as their most serious legal problem, this increases to two in three.



TRUST & LEGAL EMPOWERMENT

5

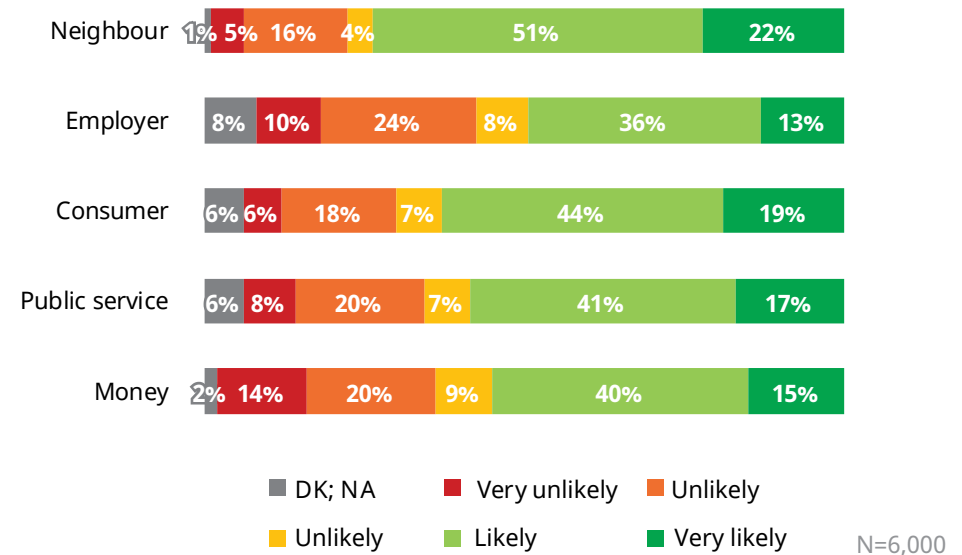
Legal empowerment is high, except for employment disputes

Legal empowerment refers to the extent to which people are confident they can deal successfully with their legal problems themselves. To test the degree of legal empowerment among the Moroccan people we presented them with the following five hypothetical scenarios:

We asked people to rate these situations on both the likelihood of finding a resolution to the problem and the fairness of the resolution. As with trust in institutions above, the scale ranges from 1 (Very unlikely/Very unfair) to 5 (Very likely/Very fair).

1. *Imagine you had a conflict with a neighbour who often causes a significant disturbance to you, for instance by making a lot of noise or leaving garbage out;*
2. *Imagine you had a problem with your employer, for example a conflict over your dismissal;*
3. *Imagine you bought a cell phone from a big retailer, and it was defective;*
4. *Imagine you had a conflict with the official authority that issues National ID Cards (or similar);*
5. *Imagine you lent approximately 750 Dirham to a friend, and he refuses to pay it back.*

LIKELIHOOD OF FINDING A RESOLUTION

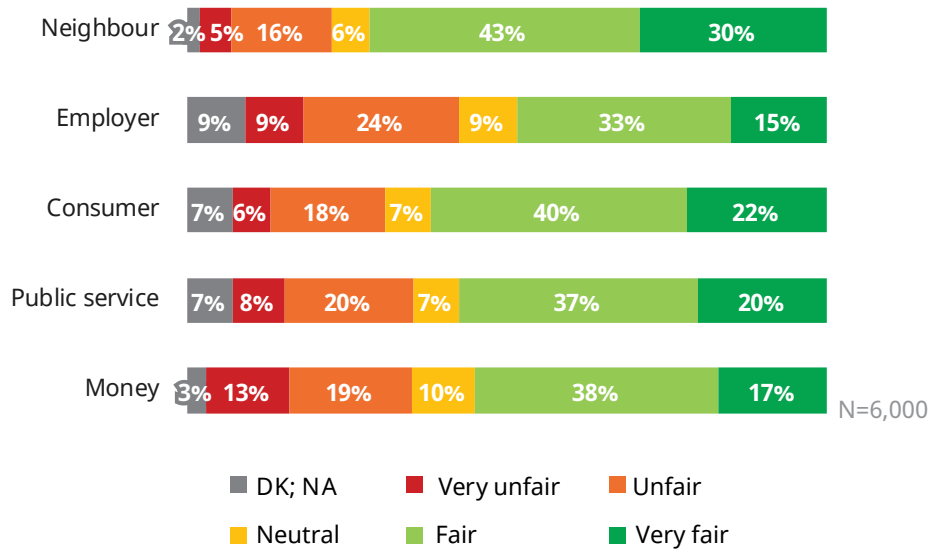


People are generally optimistic about the likelihood of finding a resolution to these hypothetical problems. For all but one of the scenarios, more than half claim that it is 'likely' or 'very likely' they will find a solution. Employment disputes are considered to be more difficult to resolve.

TRUST & LEGAL EMPOWERMENT

5

FAIRNESS OF OUTCOME



People generally feel confident that the solutions would be fair. As with the likelihood of finding a solution, more than half of the people indicate the solution would either be 'fair' or 'very fair' for all but one of the scenarios. Employment disputes are also seen as least likely to get a fair solution.

Conclusion

This chapter focuses on trust in institutions and legal empowerment. We ask people how much they trust five institutions: Courts, informal justice mechanisms, the police, the government, and NGOs. Trust in the government is lowest out of the five. Trust is lower among people with higher levels of income and/or formal education. People who have experienced a legal problem report significantly lower levels of trust. Overall, trust in these institutions is comparable to what we find in other countries.

Do people believe courts protect the interests of the rich and powerful over those of ordinary people? This question divides people. One in two people believe courts often behave like this. The others feel it happens either rarely or never.

We use five hypothetical scenarios to assess how confident people are about finding fair resolutions to their legal problems. People are generally quite positive, but employment conflicts are seen as more difficult to resolve fairly.





6

Legal Problems of Women

- Demographic differences
- Most serious legal problems
- Consequences
- Seeking legal advice
- Taking action
- Justice journey evaluation

LEGAL PROBLEMS OF WOMEN

6

Demographic differences

According to the data, women generally have a lower level of formal education and are less likely than men to be single (and never married). Additionally, only three in 10 women indicate having paid work, compared with seven out of 10 for men. Women are also less likely than men to have access to the Internet. The combination of these factors indicates that women are in a more vulnerable socio-economic position than men. Hence, it is likely that legal problems will affect them differently.

This is in line with other findings. According to the World Economic Forum's Global Gender Gap report 2017¹, Morocco scores particularly low, coming in at rank 136 out of 144. This report looks at, among other things, educational attainment, economic participation, and political empowerment. Furthermore, both labour force participation (24% in 2016) and adult literacy rates (59% in 2012) are problematic factors².

¹ http://www3.weforum.org/docs/WEF_GGGR_2017.pdf

² <https://data.worldbank.org/country/morocco>



LEVEL OF FORMAL EDUCATION

	None	Low	Medium	High
Women	33%	23%	26%	18%
Men	22%	21%	34%	23%



MARITAL STATUS

	Single	Married	Divorced	Widowed
Women	23%	61%	7%	9%
Men	35%	60%	3%	3%



DO YOU HAVE PAID WORK?

	Yes	No
Women	33%	67%
Men	73%	27%



DO YOU HAVE ACCESS TO THE INTERNET?

	Yes	No
Women	49%	51%
Men	64%	36%

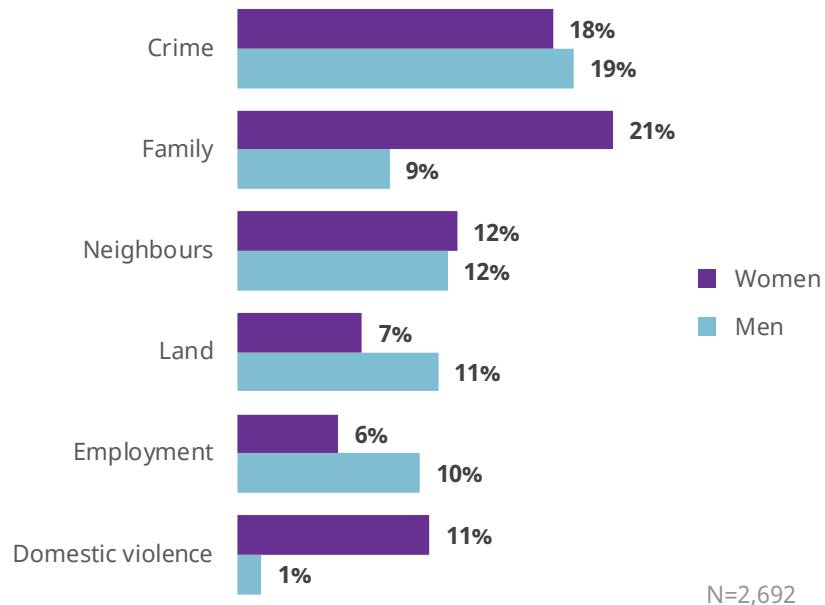
LEGAL PROBLEMS OF WOMEN

6

Legal problems for women are close to home

Women experience different problem categories than men. They face family disputes and domestic violence as their most serious problem more often. Men are more likely to be affected by land and employment conflicts.

MOST SERIOUS LEGAL PROBLEM BY GENDER



There is not just a difference in the broad categories of problems experienced by women and men. Within each category they face different disputes as their most serious problem.

- *Crime*

Theft (64% vs. 50%) and sexual assault (8% vs. 1%) are more likely to be reported as most serious by women. On the other hand, (non-sexual) violent crimes (33% vs. 18%) are more likely to be reported as most serious by men;

- *Family*

Disputes over maintenance (24% vs. 2%) are mainly reported by women. Issues around parental rights (13% vs. 5%) and inheritance issues (26% vs. 15%) are more often reported by men;

- *Neighbours*

Women report more threats, harassment or violence between neighbours (31% vs. 19%). Regular and excessive noise (24% vs. 12%), however, is more problematic for men;

- *Land*

Problems over boundaries and the use of land (36% vs. 20%) are more likely to be reported as most serious by men;

- *Employment*

Harassment at work (28% vs. 0%) is a serious problem for women, but completely unreported by men. Men face dangerous working conditions (11% vs. 5%) more often.

Additionally, women with a high level of income or formal education are up to three times more likely to report crime (35%) compared with other women. Women with a low level of formal education, on the other hand, are almost twice as likely to report family disputes (28%) as their most serious legal problem.

LEGAL PROBLEMS OF WOMEN

6

Consequences

Women indicate a slightly higher impact on their lives from experiencing a legal problem than men. The graph below highlights the score on the overall impact index. The score ranges from 0 to 1, with higher scores indicating a more negative impact on one's life.

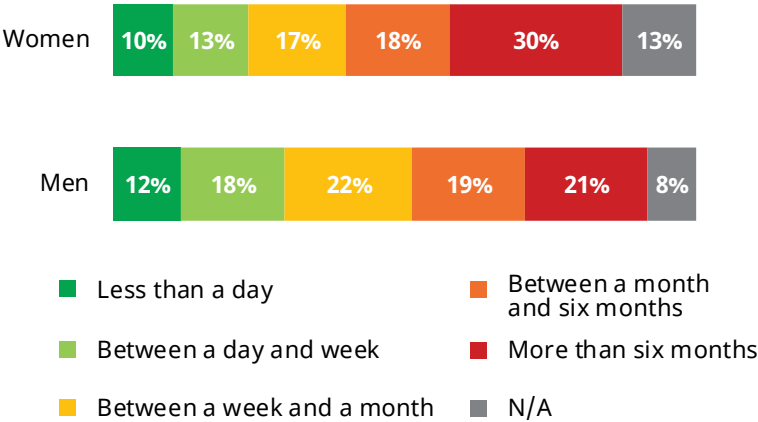
This impact index is constructed using a range of indicators. Below we highlight the most important differences between women and men in terms of these underlying indicators. This gives a more complete picture of the precise impact on their lives.

- Women are more likely to experience loss of consciousness (15% vs. 8%) and significant injury (9% vs. 5%) than men;
- One in three women indicate losing more than six months of time due to the problem. For men, this number is only one in five.

IMPACT INDEX



TIME LOST DUE TO PROBLEM

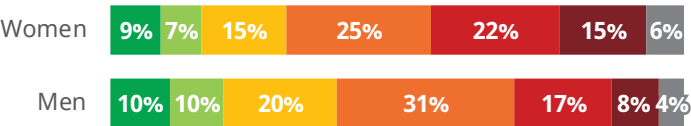


LEGAL PROBLEMS OF WOMEN

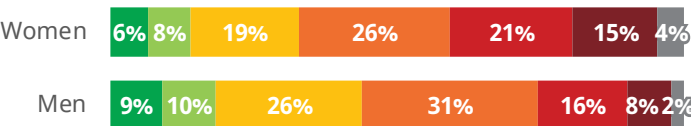
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TO WHAT EXTENT DID THE PROBLEM...

