

# Justice Needs and Satisfaction in **Uganda** 2020

Legal problems in daily life



It is nice that we can make vacuum-cleaners user-friendly, 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 the same models developed in past centuries. It makes the process of getting justice today slow, tough, 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 we need now.

We at HiiL call it: user-friendly justice.

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



This research was supported by the Swedish International Development Agency Sida.

Financed by:



We are grateful to the Justice Law and Order Sector (JLOS) secretariat for their support and advice through this project.



#### 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](http://www.hiil.org/projects). This version of the report was generated on September 22, 2020.

# Table of contents

<b>Executive Summary</b>	<b>4</b>
<b>Glossary</b>	<b>10</b>
<b>Introduction</b>	<b>14</b>
<b>1 Demographics</b>	<b>26</b>
<b>2 The Justice Gap</b>	<b>32</b>
The story of Robert	49
<b>3 The Impact of Problems</b>	<b>52</b>
The story of Dembe	60
<b>4. Problem Resolution in Uganda</b>	<b>62</b>
<b>5. Costs and Quality of Access to Justice</b>	<b>90</b>
<b>6. Story of John's Land Problems</b>	<b>108</b>
<b>7. Legal Information and Advice</b>	<b>110</b>
<b>8. In-Depth:     Legal Problems of Women in Uganda</b>	<b>124</b>
The story of Florence	147
<b>9. What Do People Want? Desired Resolution and Information</b>	<b>148</b>
<b>10. Legal Empowerment and Trust in Justice Institutions</b>	<b>162</b>
<b>11. Conclusion: Findings and implications</b>	<b>178</b>
<b>About the JNS</b>	<b>186</b>

# Executive Summary

**Four years after the first iteration, HiiL has conducted a second nationwide Justice Needs and Satisfaction Survey (JNS) in Uganda in 2019. This was done with the cooperation of the Justice Law and Order Sector (JLOS) and the funding of the Swedish International Development Agency (Sida). The African data collection company Communications and Marketing Research Group, CMRG, conducted the field interviews.**

The aim of this study is to map people's demand for justice in Uganda, and to provide actionable insights on how to deliver more resolutions with better outcomes for legal problems. Comparing the findings between 2019 and 2015, allows us to highlight what type of interventions work to deliver more justice to more Ugandans.


In both survey studies, we applied a bottom-up methodology to understand what legal problems Ugandans have, how they attempt to solve them, and how they experience using justice services. In 2019, we interviewed 6,129 randomly selected people in all four regions of Uganda. In line with the


country's demographic structure, we talked to male and female users of justice services, from urban and rural areas. In addition to the survey questionnaire, we conducted in-depth interviews with people to discuss in detail their legal problems and experience with providers of justice services.


## Occurrence of legal problems


In 2019, 84% of respondents reported that they had at least one legal problem in the four years prior. In 2015, 88% of respondents reported to have had a legal. Although humble, this suggests a hopeful 4% improvement in the number of Ugandans facing legal problems.

When we categorise reported legal problems by type, we find that the most frequently occurring problems in Uganda relate to:

 **Crime:** 40% of people reporting problems faced crime, with theft as the most common legal problem in this category;

 **Domestic violence:** 35% of Ugandans with legal problems face situations of domestic violence, such as physical or emotional abuse, equivalent to more than 1 million Ugandans every year;

 **Land:** 31% of people with legal problems face issues with the use of land, mostly disputes about boundaries;

 **Neighbours:** 29% of Ugandans with legal problems have a dispute with their neighbours, mainly about excessive noise.

Besides the occurrence of legal problems, we asked people which problems had the most serious impact on them. Problems related to land, crime, domestic violence and the family are ranked among the most serious problems for Ugandans, which is very similar to what we found in 2015.

Looking at the difference between men and women, land and employment problems are more often encountered by men, while women report more domestic violence, family, and neighbour problems.

When we extrapolate these rates of reported legal problems, we find that almost **13 million legal problems occur each year** in Uganda.





## The justice gap

Of this number of legal problems, Ugandans abandon attempts to resolve almost 4.7 million legal problems every year, not getting any resolution. Another 1.9 million problems linger ongoing at the time of the study. And 2.1 million problems are considered resolved, but unfairly. **In other words, Almost 70% of all legal problems do not receive a resolution or get a resolution perceived as unfair.** These are most often problems related to corruption, encounters with the police, obtaining identity documents, and employment. Importantly, **the most serious and impactful problems are less likely to be resolved.**

## Resolution of legal problems

People try to resolve their problems mostly by engaging third party(-ies), such as the police. Involving the Local Council Courts (LCCs) or formal courts are seen as useful and most helpful in resolving a problem. Providing advice and mediation are the most common mechanisms used in dispute resolution in Uganda. People with problems that have a high impact seek interventions more often than people with low-impact problems. **Most noticeably, informal mediation by a third party, like family or friends, is the most common intervention strategy for**

## people who were able to get their problems completely resolved.

Ugandans preferred resolution intervention, however, is **talking directly to the other party involved in the problem.** When offered with the possibility of **getting help from a third party, Ugandans want it to be face-to-face, fast, and free of charge.**

## Impact of legal problems

**More than half of people experience stress-related illnesses and loss of time and income because of a legal problem.** We find that legal problems are likely to have an impact beyond the individual level. When people use their time to solve a legal problem, they lose hours to work, to take care of their family and their house, to get an education, to relax, or to work on personal development. Solving a legal problem can also cause loss of money, so people can buy less and their purchasing power is lowered.

On a scale from 1 to 10 - one being no serious impacts and 10 being very serious impact - the average seriousness of legal problems reported is 7.9. Problems with the highest impact are family problems, accidents, and problems related to the police.

## Bright spots

A comparison between the 2016 and 2020 studies shows signs of improvement in Uganda's delivery of justice to people, but also suggests some new concerns:

- There is a slight decrease of 4% in the number of people that encounter a legal, but there is an increase in the number of problems people have on average, from two to three;
- A majority of Ugandans facing legal problems (75%) look for advice on how to resolve it;
- Almost half of the most serious problems got a resolution, either completely or partially. More than 80% of people with a problem try to resolve their issues. When problems are more impactful, people try harder to find a resolution by engaging with different dispute resolution mechanisms;
- Domestic violence problems are resolved more often resolved than other legal problems;
- Involving courts and lawyers can make it less likely for people to abandon their problem, but it can also increase the duration of the problem;

- Around 60% of interventions are positively evaluated by users of justice services. However, there are significant differences between types of interventions;
- Neutrality is a common positive characteristic of local dispute resolution mechanisms;
- Courts outperform other dispute resolution mechanisms in terms of outcome distribution. However, courts serve only a limited segment of the population – basically, men who can afford it.

## The user-friendly way forward

Generally, Ugandans seem to experience neutrality and accountability in different ways, with many disputes resolutions to be unfair and unfair and biased. They see procedures as complicated and hard to navigate, and perceive rules as not necessarily being applied consistently but discretionally.

Almost 40% of respondents said that finding agreement with the other party involved in the problem was how they achieved a resolution. Therefore, improvements to resolution mechanisms must consider both parties.

People with one or more legal problems have indicated that resolution interventions would be easier and more helpful to use if they would do the following:

- Help people resolve disputes between themselves and explain how to approach the other party effectively. For instance, resolution mechanisms could provide easy communication tools for conflict resolution, suggesting for example how to use neutral language, how to avoid blaming, and how to approach the other party face to face;
- Provide people having legal problems with an overview of the possible and most common solutions for their type of problem and explanations of the way different procedures work. Particularly clients of lawyers and courts would like to have this service;
- Resolve legal problems relatively quickly and with fairness. On the other hand, costs for such resolution services should remain low. For example perhaps with a fixed price per solution or procedure.

### Implications and next steps

Our findings imply that the following next steps could be taken towards closing Uganda's justice gap in a user-friendly way:

- Support the Local Council Courts system, and in general, third parties that are neutral in practice;
- Simplify the justice journeys of the most impactful problems;
- Support formal courts dealing with land problems;
- Listen to the people. Promote and support face-to-face help, focused on possible solutions to problems in a fast, fair, and affordable way. Develop guidelines and catalogues for this purpose;
- Go one step beyond knowing what problems people have and what works in resolving them, by measuring in detail how the resolution of problems improves the lives of Ugandans.