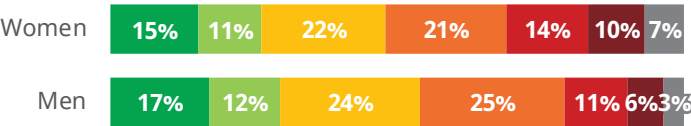
MAKE YOU FEEL DISRESPECTED



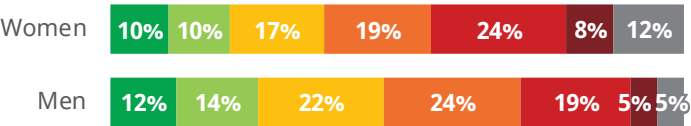
AFFECT YOUR LIFE AFTERWARDS



NEGATIVELY AFFECT RELATIONSHIPS



CAUSE LOSS OF INCOME



None Minor Moderate Serious Severe Critical N/A

N=2,192

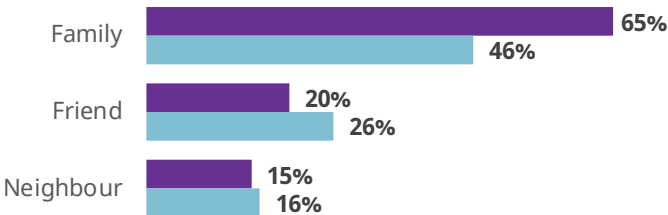
Women are more likely to seek legal advice from their relatives

Two out of three people seek legal advice when faced with a dispute. This proportion is the same for women and men. However, women seek out different sources than men, to obtain legal advice. The main difference is that

women are far more likely to consult their relatives. Generally speaking, women are more like to use their personal network (81% vs. 76%), while men are more likely to use institutions (24% vs. 18%).

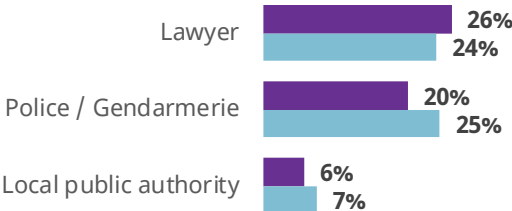
TOP SOURCES OF LEGAL ADVICE

PERSONAL NETWORK



Women Men

INSTITUTIONS



N=1,823

LEGAL PROBLEMS OF WOMEN

6

Women and men who do not seek legal advice face the same barriers. The two main barriers are not believing advice would help them and not knowing where to look for legal information and advice. Hence, the same sense of hopelessness and lack of awareness affects both genders. Not knowing where to look is more common for women with a lower level formal of education. This is not the case with men.

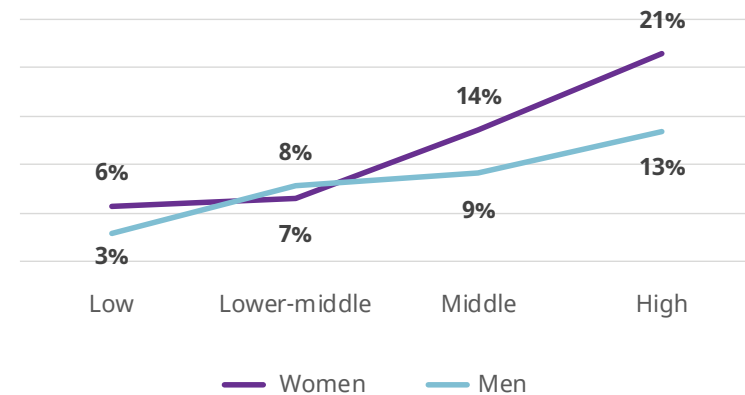
Women are using new media more than men are

There is a slight difference between women and men when it comes to seeking legal information from public media. Women (16% vs. 13%) are more likely to use these sources of information than men are. The main difference is found in the use of social media (7% vs. 4%) and the Internet (9%

vs. 7%). This is in spite of the fact that women are less likely to have access to the Internet than men are.

There are strong differences based on income, level of formal education and rural/urban residency.

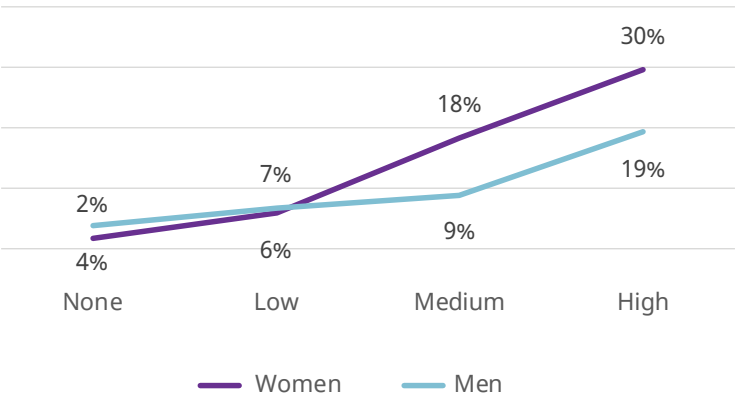
USE OF INTERNET AND SOCIAL MEDIA BY INCOME LEVEL



LEGAL PROBLEMS OF WOMEN

6

USE OF INTERNET AND SOCIAL MEDIA BY EDUCATION LEVEL



USE OF INTERNET AND SOCIAL MEDIA BY RURAL/URBAN RESIDENCY



	Rural	Urban
Women	4%	17%
Men	7%	11%

Let's focus on the group with access to the Internet. Since women overall have less access to the Internet, naturally the differences increase further. Among women with access to the Internet, 26% use public media, while this number is only 18% for men.

The difference in the use of social media and the Internet (excluding social media) by women and men also further increases. Social media use is 12% for women and 6% for men. The Internet is used by 15% of women and 10% of men.

Women slightly less likely than men to act

Moving from the search for legal information and advice to taking action is perhaps the most important step of the justice journey. Women (70%) are slightly less likely than men (74%) to take this step.

Women are more likely to rely on their relatives, courts of law and lawyers than men are. This is related to the fact that they experience more family disputes. People are much more likely to follow these three paths to

resolution in case of a family conflict. Courts (more than 70%) and lawyers (more than 45%) are used particularly often in cases that involve divorce or separation, parental rights, and maintenance disputes.

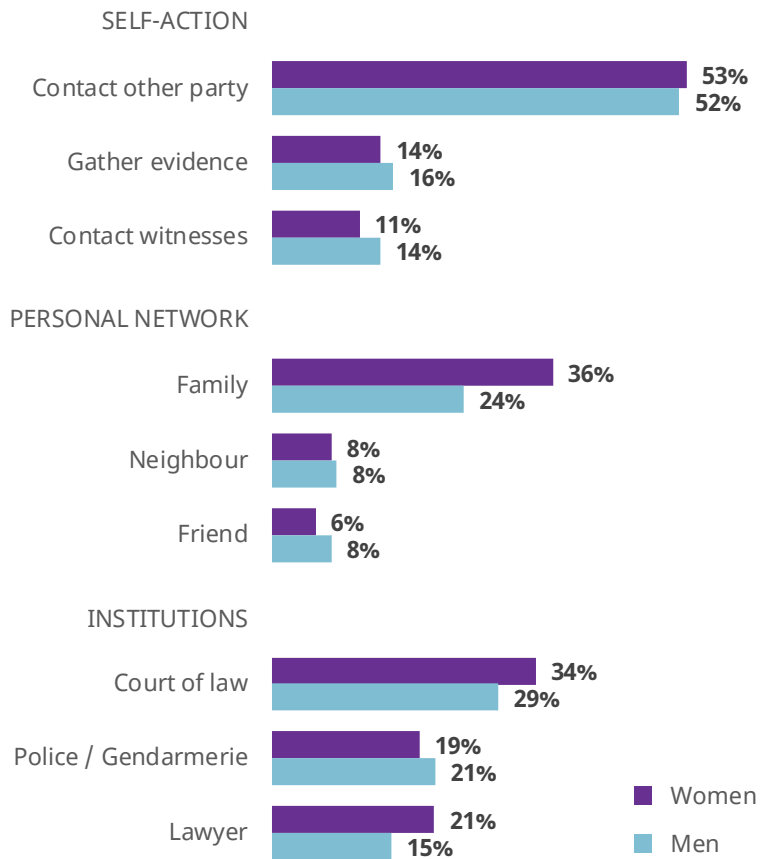
In terms of the relative helpfulness of the different paths to justice, women and men provide the same ratings. Both courts of law and the police are identified as the most helpful path by more than half of those who use them.



LEGAL PROBLEMS OF WOMEN

6

COMMON PATHS TO JUSTICE



N=1,949

The story of Salma

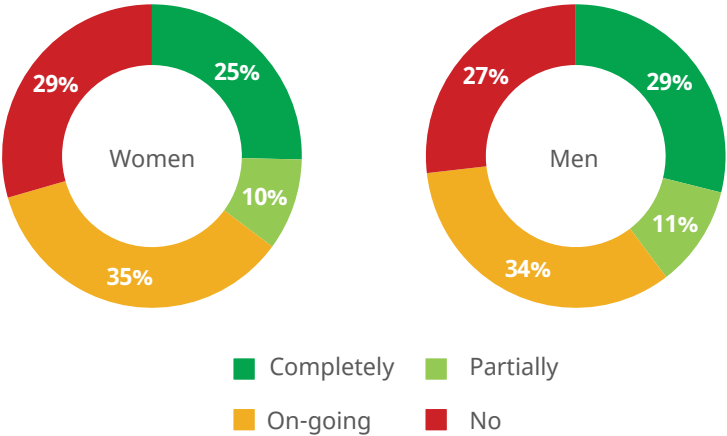
I've been married for over 12 years. My husband works at a spare parts store in the region of Fes and is the only source of income. About a year ago the amount of money he was sending home was decreasing, and he wasn't visiting as often as he used to. Not long after a woman contacted me and told me my husband had proposed to her. My husband had told her he was single with no children. After hearing this news, I did some research and discovered my husband had started a change of address request. He was also paying bribes to falsify his civil status certificate so that it would say he's single, that way he could get married without my consent. A lawyer at the family court advised me I should start a financial child support procedure against my husband, as well as ask for my own pension. However, to denounce what he did I need proof and I have none. I decided to file for divorce and ask for financial support. Since then, the woman who contacted me left my husband. He wants to take revenge because he believes I messed up his relationship with this woman.

LEGAL PROBLEMS OF WOMEN

6

Women experience slightly lower complete resolution rates than men

HAS YOUR PROBLEM BEEN RESOLVED?

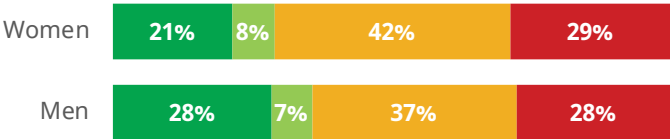


N=2,692

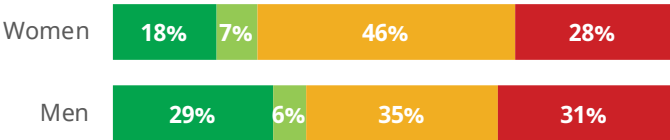
Women in general have slightly lower resolution rates than men. However, the picture becomes starker if we focus on women without formal education and women in the lowest income group. As illustrated in the graph below, women in these

groups experience substantially lower complete resolution rates than men. They are also more likely to indicate that the problem is on-going. This provides a clear indication that these women are struggling more when trying to acquire justice.

NO EDUCATION



LOW INCOME GROUP



Completely Partially On-going No

LEGAL PROBLEMS OF WOMEN

6

Justice journey evaluation

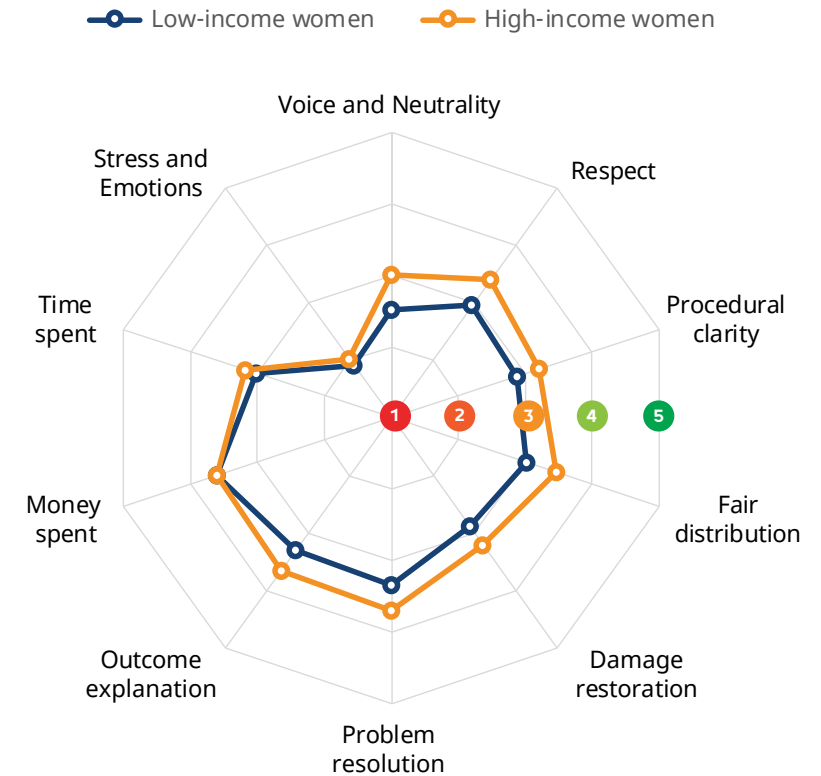
The justice journey evaluation for women and men is quite similar. If we look at the data in detail, however, we can find some important differences:

- Women indicate being treated with respect and in a polite manner more often than men;
- Women are slightly more satisfied about the restoration of damages than men;
- Women feel the outcome of the process is explained to them more completely and find the results fairer than men;
- While women indicate spending less money, they do spend more time and experience more stress during their justice journeys than men.

As noted in the chapter on dispute resolution, income has an influence on how people rate their justice journey. High-income individuals generally give a more positive evaluation. This income effect is amplified for women as illustrated in the graph on the next page. The cost of justice is evaluated similarly, but the quality of both the process and the outcome are rated substantially lower by low-income individuals.

The most serious legal problem category for women is family disputes. We can compare how women evaluate these disputes compared with the other serious legal problems they experience. The quality of the procedure is rated more positively. People feel they are more able to influence the final result and the neutral party was objective and unbiased. This is related to the high use of courts for family disputes. However, women who face serious family disputes are much more dissatisfied about the amount of time and money spent to resolve the problem.

JUSTICE JOURNEY EVALUATION



Where women live, i.e. in a city or in a rural area, also influences the evaluation of the justice journey. Urban women are substantially more satisfied about the quality of both the procedure and the outcome. Costs are

evaluated similarly. For men, there is no difference in the evaluation of the quality of the procedure and the costs. However, rural men are more positive about the quality of the outcome than urban men are.



LEGAL PROBLEMS OF WOMEN

6

Conclusions

Women in Morocco are in a more vulnerable socio-economic position than men. They are more likely to: be single, have a lower level of formal education and not be gainfully employed. The legal problems women face also have a more negative impact on their lives. Family disputes are the number one broad problem category women face, whereas theft is their most serious specific problem.

When it comes to seeking legal advice women and men do so in the same proportion. However, women seek out different sources. Specifically, women are more likely to use their personal networks, in particular family members. Furthermore, despite having less access to the Internet than men have, women are slightly more likely to use this source when seeking legal information. They make better use of this resource by engaging with it and widening their access to relevant information. Similar barriers to seeking out legal advice are reported by both men and women.

In moving from information to action, differences arise. Women are slightly less likely than men to act to resolve

their problems. Those women who do act rely more on their relatives, courts of law and lawyers in comparison with men. However, there are no gender differences regarding the perceived relative helpfulness of the dispute resolution mechanisms.

In general women have slightly lower resolution rates than men. This difference increases further if we concentrate on the most vulnerable groups of women: those without formal education and in the lowest income group. Moreover, women are more likely to indicate that a problem is on-going. At first glance, women and men seem to have a similar evaluation of their justice journeys. However, differences appear again when concentrating on specific elements of the justice journey. Low-income women in particular face an uphill battle.

In sum the most significant differences between men and women in Morocco are evident in: the demographics, types of problems faced and sources of legal information and advice.





7

Family Disputes

Specific family problems

Sources of legal advice

Dispute resolution mechanisms

Family justice procedures

Introduction

Family problems in Morocco are common. One in six serious problems are related to family disputes. This makes them the second most common type of problem after crime. In this chapter, we explore the types of family problem affecting Moroccans in detail – particularly for women-, and the paths they follow to find a resolution.

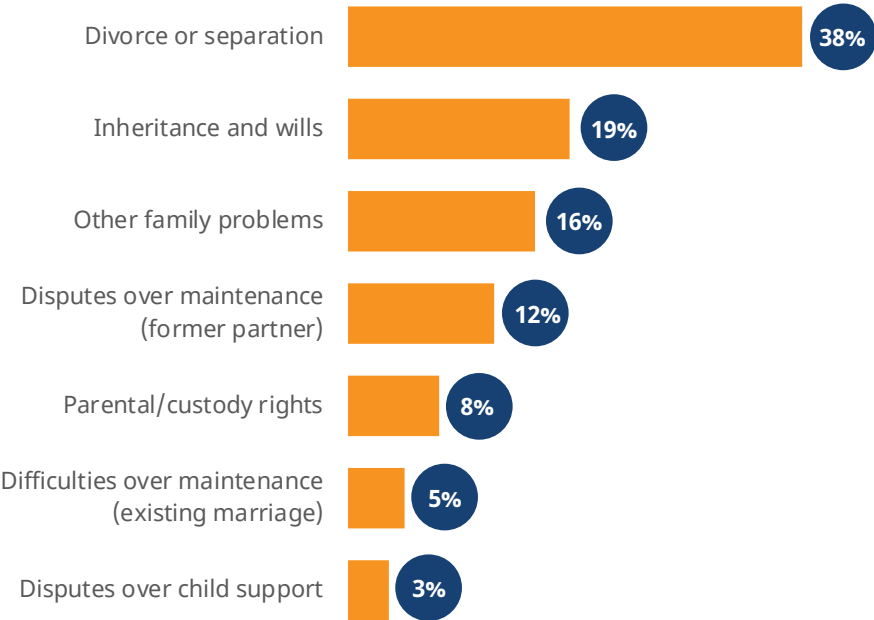
We invite you to learn more about the justice journeys around family problems in Morocco.



Divorce-related problems affecting Moroccan families

Divorce is the second most common specific legal problem in Morocco. Divorce alone constitutes more than a third of all family-related disputes in the previous four years.

SPECIFIC FAMILY PROBLEMS



FAMILY DISPUTES

7

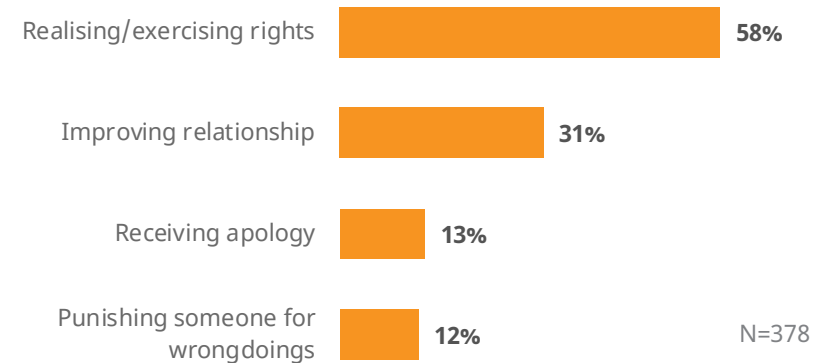
Family-related problems are not only common, but also impactful. They are the fourth most impactful problem category. Of the three most serious problems - crime, family, and neighbours - it is the most impactful.

Demographics of most serious family-related problems

- Women (21%) are more likely to experience a family-related legal problem than men (9%);
- Low-income individuals (17%) tend to be more susceptible to family-related problems than the other income groups (around 13%);
- People between 25 and 39 years of age (18%) experience more family problems than younger (9%) or older people (11%);
- People living in rural areas report family related disputes as their most serious problem slightly more often than those in urban areas (16% vs. 13%);
- People with the highest level of formal education are slightly less likely to have a family-related problem (11%) than the rest of the population (15%).

People want to exercise their rights and improve damaged relationships when faced with family disputes

WHAT DID YOU WANT TO ACHIEVE?



- The majority of women (65%) want to realise rights. Only 45% of men do;
- On the other hand, there is a 10 percentage point difference between men (37%) and women (27%) who say they want to improve a broken relationship.

The story of Fatima

I have been trying to divorce my husband for almost three years. He is currently in prison for fraud because he stole millions from a project owner. Following his incarceration, my mother-in-law started managing our acquiring company. Since then my family and I have been suffering from psychological and physical harassment from her. She does this because my husband tells her to do everything possible to stop me from divorcing him. She often threatens to hurt my parents. She also sends people to my neighborhood to damage my car and on several occasions I have been attacked. My complaints have not gone anywhere because they cannot identify those who came on her behalf and I have no proof it was her who sent them. She has the financial resources to harass me through her lawyer. She's even gone as far as to give money to my lawyer to falsify my divorce record. I have had to change lawyers three times. Every time I get close to a settlement, my husband changes his legal counsel. Because of this the process starts all over again from scratch. I am told that it is normal for things to stall and that I keep spending all my savings with no end result. I do not know where to go for help and no one seems to be able to help me. The justice system is corrupt and only protects the rich. I am scared to see what will happen in two years when my husband gets out of prison. Until then I am trying to contact NGOs and associations like Transparency Morocco and Adala Justice for help. I hope it works, I'm determined to not be a victim anymore.

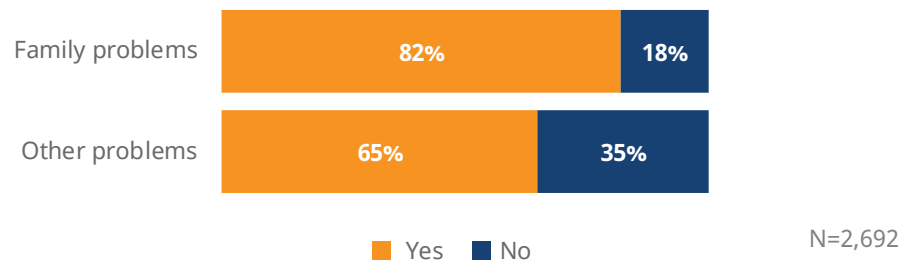


FAMILY DISPUTES

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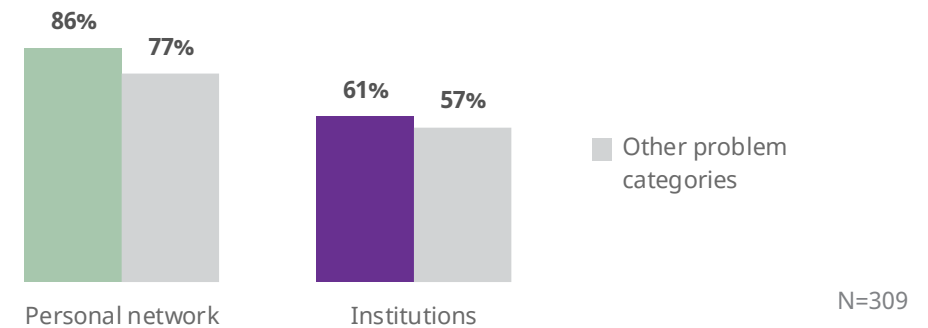
Moroccans are active in seeking legal advice for family-related problems

DID YOU SEEK LEGAL ADVICE?



- Not believing that advice would help them is the most common reason (35%) not to seek it. However, this is 12 percentage points lower than the average for other problems;
- On the other hand, not having enough money (22%) is 12 percentage points higher than the average for other problems. Clearly money plays a bigger role in family disputes.

LEGAL ADVICE CATEGORIES FOR FAMILY DISPUTES



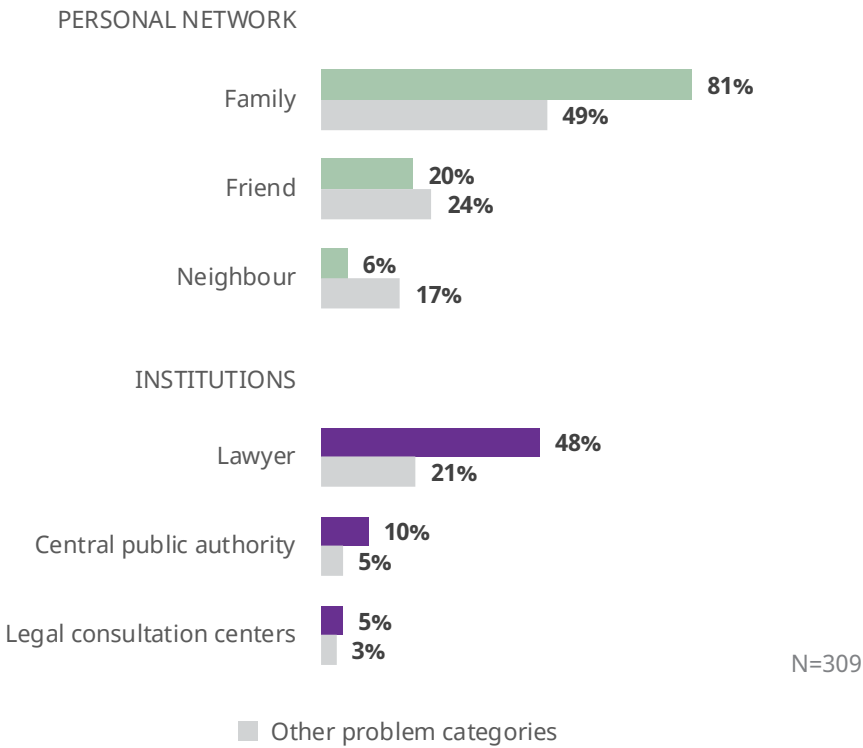
When people with a family dispute seek legal advice, the majority prefers to consult trusted sources from their personal network.