## Glossary

**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.

**Users (of a determined justice provider):** People who engaged a justice provider in the dispute resolution process.

**Providers:** Person, group or institution that can be potentially engaged in the dispute resolution process.

**Justice gap:** The people who are not able to resolve their problems (either because they are still waiting for resolution or have abandoned any hope for resolution) and those who resolve their problems but perceive the resolution as unfair.

**Intervention:** Refers to a particular action that a provider can perform when engaged in a dispute resolution process, such as providing advice, mediating actively between the parties, deciding the matter, or referring to another third party.

**Formal justice services:** As defined by UN Women<sup>1</sup>, these are “formal mechanisms that derive their structure and power from the laws, policies, and regulations made by the government. (...) The official courts form the centre of the formal justice sector. Lawyers and law enforcement officers are also part of this group.”

**Informal justice services:** Following UN Women<sup>2</sup>, “informal mechanisms derive their power from social groups or community structures and are not

a part of the government. (...) The informal justice sector often has at its centre leaders or decision makers who are chosen by the community that uses the mechanism. These leaders may preside in settings much like a court or may operate in an altogether different environment (such as a community gathering place or a private home).”

**User-friendly justice:** Justice that is affordable, accessible and easy to understand. Based on evidence of what works. It has the user at the centre.

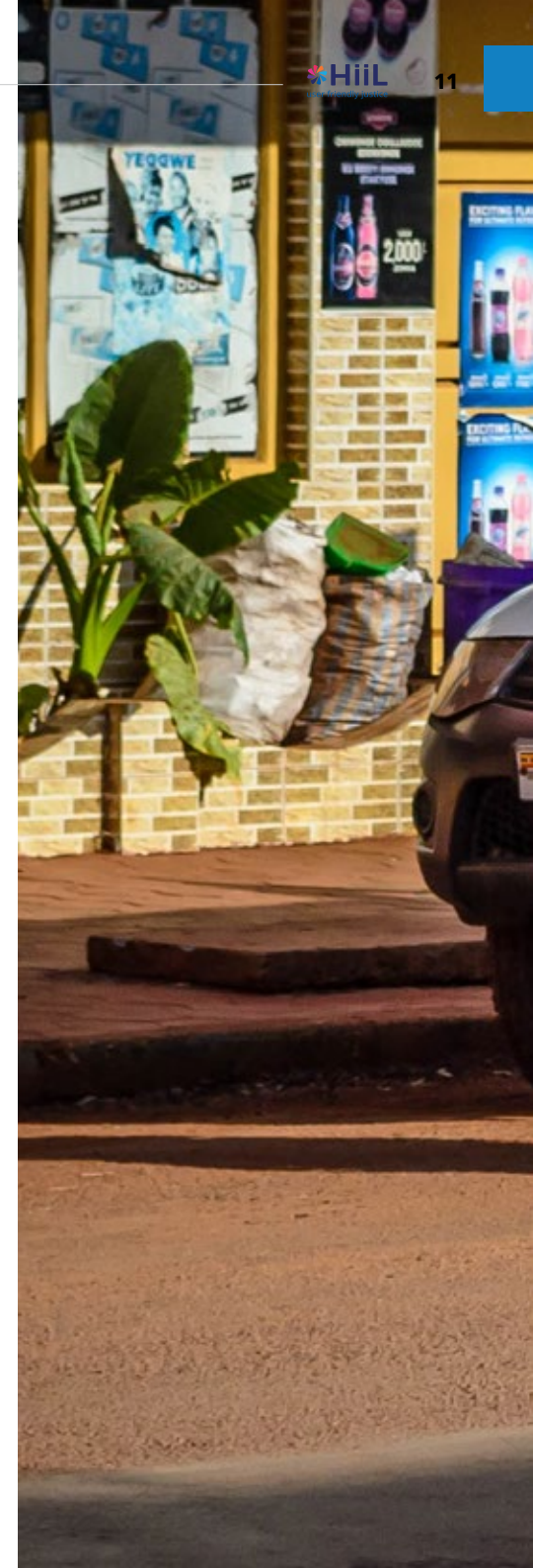
**Justice supply:** Justice providers, from both formal and informal sector, and hybrid.

**Justice demand:** People with legal problems who need resolution to their different problems

**Justice journey:** Refers to the road a person must travel since the moment they recognize they have a legal problem until an eventual resolution. For some people, whose problem is ongoing, the justice journey continues as long as they have hope for resolution. The journey includes the search for legal information and advice, and taking actions to try to

<sup>1</sup>UN Women “Formal justice mechanisms” <https://endvawnow.org/en/articles/880-formal-justice-mechanisms.html>

<sup>2</sup>Ibidem





resolve the problem, either directly engaging the other party, via a third party or a combination of both.

**Outcome vs resolution:** outcome refers to the consequence(s) obtained by trying to resolve a legal problem. In simple words, having an outcome implies that the problem is resolved to a certain extent, and the outcome addresses relevant areas of the original problem. Resolution refers to the status of the problem, whether the respondent considers it resolved (completely or partially); ongoing and waiting or expecting to be resolved; and abandoned without expectation for the problem to be resolved.



# Introduction

## Why bottom-up justice matters

Many Ugandans experience multiple justice needs in their daily lives. But few people bring their problems to the formal justice system, predominantly understood as courts and lawyers. The debate on justice system reform in Uganda takes this apparent discrepancy into account, paying close attention to Local Council Courts and other informal processes. Yet, the focus of this debate does usually shift to the formal 'supply' of justice services: How do courts, prosecutorial services, police, and other justice institutions mobilise resources, cope with demand, and deliver results?

Understanding people's demand for justice services from the bottom-up, is key for a justice sector that wants to supply effective resolutions of legal problems. Firstly, effective solutions to legal problems put people's needs and their experiences at the centre of justice services. And they prioritise solutions that Ugandans need most and are proven to work best in their daily lives. Secondly, justice innovation is about the re-design and improvement of people's justice

journeys. If we know what journeys people take in their attempts to solve a legal problem, we know how to design better, innovative justice services. This is an iterative process, which has the potential to deliver more justice to the people of Uganda, and elsewhere. There are no small justice problems: Every injustice that is prevented or resolved fairly, contributes to the legal empowerment of citizens. It is about respect, accountability, and about nurturing a prosperous and inclusive society.

## The HiiL approach

At HiiL, we refer to the difference between the justice solutions people need and the solutions that people get as the justice gap. To help bridge this gap, HiiL collects data that shows what exactly people's legal problems are, and how they have experienced trying to resolve them. With such data, we hope to give justice providers and innovators the information they need to design and deliver user-friendly justice services. To achieve that, this is what HiiL does:

- Focuses on justice in people's lives to understand their experiences in seeking access to justice. We map out formal and informal justice journeys, rather than following what is in the laws or in the books only.
- Assesses the fairness of outcomes and processes in detail, so it becomes visible how people feel respected and heard during their justice journey.
- Enables decision-makers to focus on justice when and where people need it the most. Citizens highlight the problem areas that are the most pressing for them. This is a true bottom-up approach.
- Provides robust evidence to support programming and policy-making in the areas of justice and the rule of law.
- Builds on local knowledge about what works best in resolving legal problems, indicating what the bright spots and the obstacles for user-friendly justice delivery are.
- Informs users and providers of justice about the quality of existing services. Enables users to be informed about where to go and which services to use and assists providers in improving their services. Offers a cost-effective way of monitoring progress in the justice sector. A standardised

and replicable approach leads to economies of scale, a reduction in operational costs, increased efficiency, a reduction in operational risk, and cross-country benchmarking.

## What we did: Methodology

In cooperation with Uganda's Justice Law and Order Sector (JLOS) and Agency for Cooperation and Research in Development (ACORD), supported by the Swedish International Development Agency (Sida), HiiL conducted its proprietary Justice Needs and Satisfaction survey (JNS). The JNS identified people's legal problems and their experiences in attempting to solve them. As such, it offers a people-centred assessment of the overall justice needs in Uganda.

Needs assessments are a common and proven exercise in areas such as public health. They identify for which problems people need a solution, whether people have access to solutions, and what solutions work best for people. HiiL's JNS is a unique needs assessment for the justice sector. We asked common people in Uganda what their legal problems are, what they do to solve them, whether they achieve solutions, and how they experience justice services in daily life.