Almost half (47%) of those who seek legal advice contact both their personal network and institutions.

FAMILY DISPUTES

7

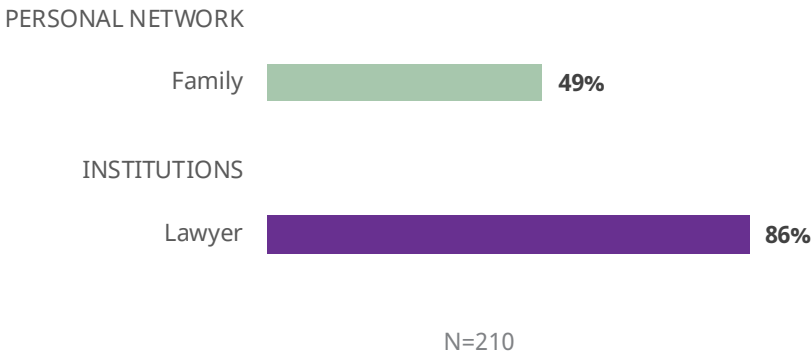
COMMON SOURCES OF LEGAL ADVICE FOR FAMILY DISPUTES



- For the personal network, people tend to concentrate on family members for advice. Friends and neighbours are used less often than for other problems;
- People contact lawyers for legal advice more often in cases of family dispute. In fact, lawyers are the second most common source of legal advice for family disputes.

Lawyers provide the most helpful legal advice on family matters

RELATIVE HELPFULNESS



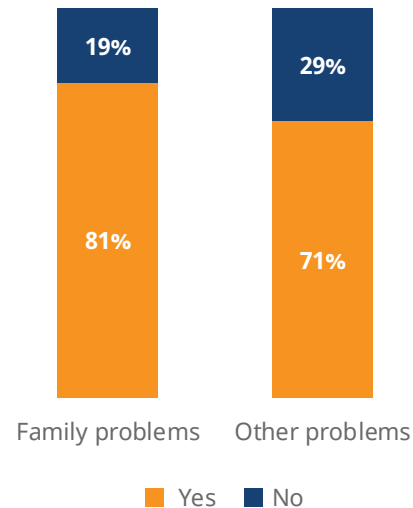
- We can only evaluate the relative helpfulness of family members and lawyers. For the other sources there is not enough data to make any definitive claims.
- Those who have access to them consider lawyers helpful. Men (92%) are more likely to affirm this than women (82%);
 - Only half of those who consult family members say they were the most helpful source of advice;
 - Lawyers are not only identified as most helpful more than other sources. People also report a higher satisfaction rate with their help (60% satisfied or very satisfied) than any other source.

FAMILY DISPUTES

7

Moroccans actively attempt to get their family problems resolved

DID YOU TAKE ANY ACTION?



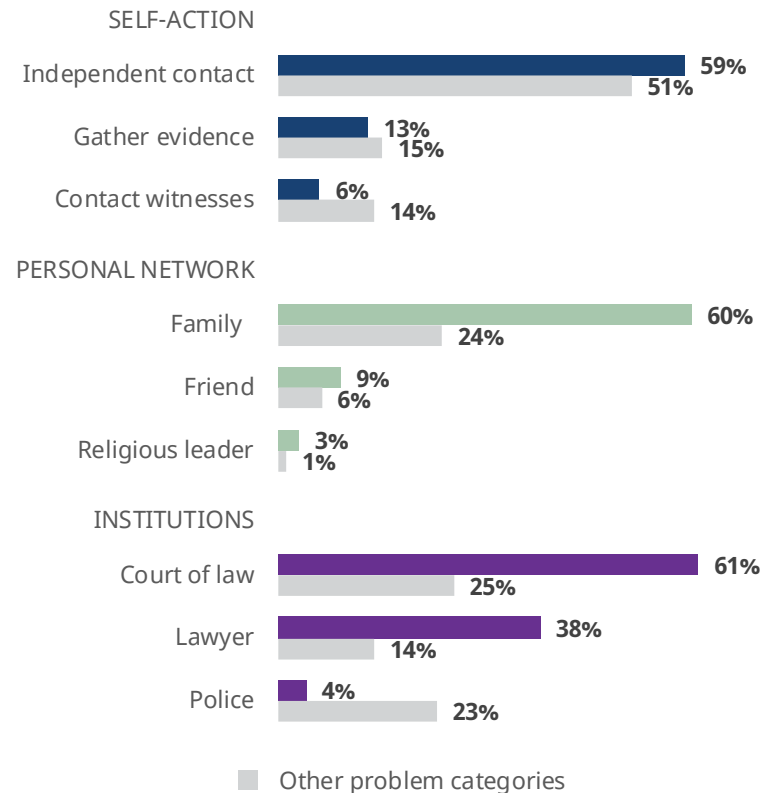
N=2,692

For all demographic groups, action rates are high.

- Low-income Moroccans are least likely to take action (65%) to get their family problem resolved;
- Likewise, people with no formal education are the least likely to act (70%), compared with people who report any level of formal education;
- People in rural areas are also less likely to act (75%) than people living in cities (85%);
- Those who did not act provide two main reasons: 1) They were afraid taking steps to resolve the problem would aggravate the relationship with the other party (28%). 2) Customs and traditions prevented them from taking action (27%).

People with serious family disputes are more likely to involve family members, courts of law, and lawyers

TOP THREE MOST ENGAGED MECHANISMS PER CATEGORY



N=304

FAMILY DISPUTES

7

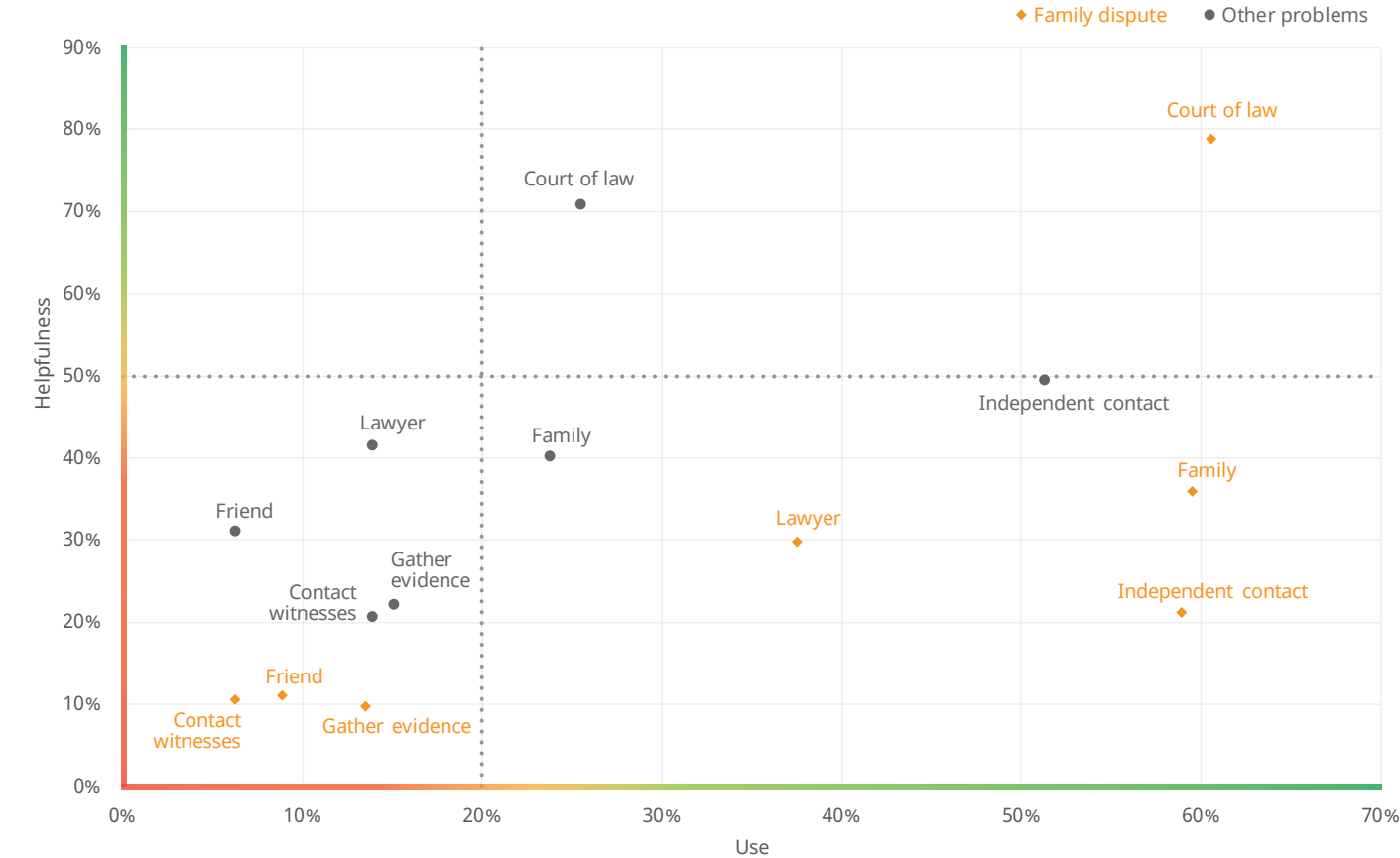
There are three clearly preferred dispute resolution mechanisms for family problems in Morocco: Courts of law, family members and independently contacting the other party. Lawyers follow closely behind, while the use of any other dispute resolution mechanism is marginal.

- The use of courts of law is higher for family disputes with a high impact index (70%) than for those with a low or medium impact index (57%);
- Women (42%) are more likely than men (28%) to engage lawyers in cases of family dispute. This suggests that women feel encouraged and empowered enough to engage them;
- Lawyers are also engaged more often in urban areas (43% vs. 29%), while religious leaders are used more frequently in rural areas (7% vs. 1%);
- One in two people who use courts of law also use a lawyer;
- We asked those who did not involve courts of law to explain why they did not. They mostly reported that they did not want to damage the relationship with the other party, hinting at a lack of restorative justice.

The graph on the next page illustrates how many people use a certain path and plots it against how many people said this path was most helpful to them. It shows both family disputes and other problem categories. For a detailed explanation of the graph, please refer to the dispute resolution chapter.

Courts of law are apparently accessible and helpful for their users with regards to family justice problems in Morocco. Four out of five users say they were the most helpful procedure. Relying on family members, contacting the other party, and using lawyers is also common. However, these three paths are considered to be much less helpful.

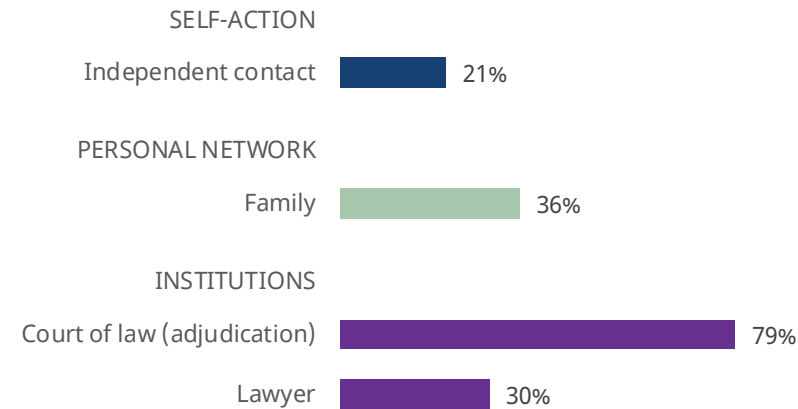
RELATIVE HELPFULNESS OF PATHS TO JUSTICE



FAMILY DISPUTES

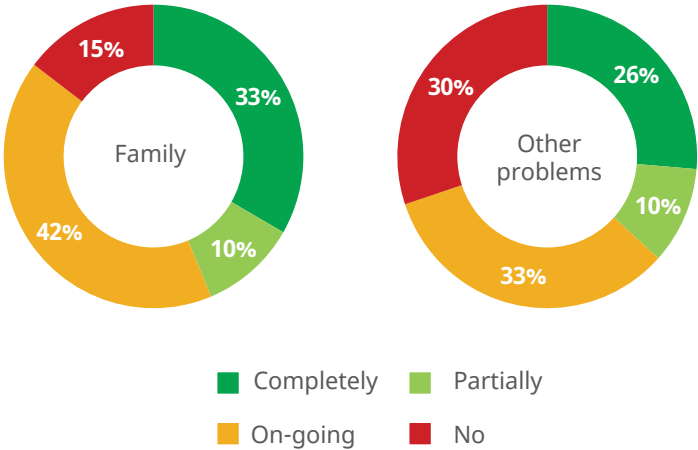
7

RELATIVE HELPFULNESS



Many serious family disputes are resolved, but many others are left waiting for a solution

HAS YOUR PROBLEM BEEN RESOLVED?



One out of three family problems is completely resolved. However, more than 40% of the problems were on-going at the time of the interview. This could indicate that current procedures are too lengthy and are not delivering justice to people in a timely manner. Moreover, the impact

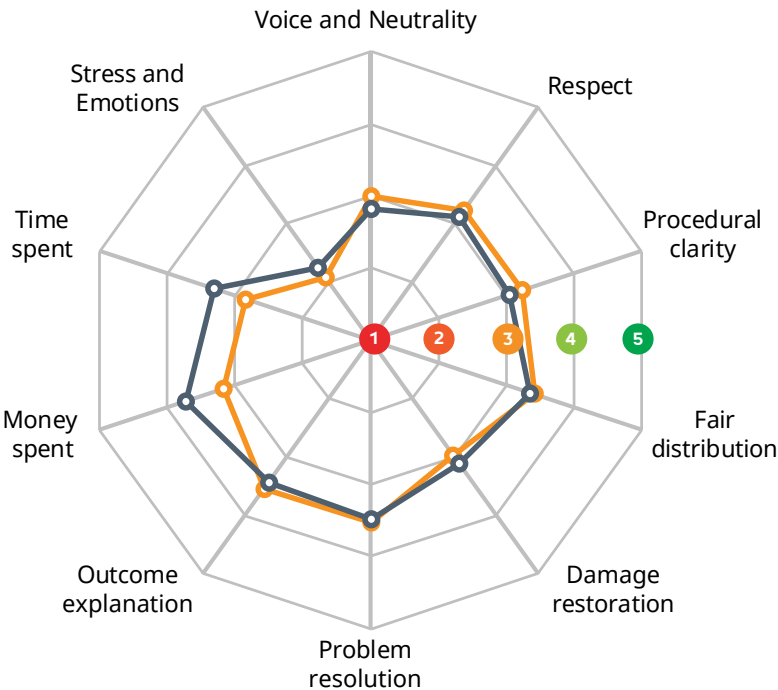
index for on-going family disputes (0.58) is substantially higher than the impact index for completely resolved family disputes (0.49). This signals that those with the most impactful family problems are struggling to find resolutions to their problems.

FAMILY DISPUTES

7

FAMILY JUSTICE PROCEDURES

—○— Family dispute —●— Other problems



We asked those who took action to get their family-related problem resolved about their perception of the costs and quality of the procedure. It is clear from the graph above that people facing family problems are comparatively less satisfied with the monetary and time costs of the procedure. This is related to the fact that courts are frequently used. As we've seen in previous chapters, courts are seen as expensive.

We also asked those who resolved their problem for an evaluation of the obtained outcome. Damage restoration, as hinted earlier, seems to be rated slightly worse for family problems.



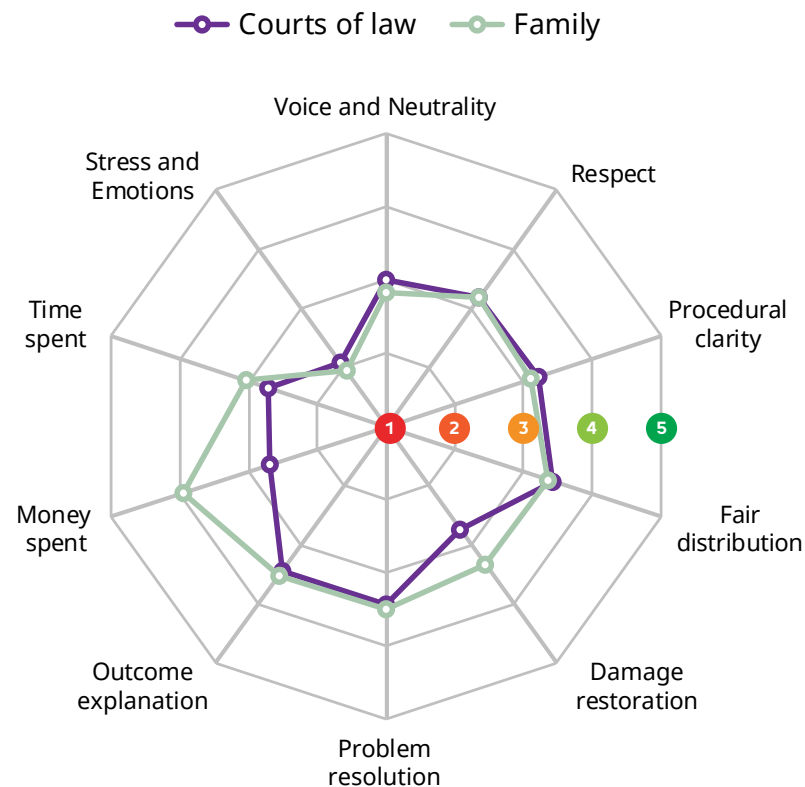
FAMILY DISPUTES

7

We now turn to the most common dispute resolution mechanisms. Engaging family members provides an affordable way to get problems resolved. Moreover, there are clear gains in terms of damage restoration.

The only drawbacks of engaging family members to resolve family problems lie in the procedural part of the process, but the differences are small and almost negligible.

FAMILY JUSTICE PROCEDURES BY TOP DISPUTE RESOLUTION MECHANISMS



Conclusions

One in six legal problems in Morocco are some sort of family related dispute. These issues mostly focus on divorce or separation and inheritance. Women, low-income groups, and people living in rural areas experience more family disputes. When faced with family disputes, people mainly seek to realise their rights and improve damaged relationships.

Eight out of ten people with a serious family dispute seek legal information and advice. The most important sources for this information and advice are family members and lawyers. People report high satisfaction rates with the advice provided by lawyers.

Eight out of ten people with a serious family dispute take action to resolve the problem. Low-income groups, people without formal education, and those living in rural areas are less likely to take action. Hence, these groups are more vulnerable and will require special attention in providing access to information, advice and dispute resolution services for resolving their family related legal problems.

Most people follow one of four paths to justice: Contacting the other party themselves, relying on family members, going to the court of law, and engaging lawyers. People living in urban areas have better access to lawyers. Women are more likely to use lawyers than men are. People who do not use courts indicate that they do not want to damage the relationship with the other party.

One in three serious family problems is completely resolved. However, many problems are on-going. This could indicate current processes are slow at delivering justice. Furthermore, the problems that are on-going have the highest impact on people's lives. This suggests that those who are struggling most are not finding the justice they need.

Resolving disputes within the family is evaluated quite positively. Going to court is considered to be costly and not the best solution in terms of damage restoration. Local experts confirm that people consider going to court a last resort.



8

Employment Justice

Specific employment problems

Impact

Seeking legal information and advice

Paths to justice

Justice journey evaluation

Introduction

One in twelve serious legal problems are related to employment. This does not make it one of the most common serious legal problem categories. However, these problems have a significant impact on people’s livelihoods. This is reflected in our impact index. Employment disputes have the second highest negative impact on people’s lives. Only domestic violence is more impactful. Therefore, it is important to take a closer look at employment disputes.

This chapter takes you through the employment justice journey. It explores where people seek legal information and advice, what paths to justice they follow, and how they evaluate the process and outcome.

Employment problems show gender and education dynamics

SPECIFIC EMPLOYMENT PROBLEMS



N=221

EMPLOYMENT JUSTICE

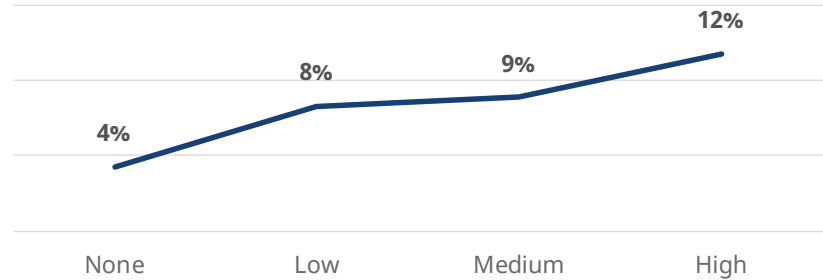
8

There are clear gender differences in employment justice. Men (10%) are more likely than women (6%) to have a serious employment problem. However, if we focus only on the people who indicate having paid work (public or private; formal or informal), women (12%) actually face the same amount of serious employment disputes as men (11%).

When we look at specific employment problems, women are the only ones who report harassment at work. At 28%, it is their most common employment problem.

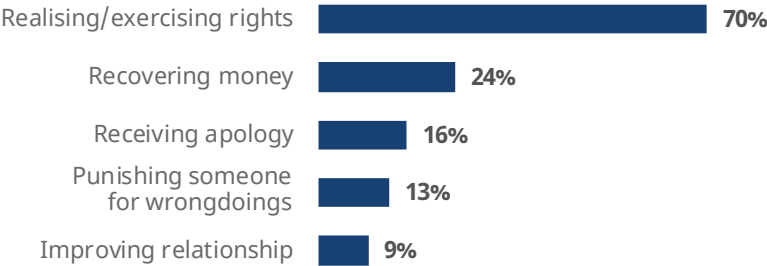
- Over 90% of all serious employment-related problems are experienced by people between the age of 25 and 65;
- In almost all cases the other party in the dispute is the employer (88%).
- The likelihood of experiencing a serious employment dispute increases with a person's level of formal education.

EMPLOYMENT PROBLEMS BY LEVEL OF EDUCATION



Resolving employment disputes is a quest for rights

WHAT DO YOU EXPECT TO ACHIEVE?



Employment problems typically tend to include some sort of loss of income. Despite this, people overwhelmingly say that they expect to realise their rights when trying to get their problem resolved.

As stated in the introduction, employment disputes are the second most impactful problem after domestic violence. Let's look at the specifics of the impact in a little more detail.

- People report slightly higher levels of stress than for other legal problems on a scale from 0 to 100 (80 vs. 74);
- Employment disputes are more likely to lead to days away from work (30% vs. 13% for other legal problems).

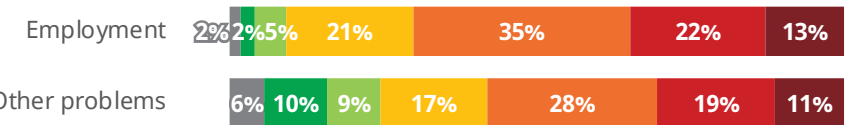
EMPLOYMENT JUSTICE

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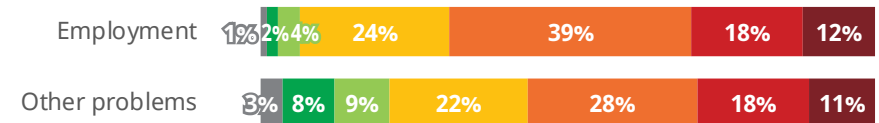
Additionally, employment problems are more impactful than other problem categories on a range of other indicators. People who experience employment disputes feel more disrespected. They indicate their lives are affected to a greater extent. The disputes have a negative impact on important relationships more often. And, finally, issues around employment have a more negative impact on the financial well-being of those who experience them.

IMPACT OF EMPLOYMENT DISPUTES

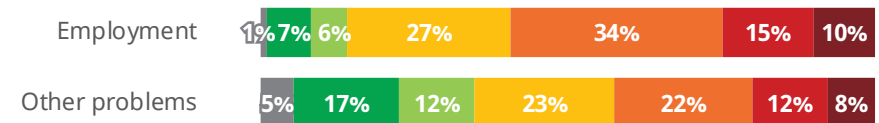
DISRESPECT



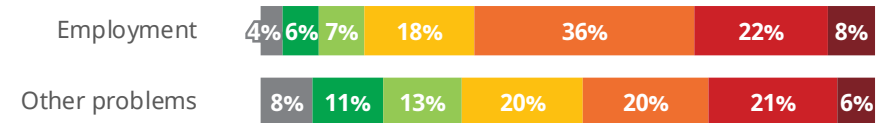
AFFECT LIFE



RELATIONSHIPS



FINANCIAL WELL-BEING

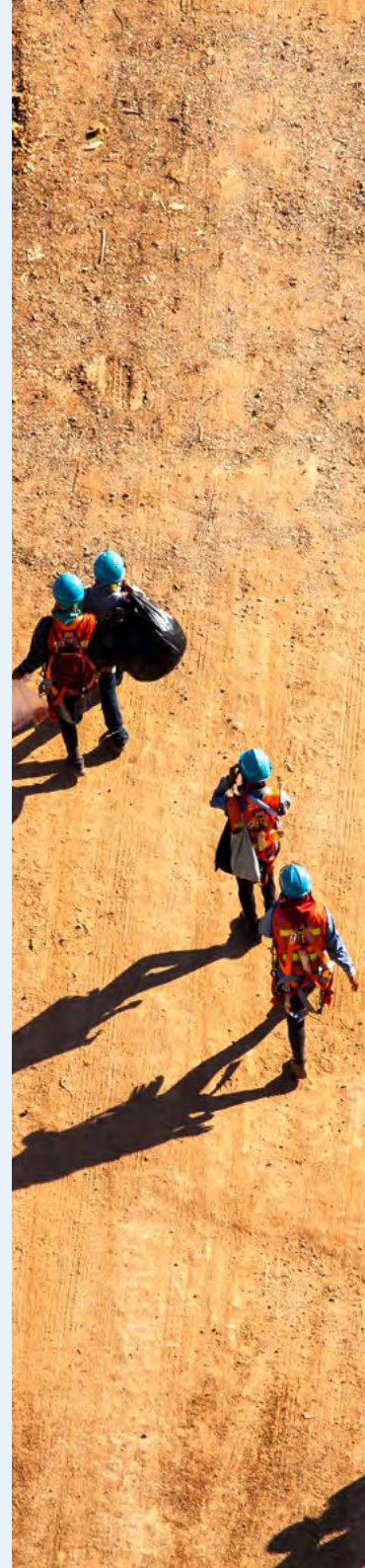


■ N/A ■ Not at all ■ Minor extent ■ Moderate extent
■ Serious extent ■ Severe extent ■ Critical extent