### The JNS tool: Measuring access to justice:

The line of research in this report corresponds to the Legal Needs survey guidelines, as defined by the OECD<sup>3</sup>. HiIL's Justice Needs and Satisfaction survey is specifically designed to measure legal needs in societies, based on the premise of people-centred justice. The tool consists of a questionnaire, which has over 100 questions about people's justice journeys. The questionnaire addresses types of legal problems people encounter, the resolutions they achieve through a wide variety of actions, how they seek legal advice and information, and how they experience the resolution process and outcomes. We have applied the JNS methodology in over 16 countries.

Below we provide some examples of the questions we asked Ugandans:

To what extent:

- Did the process of solving your problem make you feel frustrated?
- Did the process of solving your problem make you feel angry?

- Were you able to express your views and feelings during the dispute resolution process?
- Were the same rules equally applied to you and to the other party/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?

Moreover, we asked, for example:

- How many days did you spend resolving the problem?
- How much money did you spend resolving the problem?



### "A justice journey"

One of the distinctive features of the JNS tool is that we measure the cost and quality of the dispute resolution journey people followed. People use formal and informal processes to resolve their legal problems. We call these ways of resolving problems

"justice journeys." HiIL maps these justice journeys by asking people about their perceptions of three dimensions: The process, the outcomes, and the costs of the journeys. The questions are categorised and displayed in ten easy-to-understand indicators of the costs and quality of access to justice, as set out in the following table:

#### Costs of justice

Money spent on the process	Monetary costs for legal fees, travel, advisors.
Time spent on the process	Time spent searching for information, evidence, attending hearings, travel, other logistical expenses'.
Stress and emotions	Stress and negative emotions attributed to the process.

#### Quality of 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.

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



### Quality of outcome

Fair distribution	Distribution is fair 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 access to outcome information.

Respondents are asked to rank their satisfaction with the above ten indicators of the cost and quality of access to justice, on a scale of 1 to 5 - 1 being not at all satisfied, 5 being very

satisfied. We can then conveniently visualise people's overall satisfaction with their justice journey in a spider web representation, like the example below:





## Measuring Ugandan justice needs and satisfaction, from 2016 to 2020

HiIL conducted the first JNS study in Uganda at the end of 2015. At a widely attended conference in Kampala on 14 April 2016, Hon. Principal Judge Bamwine launched the report. In January 2017, the Chief Justice of Uganda, Hon. Justice Bart M. Katureebe, had extensive meetings with representatives of the Justice Leadership Group to discuss the challenges he faced.

The 2016 report aggregated the voices of 6270 citizens from all over the country, equally divided between men and women. Almost 90% of the Ugandan people experienced one or more serious need(s) that were severe and difficult to resolve. A bit more than one third (38%) of those who experienced justice needs took no action at all to resolve their problem. Instead, they preferred to remain passive. This group disproportionately comprised of women, elderly, people with low income or who were unemployed, people without (formal) education and people living in rural areas. Reasons for not taking action reflect a sense of lack of power, a lack of knowledge and awareness, concerns about the costs, and fear of damaging the relationship with the other party. The consequences of these justice

problems were severely negative: stress-related illnesses, monetary costs and a loss of time.

These justice problems did not only affect the average Ugandan: Poor and less educated people were especially prone to them, and have less knowledge and capacity to solve them. Taking individual action, the involvement of family and the social network were crucial for people to deal with their justice problem. Local Council Courts played an important role too, especially for the vulnerable population. Justice users in Uganda experienced limited fairness in the processes and outcomes on their justice journeys. The formal system was marginal to the experience of justice in Uganda. Only a small minority of justice problems ended up in courts, which were out of reach both physically and economically.

In 2019, HiIL again cooperated with its trusted Ugandan partners and Sida to conduct the JNS again.

We adopted feedback on the data collection tool we have received throughout the years. We added new questions, as we wanted to know more about the totality of problems in the country. We wanted to know what types of interventions dispute resolution mechanisms offer to the

people. What the content of legal advice is in Uganda.

We also wanted to hear from the people what they value in a dispute resolution procedure. These topics and others made it to a new version of the JNS questionnaire.

The result was the creation of an improved research tool that allows us to explore all the topics above, and more. We have now more details about all the problems people report. We have specific insights on every instance people engaged justice providers. We know more about how getting an outcome effectively resolved the issue, or not.

As usual, we adapted the JNS questionnaire to the Ugandan reality based on conversations with experts and based on our own experience four years ago. We created a native digital questionnaire that took advantage of the possibilities that CAPI<sup>4</sup> provides: Increased customization of answer choices; customization of the “paths” respondents follow throughout the survey; embedded qualitative data collection, and more that will be shown in the chapters that follow.

HiIL experts trained local Ugandan survey enumerators in Kampala in May 2019. Data was collected throughout June and July of that year, in all the

regions of Uganda. The enumerators went to the homes of 6129 randomly selected Ugandans. Knocked at their doors, and talked with them about their experiences with justice in daily life.

From September to November 2019, we conducted meetings and sessions with relevant experts in Kampala to validate the JNS findings, and worked with JLOS in the report writing stage during early 2020.

We then presented the JNS people-centred approach at the Justice Innovation and Leadership conference in Kampala in November 2019. This conference highlighted the need to base interventions on the data about people’s needs and experiences, leading towards public or private justice service innovation, and transformational leadership.

## Outline of this report

This report presents the findings of the second HiIL JNS study in Uganda, which offers the unique opportunity to monitor changes in Ugandan’s access to justice. We organized the chapters from the perspective of a policymaker or decision maker in the justice sector,

<sup>4</sup> Computer Assisted Personal Interview. In other words, face-to-face interviews conducted with the support of programmed questionnaire on a tablet computer.

interested in knowing what to prioritise if she were to decide on means to increase access to fair solutions for the Ugandans.

Chapter 1 presents the key demographic indicators of the survey's respondent sample. It shows the balance of male and female respondents, urban and rural respondents, different age brackets, income levels, and the extent to which respondents are connected to the internet.

Chapter 2 is about the justice gap. It presents data on the most common and most serious legal problems Ugandans face, compared to the rate at which they are able to solve these problems. This indicates the magnitude of the gap between the demand for and the supply of justice.

In chapter 3, we discuss the impact of legal problems on people's lives. Because not all legal problems have the same consequences nor the same type of influence in a person's life, justice service delivery could be improved by knowing what kinds of problem consequences might be prevented.

In the 4<sup>th</sup> chapter, then, we put the focus on how Ugandans try to resolve their most serious problems. What type of problems are more likely to be

resolved, and by which means? What happens with ongoing and abandoned problems? What makes a problem difficult to resolve, but so relevant that people are willing to do as much as possible to get a resolution? What types of interventions do dispute resolution providers offer? And how neutral are third parties people involve in resolving legal problems?

Chapter 5 focuses on the costs and quality of access to justice. Based on our qualitative research, chapter 6 presents the story of John, as an everyday life example of dispute resolution in Uganda. John had a long running land dispute, but was able to resolve it through a combination of mechanisms that worked well for him and his family.

An important step in John's and indeed most people's journey towards resolving a problem, is finding legal advice and information. In chapter 7 we provide a picture about the most common sources of legal advice and information in Uganda, and how satisfied Ugandans are with the advice they get. For a country advancing towards better and more people centred justice services, it is important to know what advice and information works well for users of justice services.

Together with our partners, we found

that it important to pay close attention to the justice needs of women. In chapter 8 we ask ourselves whether they have certain legal problems that affect them disproportionately. Do they have access to fair dispute resolution procedures? And do they have access to good quality legal advice?

Another important aspect in the Ugandan justice sector's ability to solve people's legal problems is the way some of its institutions are perceived. Chapter 9 shows what the JNS data tell us about how people's trust in the judiciary is evolving in the country? Are citizens empowered to act in case they need to?

In the final, 10<sup>th</sup> empirical chapter, we focus on a new set of questions introduced in the 2019 JNS: We asked specifically what people want from their dispute resolution and legal advice providers. In this way, we can compare what people obtained from their justice journey, and what they had desired. This sheds a light on what to prioritize in terms of justice sector interventions.

In the 11<sup>th</sup> and last chapter of this report, the focus turns to the conclusions and broader implications of the data presented. What to do with these elaborate findings? What works to deliver effective justice services at



such a scale that more justice users get the solutions they need? What policies may improve justice delivery and contribute to closing the justice gap? And what has been achieved by the 2017-2020 Justice Innovation in Uganda programme, and where can we do more to support user-friendly justice?

#### A word of caution about the data

Despite the efforts made to ensure strong research design that includes quantitative survey data, qualitative interviews with users of justice, and interviews and rounds of feedback with local experts, inevitably, there are limitations to the data, just as in every study. A small proportion of the findings are based on answers from a small sample, particularly when the disaggregation in the sub-samples gets closer to the end of people's justice journeys, or when a problem category with small prevalence is analysed in depth. For detail about people's experiences with specific justice journeys, different and larger samples are needed, for example, with a study that inquires about one particular legal problem.

Also note that people tend to underreport specific legal problems.

Domestic violence incidents, for example, are considered a sensitive topic, making people, particularly women, less likely to report them. Other examples are:

- 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.

Practically, we faced a major challenge related to weather conditions during fieldwork. Data was collected during the rainy season. This meant that in some regions, particularly those located around Mt. Elgon (Kapchorwa, Bukwo and Mbale) it was difficult to reach respondents. Still, the overall respondent sample we collected is representative of the country's population.

Lastly, we did not include sub-samples of some of the most vulnerable groups, such as the disabled. We recognise that these are important members of the society and hope to collect data on their justice needs in the future, for example, through conducting focus group interviews.

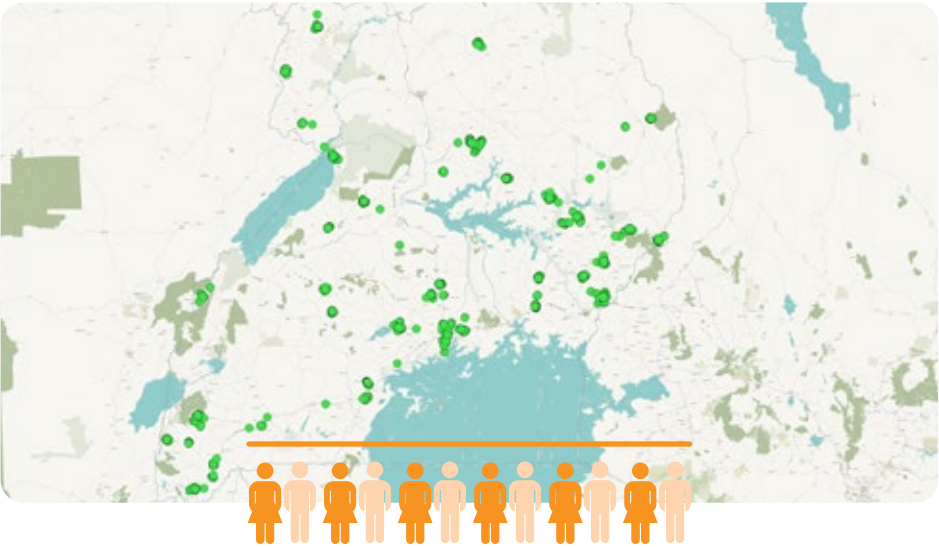




# 1

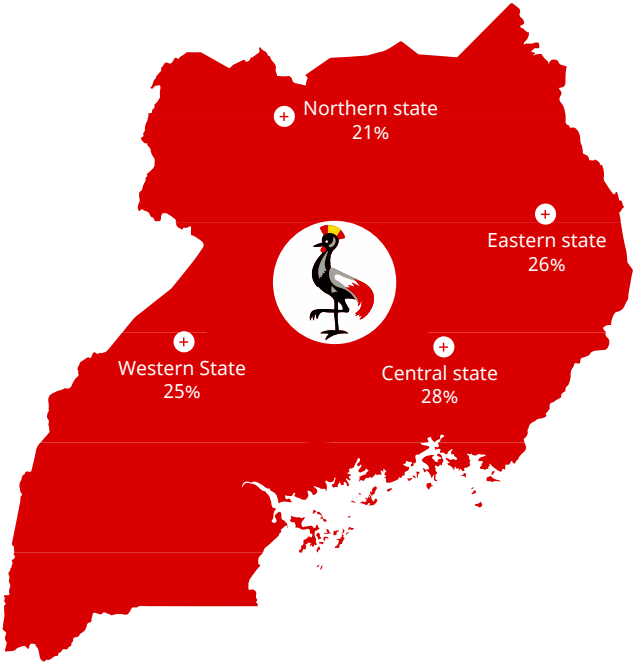
## Demographics



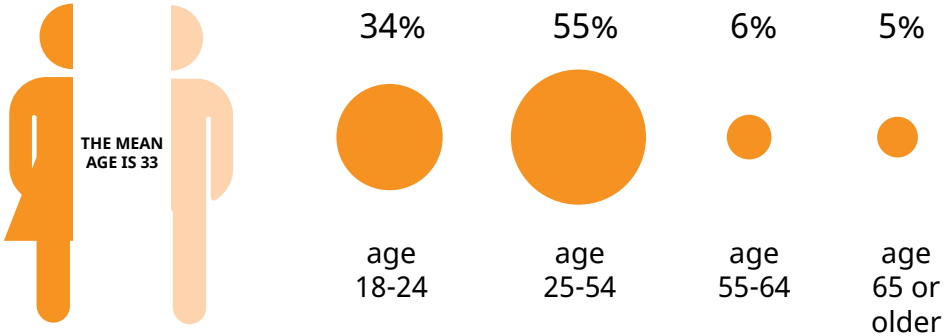


Sample size: 6129 respondents residing in 40 districts across the country.

Locations of interviews, in 4420 out of 6129 observations. Missing data due to technical difficulties with GPS in remote locations.



**Respondents per region**  
Around 80% of the respondents, men and women, come from rural areas.





## work and income

**55%** has no paid work.

**44%** has paid work.

**58%** of people in rural areas do not have paid work in comparison to

**43%** in urban areas.

**53%** of women have no paid work while

**47%** of men have no paid work.

Almost 30% of respondents from urban areas have a medium to high income. Around 29% has a low income.

**37%** has a low income<sup>5</sup>

**17%** has a medium to low income

**26%** has a medium to high income

**21%** has a high income

**39%** of respondents from rural areas have a low income

**40%** of women report that they have a low income

**33%** of men report a low income.

## connectivity

63% of the respondents indicate that they almost never use internet. This number is higher for women, with almost 70%.

Of those who do use the internet (37%) almost 35% uses social media daily and 20% uses it on a weekly basis.

<sup>5</sup> Income categories per month are the following: low income: less than 100,000 UGX. Mid low income: 100,001-200,001 UGX