N=2,692

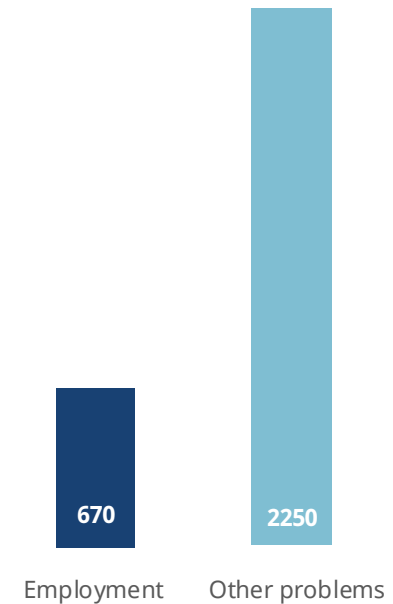
The story of Anas

After my university graduation I was hired as an engineer site manager. I finished my three month probation period and was officially offered the job. Soon after I got the position, I felt my colleagues and supervisors drawing away from me. I had noticed their work was disorganized and slow despite the tasks not being so complicated. They made me feel like an intruder because I worked differently. I believe I intimidated them because I had a position of power and was very competent for my young age. I realized they were going to fire me because I was a problem for them. I worked very hard and very carefully to avoid committing any fault so that they wouldn't accuse me of anything. Yet when the machines at the building site broke down, they claimed I did not take my job seriously even though it was not my responsibility to maintain them. They accused me of serious misconduct and fired me. I went to a lawyer to start the court proceedings but every time the company did not attend the hearings, forcing the court to postpone the auditions each time. I found out they were doing this because the company was about to change its registered address so that I could not sue them for damages and interests so easily. Finally, after a long fight to access justice, the court ruled in my favor because a trainee who was working for the company at the same time as me testified against them. Getting justice was very draining, especially financially. I had to pay my lawyer and other legal fees during a time when I had no source of income. I also suffered psychologically because I lost hope of finding a job where I was going to be respected.



Willingness to pay is substantially lower for employment problems

WILLINGNESS TO PAY (MAD)

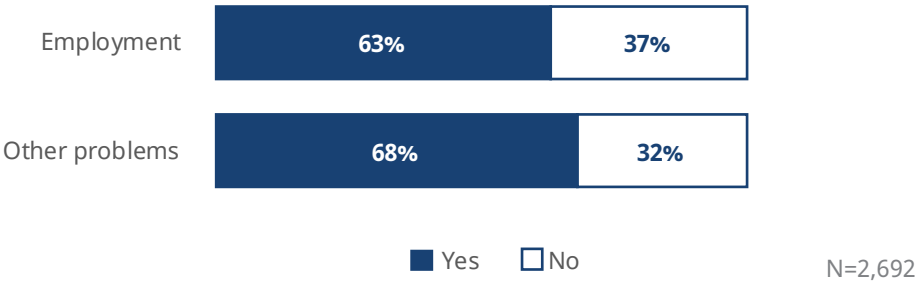


N=2,692

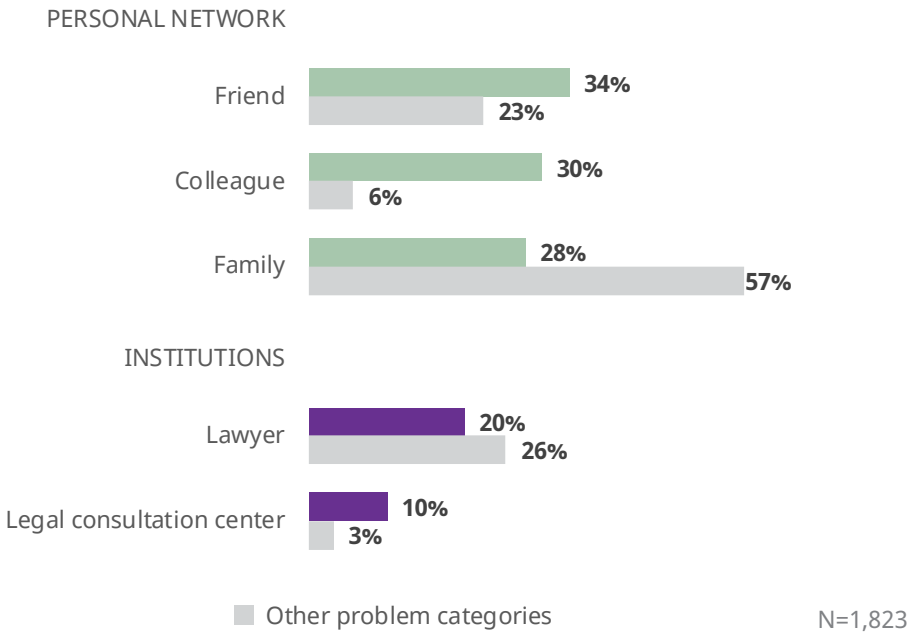
Seeking legal advice

Moroccans with employment problems are about as likely as those with other problems to seek legal advice

DID YOU SEEK LEGAL ADVICE?



COMMON SOURCES OF LEGAL ADVICE FOR EMPLOYMENT DISPUTES

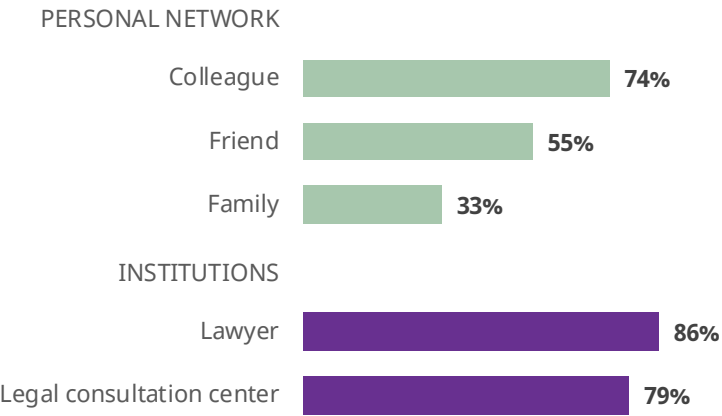


- Women (43%) are more likely than men (23%) to consult family members;
- Colleagues are also contacted more for legal advice for these problems than for other problems (6%).
- Legal consultation centers are consulted more for employment problems than for other problems (3%);

We also ask people to identify the most helpful source of information out of all the sources they consulted. We call this relative helpfulness. This is simply the ratio between the number of people who identify a source as most helpful and the number of people who use that source overall.

The legal information and advice of colleagues, lawyers and legal consultation centers are valued highly by Moroccans with employment problems.

RELATIVE HELPFULNESS OF COMMON SOURCES



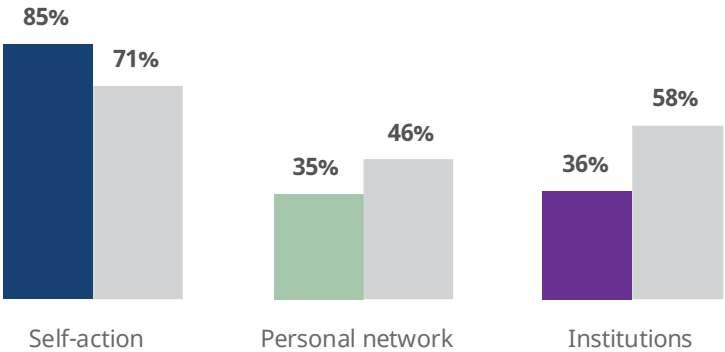
Self-action is a common path to justice for employment disputes

In general, people with employment problems act at the same rate as those who face other types of legal problems, at around 71%.

- Women (61%) are less likely than men (75%) to act to resolve an employment problem;

- Those who did not act to get their problem resolved argue that the other party was more powerful (46%). This is more than 30 percentage points higher than for those who face other legal problems.

COMMON RESOLUTION CATEGORIES FOR EMPLOYMENT PROBLEMS



Other problem categories

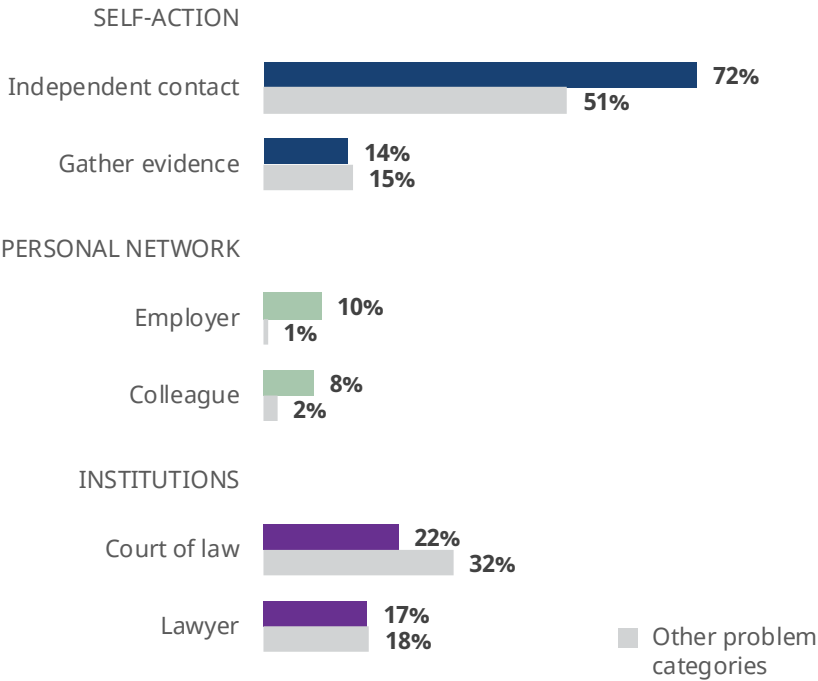
n=156

Of those who take action, the majority with employment disputes engage in self-action. They are less likely to use institutions than average.

Most people try to resolve the problem by talking to the other party directly. Men (20%) are more likely than women (10%) to engage lawyers, while for other problem categories women are more likely to do so.

Those who didn't engage courts say they did not believe courts would help someone like them (24% vs. 11% for other problems), that courts would not resolve their problems in a fair way (24% vs. 10% for other problems) and that they did not have enough money (23% vs. 13% for other problems).