Mid high income: 200,001-400,000 UGX. High income over 400,001 UGX



# 2

## The Justice Gap



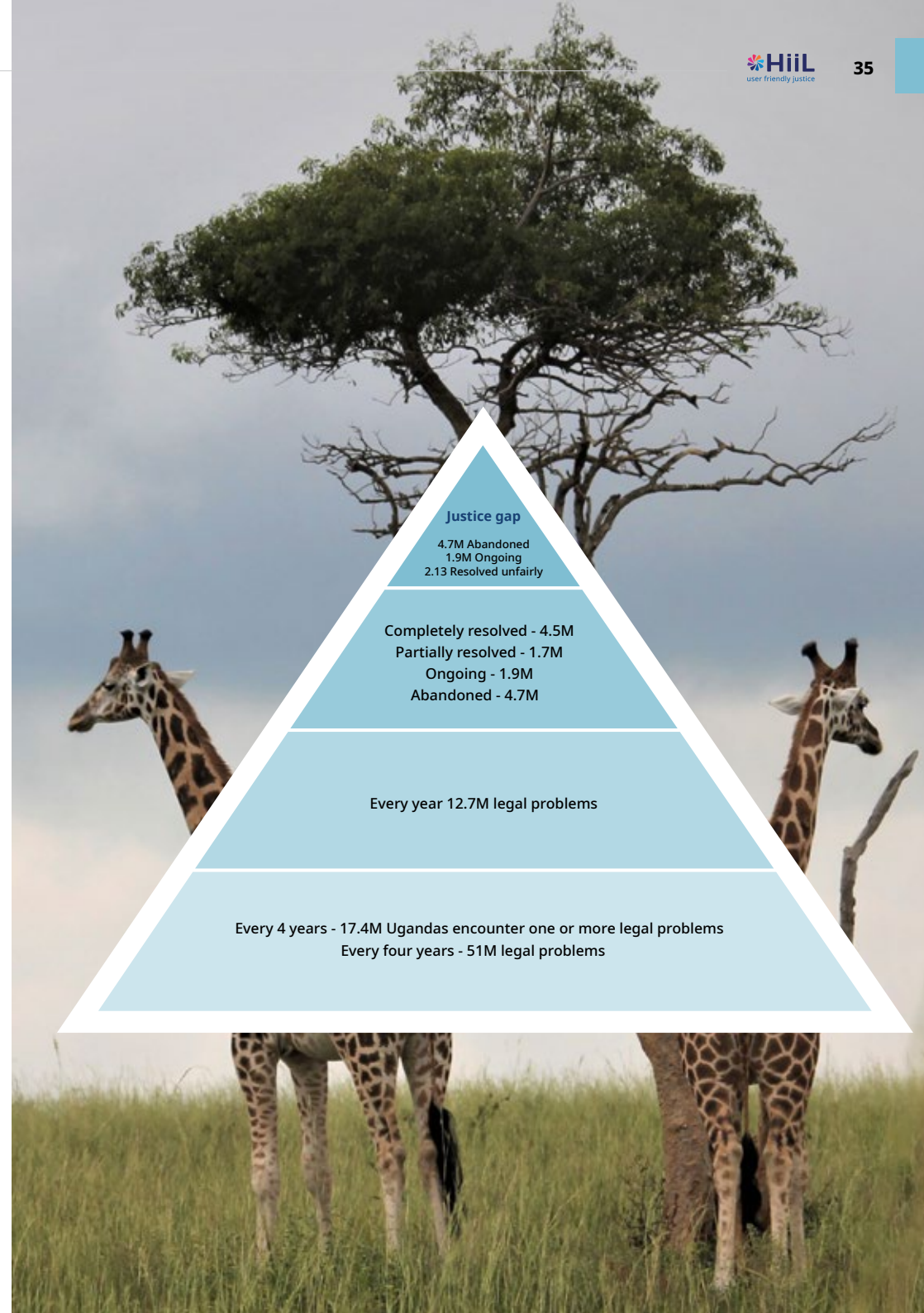
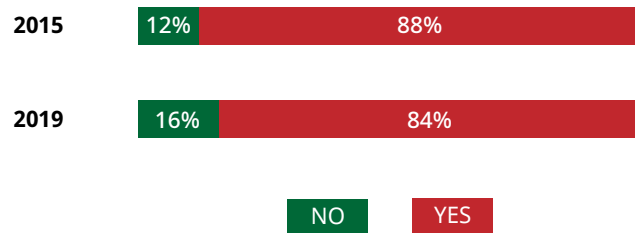


This chapter makes the justice gap in Uganda visible. How many people experience legal problems, to whom do problems occur, and how serious are they? How many problems occur in total and where do they happen? And what proportion of problems gets resolved, how are these solutions perceived, and how many people do not get the justice solution they need?

### The justice needs pyramid

Based on the data we can extrapolate that there are 12.8 million legal problems each year. Many legal problems are resolved, but most are unresolved or the resolution is found unfair. Every year in Uganda, 4.7 million legal problems are abandoned without fair resolution, 1.9 million are ongoing and 2.13 million are considered to be resolved unfairly. This is a significant justice gap, but it also marks a great opportunity to improve access to justice building on those almost 4 million problems a year that do receive a resolution that people perceive as fair.

#### Problem prevalence



Legal problems are widespread

Legal problems are widespread among the people of Uganda. Around 84% of Ugandans encounter one or more legal problems every year. This marks a slight but hopeful decrease compared to the 88% of people who experienced legal problems in 2015.

On average, people experience not one but three legal problems.

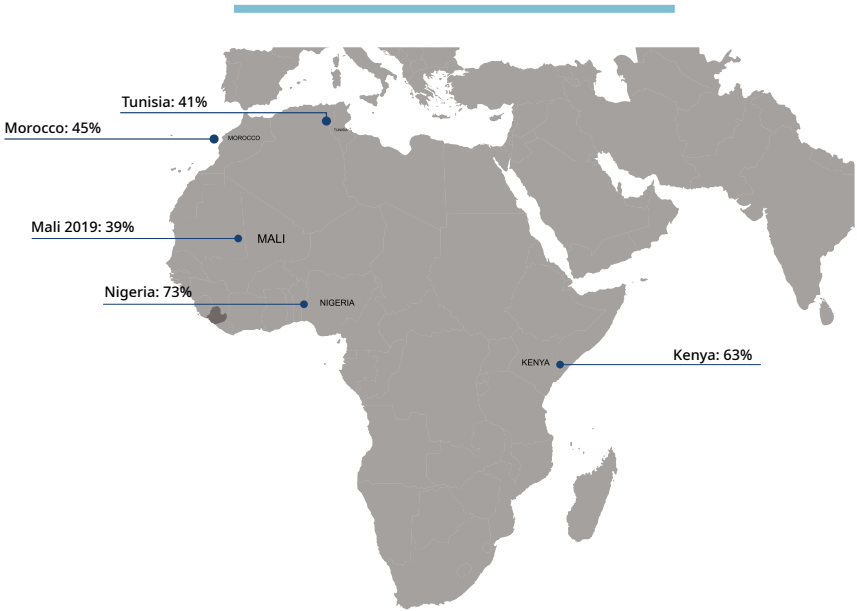
Compared to other countries in Africa, Uganda has a fairly high rate of legal problems.

Prevalence of different types of legal problems

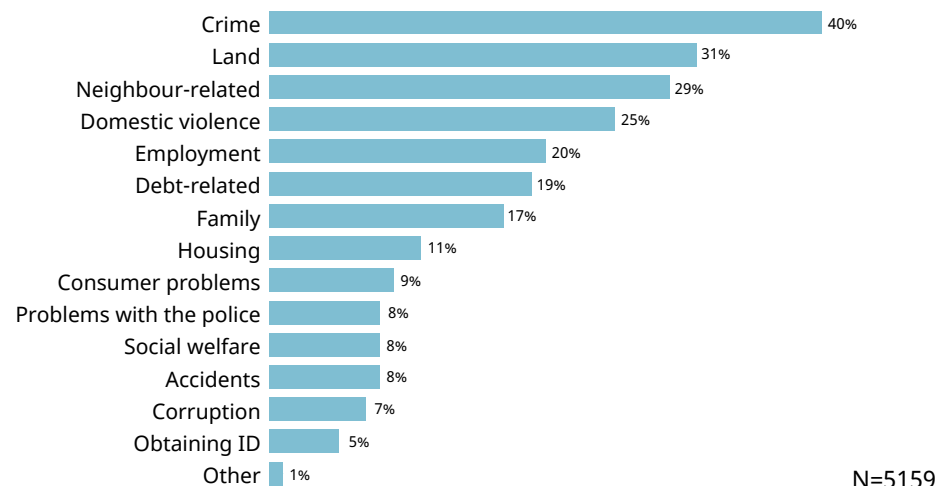
The most frequently occurring legal problems are disputes about land, neighbours and crimes. The chart below shows that 40% of all Ugandans who report at least one legal problem experienced crime, 31% had problems related to use of land, and 29% faced disputes with neighbours. Other legal problems people deal with are related to domestic violence, employment, debt, family, and housing, among others shown in the chart.

Prevalence of different types of legal problems

Problem category 2019	Percentage of people with problems	Problem category 2015	Percentage of people
Crime	40%	Land	29%
Land	31%	Crime	29%
Neighbour-related	29%	Family	28%
Domestic Violence	25%	Neighbour-related	21%
Employment	20%	Debt-related	16%



## Problem prevalence



Within each of these broad categories, specific legal problems take place. Looking at the occurrence of specific legal problems, the following are the most frequent:

- Theft – 32% of all who report one or more legal problem
- Land dispute over boundaries – 16%
- Non-payment of wages – 12%
- Emotional abuse as form of domestic violence – 11%
- Physical abuse as form of domestic violence – 11%
- Regular and excessive noise from neighbours – 11%

Domestic violence was part of the family justice category in 2016. When we formulate it as a separated category, we see that **more than 1 million Ugandans have to deal with domestic violence every year**



## Demographics and legal problems

Legal problems are not experienced equally across different members of the population. The key demographic differences between people who experience legal problems are:

### Gender

- Land (men=15% of all problems; women 11%), employment problems (m=12%; w=8%) are more often encountered by men
- Women report more often domestic violence (w=15%, m=9%), family (w=10%, m=5%), disputes between neighbours (w=15%, m=13%)

### Geography

- 92% of Ugandans living in the Northern region report legal problems, compared to 80% of Ugandans in the Central region.

### Urban/rural

- Urban residents experience legal problems more often (89%) than rural residents
- Legal problems with housing occur more often in urban (6%) than in rural settings (4%)

## Education

- People with higher education report more problems. Those with university degrees have to deal with 3.7 problems on average. People with no formal education report 2.4 problems.

- Land, crime and family problems are issues reported significantly more often by people without formal education, as 24% of their problems are about land.

People with higher education report more employment, monetary and housing problems

### Job

- People who reported to work report more problems (3.1) than those who do not work (2.8).
- Unemployed are more likely than employed people to report a land, domestic violence or family problem.
- Employed are more likely than unemployed to report employment and debt problems.



### Income

- With on average 2.7 legal problems, people in the lowest income group report fewer problems compared to higher income groups.
- But, the poor are more likely to face family and domestic violence problems than others.
- People from medium-low and medium-high income groups report most problems, respectively 3.2 and 3.15 legal problems per person on average.
- Richer Ugandans report three problems, just like the average in the country.
- More affluent people report more employment problems.

### Age

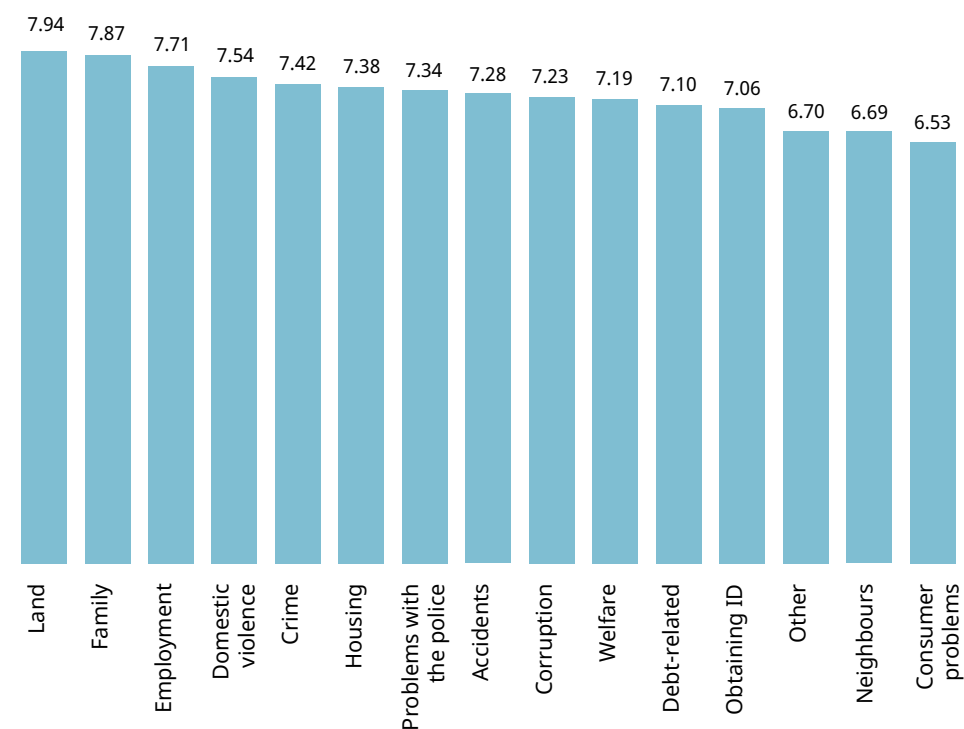
- 80% of younger and senior Ugandans report legal problems, compared to 87% of people in the adolescent and middle adulthood groups.

### Legal problems are serious

Most of the legal problems that people encounter are perceived as very serious. On a scale from 1 to 10 – not serious to very serious – the average seriousness of the legal problems is assessed as 7.94.

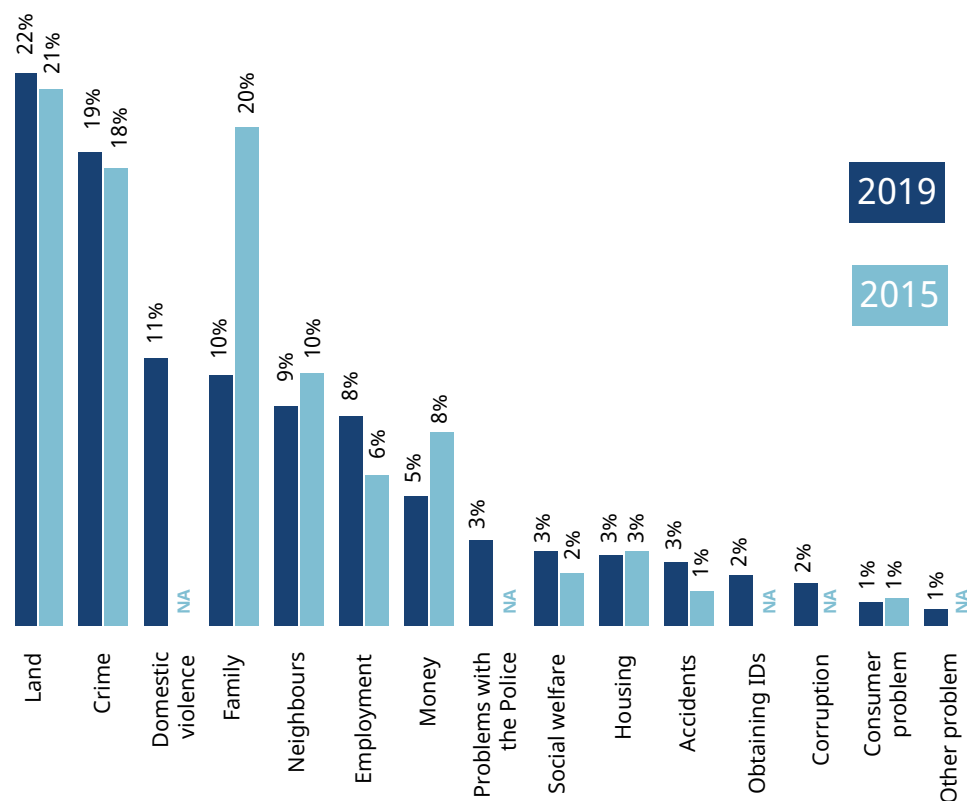


### How serious is/was the problem?



After looking at the average seriousness of all legal problem categories compared, we asked respondents which type of legal problems had the most serious impact on their individual daily lives.

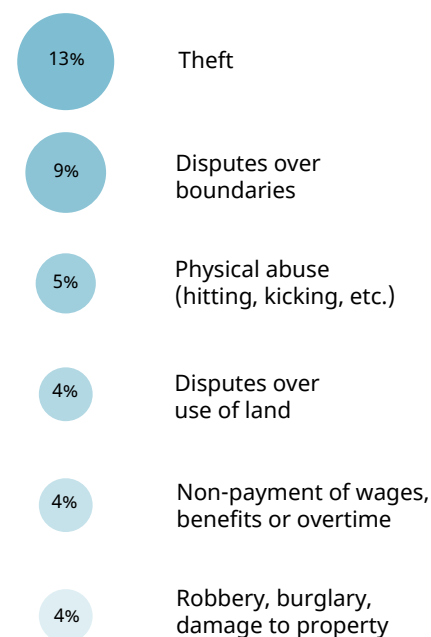
### Most serious problem categories (% of people with problems)



Problems selected as most serious have mean seriousness of 8.47 (out of 10). The rest of the problems are assessed at 7.22.

When we then look at specific legal problems within each category again, we find that the six most serious specific legal problems are:

#### Most serious specific legal problems



In the most serious problems for individuals, some key differences for demographic groups are found again:

#### Gender

- Men encounter significantly more land (m26% vs f18%), employment (m10% vs f7%) and police related problems (m5% vs f1%).
- Women have to deal with more domestic violence (m7% vs f14%), family (m6% vs f14%), and neighbour problems (m7% vs f10%).

#### Age

- Increase of age increases the frequency of land problems. 36% of the most serious problems of people between 40 and 64 are about land, versus 53% for people of 65 and older.
- For younger people, the most serious problems are related to domestic violence, employment, family, crime, debt and ID documents.