MOST ENGAGED DISPUTE RESOLUTION MECHANISMS FOR EMPLOYMENT PROBLEMS

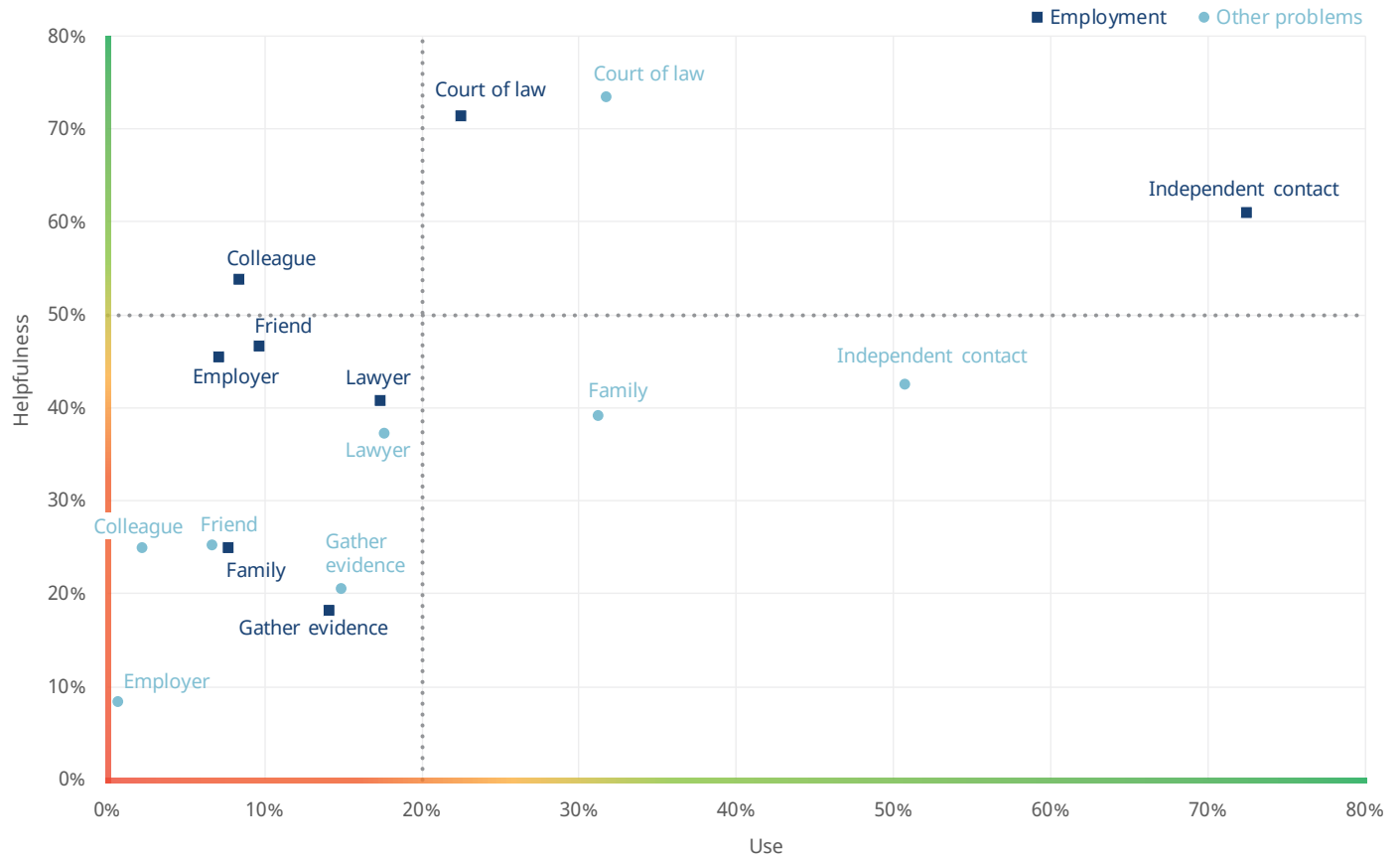


Relative helpfulness

The graph on the next page illustrates how many people use a certain path and plots it against how many people said this path was most helpful to them. It shows both employment disputes and other problem categories. For a detailed explanation of the graph, please refer to the dispute resolution chapter.

The graph shows that independently contacting the other party is a viable strategy for employment disputes. However, this does imply that there is no neutral party involved in the process and power imbalances will likely influence the process to a great degree. The court of law is also considered to be quite helpful, but is used less frequently than for other problems. Advice provided by colleagues is also rated as quite helpful.

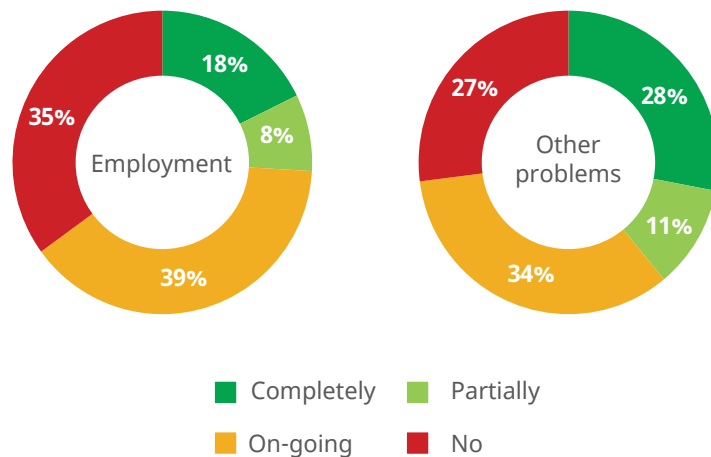
RELATIVE HELPFULNESS OF PATHS TO JUSTICE



N=1,823

Resolution rates for employment problems are lower

HAS YOUR PROBLEM BEEN RESOLVED?



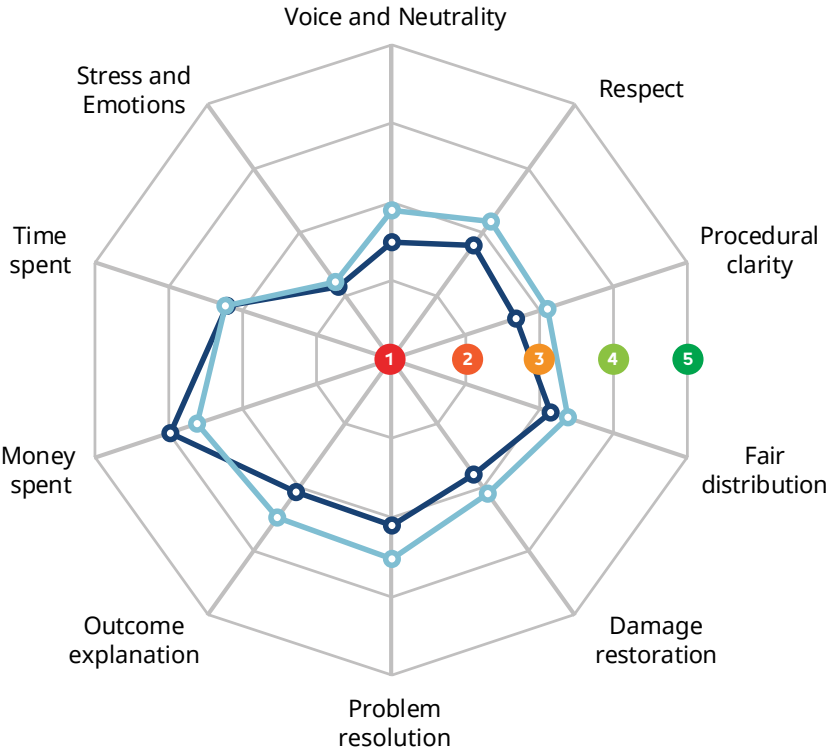
Individuals with employment problems are 10 percentage points less likely to have their problem either completely or partially resolved. Additionally, not resolving the problem at all is more frequent with employment problems. In general this suggests that resolution of employment problems can be improved.

Disaggregating by dispute resolution mechanism leaves small samples: 69 people in the independent contact category and 25 people in the courts category. Therefore, an analysis of the resolution by mechanism has to be viewed cautiously. In general, people who engage in independent contact with the other party are less likely to get their problem completely resolved, compared with people who use other resolution mechanisms. People who engage courts are not too different in terms of resolution, than those who engage other mechanisms.



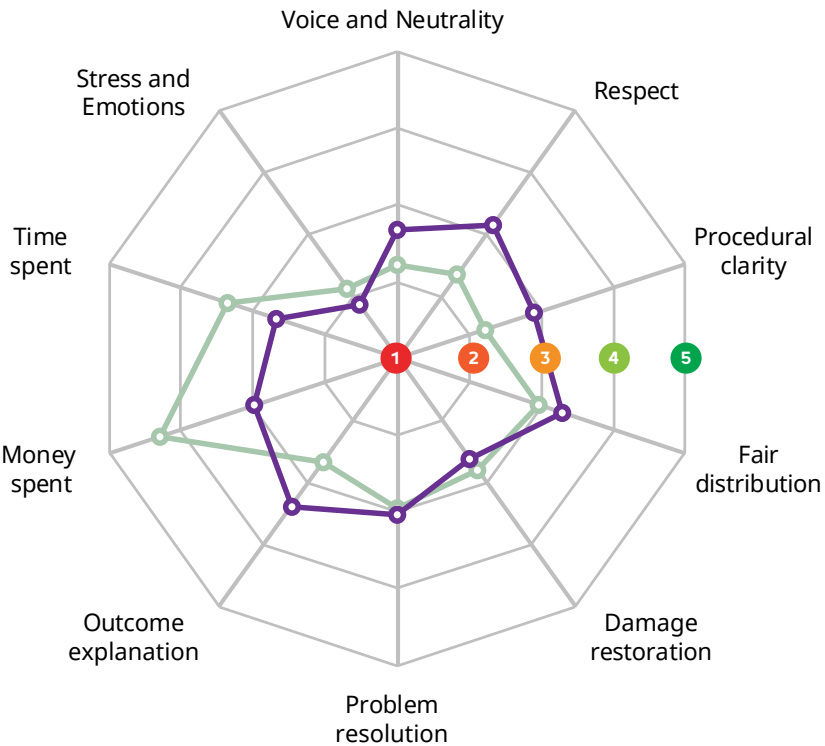
Justice journey evaluation

—●— Employment —●— Other problems



EMPLOYMENT JUSTICE PROCEDURES BY TOP
DISPUTE RESOLUTION MECHANISMS

—●— Independent contact —●— Courts of law



In general, the overall evaluation of employment-related dispute resolution processes is substantially lower than for other problems. The only exception is the amount of money spent during the process.



Conclusions

When comparing the most frequently engaged dispute resolution mechanisms, namely, independently contacting the other party and going to the court of law, we find the following:

- In terms of costs of the procedure, Moroccans who engage the other party directly report spending less time and money than those who engage courts. Procedures in both dispute resolution mechanisms seem to have substantial elements of anger, fear, humiliation, and in general, negative emotions and stress;
- In terms of quality of the procedure, court users are more satisfied with the ability to express their opinion, feel respected and the procedure seems to be clearer than when engaging the other party directly;
- Evaluations of quality of the outcome are not too different between the two groups. However, court users say the outcome was explained somewhat better. This sheds some light on what can be improved in terms of outcomes. For instance, the restorative part of outcomes.

One in twelve serious legal problems are related to employment justice. Despite not being one of the most common problem types, they are very impactful. They affect people's livelihoods directly. The most common specific employment problems are related to unfair termination, employment without a valid contract, and non-payment of wages or benefits. Women also report harassment at work frequently. People indicate wanting to resolve their problem to realise their rights.

Six in ten people with a serious employment problem seek legal advice. Colleagues and legal consultation centers are used more frequently than for other problem categories. Family members are used less frequently. Lawyers, legal consultation centers and colleagues are identified as the most helpful sources of legal advice.

Seven out of ten people take some sort of action to resolve their employment problem. Men are more likely to take action than women. The most important reason for not taking action is that the other party is more powerful. The most common action to take by far is directly contacting

the other party. People indicate that directly contacting the other party and going to court are the two most helpful actions to take.

Employment problems are less likely to be resolved and more likely to be either on-going or abandoned altogether. In terms of the quality of the procedure, quality of the outcome, and costs, employment justice is evaluated less positively than other problem categories. People only rate the amount of money they spent as more positive. This is related to the fact that many people try to resolve their problem by talking to the other party directly. This is a relatively cheap form of conflict resolution. However, this type of self-action suffers from a serious drawback: People are unhappy about the quality of the procedures and the extent to which the outcome is explained.

A one-stop-shop for employment justice could provide people with much improved conflict resolution and fairer outcomes. It would provide accurate information, point people in the right direction, and provide basic mediation services.



9

Conclusions and Recommendations

Conclusions

Article 118 of the constitution guarantees access to justice for all. On paper. This study aims to show what this actually means for people. How do legal problems affect their daily lives? How do they go about attempting to resolve their legal problems? Is access to justice for all truly reflected in people's daily reality?



Legal problems are common and an integral part of the daily lives of Moroccans

Almost one out of every two people experienced one or more legal problem during the past four years. This translates to 3.9 million people every year who have to deal with new legal problems. The rate at which people experience problems varies by region, gender, and rural/urban residency. The most serious problems revolve around crime, family disputes, disagreements between neighbours, land, and employment conflicts. Domestic violence is also common and very impactful, particularly among women. People facing these legal problems need access to user-friendly justice. This way we can ensure effective and fair justice journeys that deliver fair outcomes to all.

The consequences of legal problems are very real. People report high levels of stress, loss of time, a negative impact on their financial well-being, damage to important relationships, and more. Well-designed procedures can assist in alleviating some of these impacts. Providing quick resolutions for pressing problems.

Focusing on delivering justice for the common legal needs of people has the potential to impact millions of people. We can create more predictable and stable relationships,

reducing tension and conflict in society. This ensures people can concentrate on building better, more prosperous lives for themselves and their families. A poorly functioning legal system will instead result in loss of livelihoods, damaged relationships, and increased levels of conflict.



Qualified legal advice does not reach everyone

Seeking out legal advice is an essential first step in resolving a dispute. Two out of three people do so. Whether or not people seek legal advice strongly depends on the type of legal problem they experience. For land and family disputes eight out of ten people do so. For employment and housing conflicts six out of ten do so. For consumer and corruption problems only four out of ten people do so.

The low-income group is less likely to use institutions or formal providers of legal advice than people with a higher level of income. The same is true for people residing in rural areas compared with those who live in urban areas. This implies that qualified legal advice is not equally accessible to all members of society.

People often turn to their family members and friends, the police, and lawyers. The police and lawyers are considered to be quite helpful providers of legal advice. The role of NGOs and legal clinics/consultation centers is limited.

One in ten people use the Internet and social media to obtain legal information. This is more than double the rate in other countries, such as Lebanon, Tunisia, and Jordan. These channels

CONCLUSIONS AND RECOMMENDATIONS



offer excellent economies of scale and have a wide reach. Particularly women seem to rely on these channels to obtain legal information. Hence, they would be the ideal space for innovative solutions. However, it is important to keep in mind that large sections of the population have limited or no access to the Internet. This applies to people with a lower level of formal education and/or income, and people living in rural areas.