N = 5159

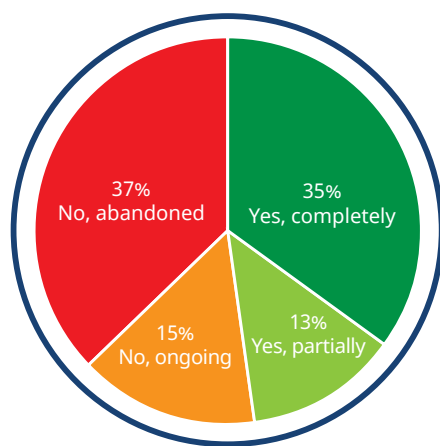
### People attempt to resolve their legal problems

People in Uganda completely resolve slightly more than one third of all legal problems they encounter (35%).<sup>6</sup> They manage to partially resolve a further 13% of all legal problems.

Adding up the completely and partially resolved problems, about half of the legal problems in Uganda are dealt with in one way or another (48%). The other half of the problems are either still in a process of resolution (15%) or people completely abandon attempts to resolve altogether (37%).

As can be expected, people rate ongoing problems as more serious instead of the problems that were completely resolved, according to the seriousness scale mentioned above – respectively  $m=8.5$  versus  $m=7.4$ .

### Has your problem been resolved?



<sup>6</sup>Complete resolution denotes that the problem has been resolved in its entirety. Partial resolution means that part of the legal issue has been resolved but another part remains not resolved. The methodology distinguishes between problems that are ongoing and abandoned

problems. In the former category, we refer legal problems that are in the process of resolution. In the latter category – abandoned, are legal problems in which the person is not expecting any resolution deriving from eventual actions.

	Yes, completely	Yes, partially	Ongoing	Abandoned
Land	38	15	32	15
Domestic violence	46	17	12	25
Housing	43	16	16	26
Neighbours	41	17	14	28
Employment	31	11	12	47
Family	31	15	22	32
Social welfare	18	13	22	47
Crime	29	9	10	52
Consumer problems	26	7	5	62
Accidents	48	8	5	40
Debt-related	29	9	11	50
Identity documents	31	7	26	36
Police	42	9	5	44
Corruption	21	5	7	67
Other	27	8	30	36

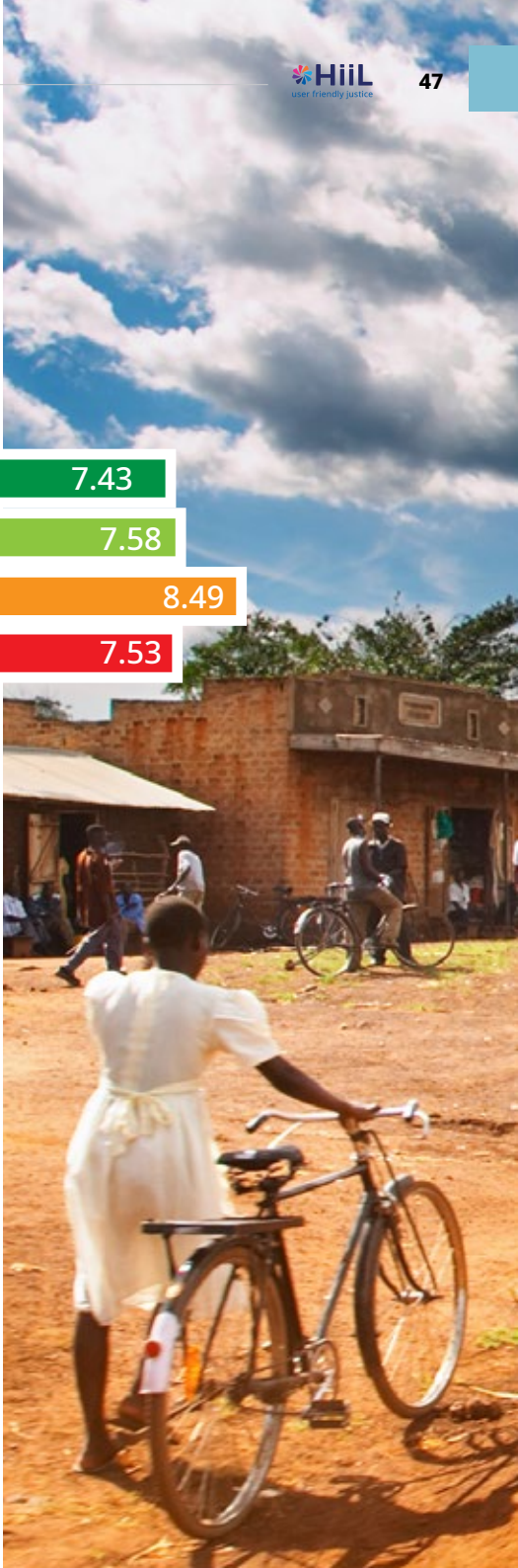
Table legend:

Outcome\value	Low value	High value
Yes, completely		
Yes, partially		
Ongoing		
Abandoned		

Looking at the problem categories separately, again the ongoing problems have the highest seriousness. This either means that people cannot resolve their most serious problems, or that the fact a problem is ongoing has a serious impact on their lives.



Average seriousness by resolution status







## The story of Robert

*"Land means everything in the village... and not only even in the village, even in town. When you own a plot of land, you are rich. The thing was, I was given a good plot of land. I was planning to sell part of it, and do some cultivation on it. The land was initially given to us by our grandfather, but one of my uncles came and just wanted to take the land by force.*

*I started engaging some of the other uncles of mine. I saw that they were not all that serious on the issue, so I went to the clan leader. From there they had to settle us down. I never went to the police, because after I went to my uncles, I went to the clan leader. The clan leader told me that it's ok, we shall solve this thing. So I did not report. I think it can work the best with clan leaders and elders. I never threatened any person, despite the fact that he was threatening me.*

*I'll never regret the steps I took because I never went to the police. Generally I am in a good position now.*

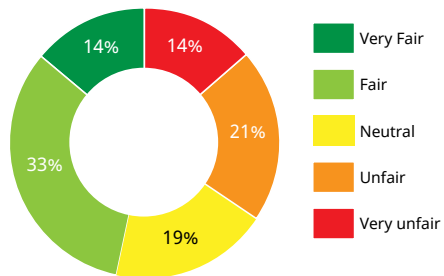
*It is not as bad a situation as it was when it all started. The problem is not yet solved, it's somehow 50% worked on and there is another 50% remaining. I am confident and I believe in the people whom I have taken my things to them to handle."*

### Fairness of the resolutions

How fairly are legal problems resolved? Ugandans with completely or partially resolved problems told us whether they feel they have reached fair resolutions.<sup>7</sup> People said that 46% of all resolved legal problems have either very fair or fair resolutions. On the other hand, 21% of the resolutions of legal problems were assessed as unfair, and a further 14% as very unfair.

This means that more than a third of the resolved legal problems in Uganda do not receive a fair resolution.

### How fair was the solution?



N=7160 responses

<sup>7</sup> Since ongoing and abandoned problems are not yet resolved we only focused on completely or partially resolved problems

### Summary

Slightly fewer Ugandans experience legal problems in the 2015-2019 period than in 2011-2015. The difference is small but hopeful (84% vs 88%). At the same time, the people that had legal problems, have more problems than before, with an average of three reported in 2019 versus an average of two in 2016.

We collected almost 15000 justice problems, representing more than 51 million of them in a four-year period. We know how impactful they are, and whether they have been resolved or not. And how fair the resolution was, for those who did get an outcome. We found a correlation between perceived seriousness of the problem and resolution. More serious problems are less likely to be resolved.

Fair resolutions are not equally distributed across problems. Problems that are more serious are more likely to get a fair resolution, but they are less likely to get a resolution in the first place. Richer Ugandans also tend to evaluate their resolved problems as fair more often than their less affluent fellow citizens.

Still, the distribution of the most serious problems is very similar between surveys. Land, crime and domestic violence/ family problems are

at the top of the list of Ugandans.

As local experts told us, "there will always be problems; the important thing is how we respond to the needs of the people." Therefore, the challenge is to respond effectively to the needs of the almost nine million Ugandans who do not get a fair resolution to their problems.