One out of three people do not seek any sort of legal advice. This denies them the opportunity to gain access to essential information on how to best handle their legal problem. They indicate that they either do not believe advice would help them or don't know where to look. Not having enough money is a pressing barrier for low-income groups and people facing family and employment disputes. People who do not seek legal advice are less likely to take action and may not even be aware that their problem has a potential legal resolution.



Many people rely on institutions to resolve their disputes

Seven out of ten people take active steps to resolve their problem. The most common paths to justice include contacting the other party directly, going to family members, contacting the police, and relying on a lawyer. However, three out of ten people who take action indicate going to court to resolve their problem. This is significantly higher than in other countries we've studied. For example Lebanon (4%), Nigeria (6%), and Bangladesh (8%). This implies that courts are easily accessible to at least part of the population.

We asked everyone with a legal problem, including those who did not act at all, why they did not involve formal courts. The majority said they wanted to resolve the problem outside of court. However, there are people who indicate that they do not believe the courts would help someone like them, do not know how to access courts, or think courts are too slow. Not having sufficient funds is also often cited as a barrier to using courts.

For the people who do not take action at all, the most important barriers are a sense of hopelessness and power imbalances. For the low-income group not having enough money is another substantial barrier. Customs and traditions are more important barriers for women and young people. The challenge is to find ways to empower these people. We must provide them with simple and accessible justice journeys that enable them to resolve their disputes in a user-friendly manner.



Large number of unresolved disputes

Less than three in 10 of the most serious problems are completely resolved. Young people and those with a lower level of income are less likely to resolve their problems. Only two in ten crimes, land disputes, and domestic violence issues are completely resolved. One in two crimes is abandoned altogether. On the other hand, for some problems it is easier to find solutions; four out of ten conflicts with neighbours are completely resolved.

CONCLUSIONS AND RECOMMENDATIONS



Vulnerable groups

The data suggests that the main vulnerable groups in Morocco are young people, those with a low level of formal education and/or income, and women.

People evaluate their justice journeys on the quality of the process, the quality of the outcome, and the costs. People with a high level of income are significantly more satisfied with the quality of the process than those with a low level of income. They feel they are more respected, have more opportunity to be heard and are more informed on the specifics of the procedure. This suggests a duality in the legal system, where those who have more money have access to better and more user-friendly justice.

Young people are less likely to experience legal problems. However, this is where the good news ends. They struggle to find qualified sources of legal advice. Most of them consult their family members. They are also less likely to take action to resolve their problems and, as a consequence, are less likely to resolve their problems.

Women face the bulk of family and domestic violence problems. Domestic violence in particular is highly impactful and has strong negative consequences on someone's life. Women in Morocco are already in a more vulnerable socio-economic position than men. The legal problems they face add an additional burden. They also face slightly lower resolution rates for their problems. And this is further amplified for women with a low level of formal education and/or a low level of income.

Any policy or innovation that aims to improve access to justice should take these groups into account.



Crime, employment disputes, and domestic violence are substantial sources of injustice

The data presented in this report is rich. Therefore it is important to focus on those areas where improvements are most needed and innovation can make a real difference. Local stakeholders helped us define these key areas.

Crime is the most prevalent legal problem category. If we look at specific problems, theft is the most common. It is twice as common as the second most prevalent problem, divorce or separation. Clearly this is a major source of tension in society. One in four people feels unsafe walking alone in their neighbourhood after dark. One in five people indicate a member of their household has been the victim of some sort of crime during the past four years. Additionally, resolution rates are low for crimes and one in two problems are abandoned altogether. This situation is unsustainable and demands change. So, where do we start? When faced with a crime, people often use the police. Hence, they are a key actor for creating user-friendly justice that should be involved in the process. They are the first contact point between citizens and formal institutions. Capacity building and training can help the police better fulfil this natural role. The investigation and prosecution of crimes should be improved. The police can also improve the user-friendliness of their services by putting the needs of citizens first. There might even be potential to focus on directly resolving disputes between victims and perpetrators.

Unfair termination, employment without a valid contract, and non-payment of wages and/or benefits are the main sources of conflict between employees and employers in Morocco. These problems have a significant impact on people's livelihoods and receive the second highest impact score, after domestic violence. Additionally, these disputes are difficult to resolve, with less than one in five being completely resolved.

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Domestic violence is mostly reported by women. One in ten of their most serious problems fall into this category. It is by far the most impactful problem type, having a large negative effect on people's lives. Additionally, people who experience domestic violence are less likely to seek legal advice and take action to resolve their problem. People mostly rely on their family members and contacting the other party directly. Hence, the problem is kept within the family. Experts confirm that people prefer to resolve these disputes in private. This means there is currently limited opportunity for professional dispute resolution to make a difference. Innovation could help break open this space and provide improved access to user-friendly justice for those who are most in need.



Bright spots of justice in Morocco

The use of courts and lawyers is quite high in Morocco, irrespective of income level. This seems to imply that they are quite accessible to parts of the population. Courts are used often and score well on the quality of the procedure. People feel their voice is heard and the decision maker is unbiased. However, there is of course room for improvement. People indicate spending substantial amounts of both time and money when using courts. Furthermore, the perceived quality of the outcome is not great, particularly the damage restoration aspect.

The government of Morocco is dedicated to rule of law reform. The 2011 Constitution contains a clear message on improving access to justice for all and ensuring an independent judiciary. We hope this report will contribute to this mission by mapping out the justice needs of citizens and indicating areas for improvement. It serves to further support a movement that has already achieved much.

Recommendations



Prioritise

This report underlines the need to prioritise justice reform in line with the needs of the people of Morocco. People indicate that they deal with everyday legal problems. They often report crime, family disputes, employment conflicts, and domestic violence. Focusing on improving the justice journeys concerning these problems will directly improve the lives of hundreds of thousands of people. This can be done with a step-by-step approach. Rather than trying to tackle all issues at once, reform can start small on a sub-national level for one very specific intervention. This opens up the opportunity to experiment with and learn from a range of different potential solutions. When a goal is achieved, the solution can be scaled and policy makers can move to tackling the next challenge.



Data as a springboard for evidence-based interventions and support for implementation

Ill-informed policies do more harm than good. The data in this report, which is accessible on Hiil's justice dashboard, can inform action plans for national and sub-national policies. Justice is not a static phenomenon. People learn, people move, people give up. This is why it is advisable to put in place a measuring system to obtain up-to-date, bottom-up data on justice that will allow for the formulation of effective strategies. In other words, putting the user at the centre of justice reform. What are the

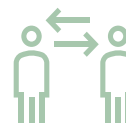
CONCLUSIONS AND RECOMMENDATIONS



most effective institutions for resolving legal problems? What strategies do people employ to resolve their disputes? The data shows that many people rely on their friends and family to obtain legal advice. What can be done to improve access to professional and competent sources of legal advice? These are the kinds of user-centred questions that should be at the core of evidence-based justice reform and interventions.

The UN's Sustainable Development Goals (SDG) are an urgent global call for action to work toward peace and prosperity for all people and the planet, now and in the future. SDG 16.3 specifically aims to increase access to justice for all. However, the indicators that quantify the progress of governments toward reaching this goal are disconnected from what they are supposed to measure. The proportion of victims of violence who report their experience, for example, is not only difficult to measure, but certainly does not provide a complete picture of the state of access to justice.

Governments thus have the opportunity to formulate additional and more accurate national and sub-national indicators to track the progress they are making in reducing the gap in access to justice. Baseline studies to map out processes, evidence-based interventions to improve procedures, impact-measurement, evaluation and learning, and scaling-up what works is a positive approach to strengthening the rule of law and ensuring user-friendly justice. Data should be the cornerstone of evidence-based interventions. Additionally, it is a pillar for effective implementation of already defined policies. For instance, through the use of indicators in criminal justice, or by obtaining user feedback to achieve more transparency and accountability.



Creative use of alternative dispute resolution processes and innovation

Many problems have the potential to be fairly resolved well before it becomes necessary to involve courts and lawyers. Since these are expensive mechanisms, sometimes it is better to look for alternative ways to resolve a dispute. Contacting the other party directly is very commonly used in Morocco, but not considered to be very helpful. Apparently, people feel empowered to take action and take initiative to find a resolution themselves quite often. We can build on this and enable people to resolve their disputes in a user-friendly and fair way through alternative means. This also implies that courts would only be considered for the most serious problems, potentially reducing caseload and ensuring judges can spend more time on complex cases, with a high impact on people's lives.

Online dispute resolution has the potential to play an important role as an enhancement and alternative to traditional dispute resolution. As we've seen throughout the report, the use of the Internet is comparatively high in Morocco. Embracing the Internet as a mechanism for delivering resolution would open the field to innovation and entrepreneurship. However, it is important to keep in mind that there are substantial parts of the population who do not have access to the Internet. Other avenues have to be explored to reach these groups.

Off-line mechanisms such as reconciliation, assisted negotiation, and mediation could potentially also aid in the resolution of commonplace everyday legal problems, such as disputes between neighbours or conflicts over boundaries. People need a structure to facilitate negotiations that help them resolve their disputes outside of formal institutions. Paralegals and mediators could be bridge-builders in these situations and help the owners of the problem find a fair resolution.

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Bridging the gap between rural and urban areas

Throughout this report important differences arose between people living in cities and those living in rural areas. People in cities have better access to lawyers and the police. They are also more likely to take action to resolve their problem. Urban women in particular evaluate their justice journeys more positively than rural women. The main barrier for not taking any action is not knowing what to do in rural areas. For individuals in cities it is not believing taking action would make a difference. Access to the Internet is twice as high in urban areas.

All of this points to the fact that people in rural areas are more vulnerable, have less access to qualified legal advice, and are less satisfied about their justice journey experience. If the goal is to provide access to justice for all, as stated in SDG 16.3, this gap between rural and urban areas cannot be overlooked. Improving rural justice infrastructure is an essential part of this.



Increase availability of qualified sources of legal advice

Only one in five people rely on qualified sources of legal advice, such as lawyers, paralegals, or legal consultation centers. In fact, the most consulted source of legal advice is the family. Consulting family members is a natural reaction; they are accessible and trusted members of one's personal network. However, it is fair to assume that the quality of the legal advice provided by family members is less accurate than that provided by trained professionals. This results in a certain lack of legal awareness and can effectively end a justice journey before it even begins. Leaving people disillusioned and frustrated.



Explore the potential of a one-stop-shop for employment justice and domestic violence

Employment justice and domestic violence are the most impactful serious legal problems in Morocco. During the validation workshop with legal experts, lawyers, judges, and civil society members, we brainstormed on ways to improve the justice journeys of people who experience these kinds of dispute. A key recommendation that came out of this session was to work on a platform that assists people from start to finish. We like to call this a one-stop-shop. It would serve to confidentially provide accurate and user-friendly legal advice to people, point out their rights, and guide them towards professional help when the situation asks for it. Different formats can be used to reach different groups of people. It could be an online platform, a local office staffed by trained volunteers, or a combination of the two. The potential for Internet based solutions is quite high for these two problem categories, since one in six already use this resource to look for legal information.

As we noted before, it is crucial to start small. Experiment on a local scale. Try setting up a one-stop-shop in one particular city or region. Set a clear and specific delivery goal, such as reduce the

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number of domestic violence cases in the area by 50% in the next year. Evaluate and learn. Implement the necessary changes. And then try to scale up the idea. Innovative ideas like these have the potential to significantly improve access to justice for the most pressing legal problems and help people who are most in need. All it takes is a bold idea and the will to implement it.

Next steps

One way to use the conclusions of this study to develop effective innovation strategies is HiIL's Justice Transformation Lab. Here is how we do it.



Form a coalition

The first step is to bring together a diverse group of empowered and committed individuals from across the justice spectrum, who are committed to using the data to develop innovation strategies and realise solutions. This team can include actors from government, civil society, academia, business and other representatives.



Develop a Justice Innovation Strategy

Next, the team develops an innovation agenda based on the data. The agenda contains specific justice delivery goals, which address the justice needs of the Moroccan people. Each goal sets out clear targets which outline concrete improvements for citizens. The targets are linked to specific and measurable indicators of success. The team also discerns the available capacity within Morocco to realize these Justice Delivery Goals. This is done through the development of pathways, which map out different challenges and opportunities on the road toward meeting the goals.



Deliver the Justice Innovation Strategy

In the final step of the process, the team supports innovation at scale. They form working groups that develop concrete solutions to reach the targets set in the Justice Delivery Goals. Solutions could include innovative tools, partnerships, knowledge platforms and financing models. These can be further developed in collaboration with HiIL's Justice Accelerator.

About the JNS

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

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

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

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

Some of the countries we have worked in since 2014 include The Netherlands, Jordan, Mali, Tunisia, Uganda, Ukraine, Kenya, Bangladesh and the UAE.

For more information, visit
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