# 3

## The Impact of Problems

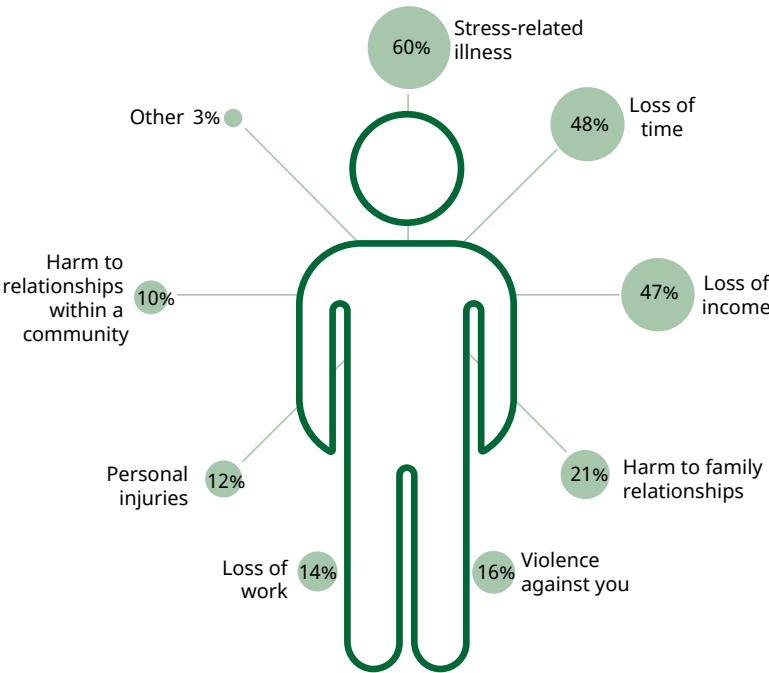


Legal problems have a great impact on people’s lives. Many of the consequences are personal. For example, stress-related illness, loss of time, and loss of money. But many of these consequences also have an impact on societal level. In this chapter we explore the true costs of unresolved legal problems for people, and of a wide justice gap for society on the whole. We start by asking what consequences people experienced, which then allows us to estimate the true societal costs of the lack of access to justice services.

In this chapter – and from now on, unless otherwise specified – the data presented comes from the people who reported at least one legal problem.

The majority of Ugandans suffer severe consequences because of their legal problems

Well over half of the people experience stress-related illnesses as a result of a legal problem, and nearly half experience loss of time as well as loss of income.

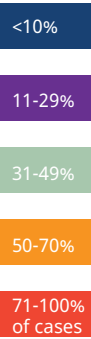


N = 4875

The graph below indicates what type of consequences are common for each possible legal problem category. For example, personal injuries are the result of domestic violence in 50-70% of the cases. As shown, stress-related illnesses, loss of time, and loss of income are a common consequence for all types

of legal problems. And particularly problems with the use of land seem to produce a variety of negative consequences in people’s daily lives.

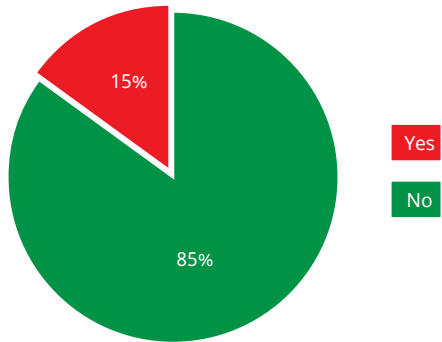
	Personal injuries	Stress-related illness	Harm to family relationships	Harm to relationships in the community	Violence against you	Loss of time	Loss of income	Loss of work
Land								
Domestic violence								
Housing								
Neighbours								
Employment								
Family								
Social welfare								
Crime								
Consumer								
Accidents								
Debt								
Obtaining ID								
Problems with the Police								
Corruption								



Some Ugandans even lose their job because of a legal problem

Over one in 10 respondents lost their job because of a problem. Especially people who experienced problems with obtaining ID or had problems with the police experienced job loss, with approximately one in five at double the rate than the average.

Did you lose your job because of the problem?

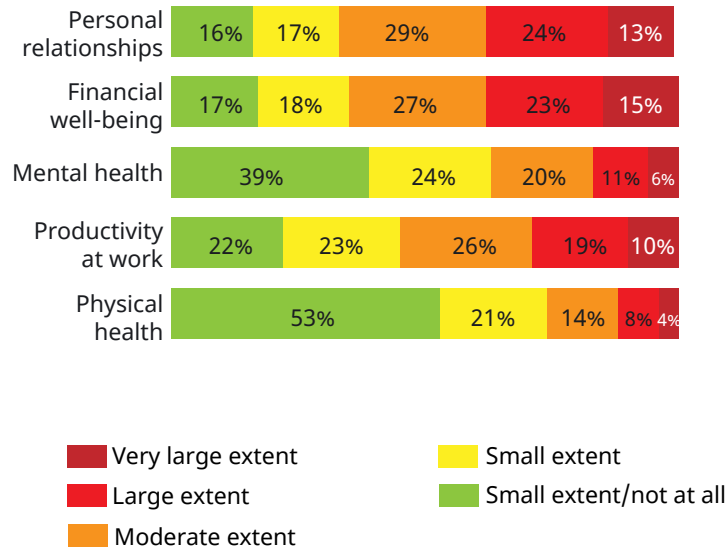


N = 4943

Impact of legal problems happens on multiple levels

Having legal problems affects personal relationships, financial well-being, mental and physical health, and the ability to work. All of these consequences may be felt at the same time, to different extent. On average, justice problems have the most negative effect on personal relationships and financial well-being.

How much the problem impacted your...



N = 5088

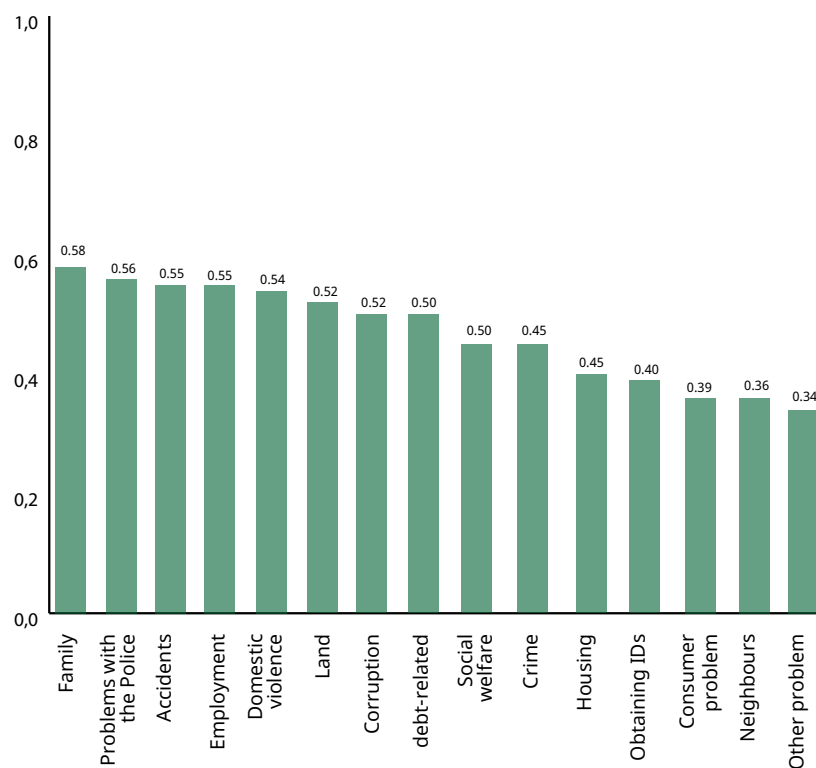




Looking at all these dimensions of impact, we calculated an **impact index** to compare how consequential different types of legal problems are in people's lives.

<sup>8</sup> The index takes the value of zero if the problem is not considered impactful in any dimension, and the value of one if it is very impactful in all dimensions. Any value in-between depends on the combination of impact on different dimensions.

### Impact score for problem types



N = 5152

<sup>8</sup> To calculate the index, we take the average value of the answers in all five dimensions, and then normalize the resulting distribution, which leads to range from 0 to 1.

### The most impactful problems are family problems, problems with the police and accidents

#### Family

Family problems are both relatively common in Uganda, and they have the strongest impact on people's lives. The most common and serious specific problems in this category are divorce or separation, problems with child support, or disputes over spousal maintenance during marriage.

The most common consequences of family problems are stress-related illnesses, harm to family relationships, and loss of time.

#### Problems with the Police

Problems with the police rate nearly as impactful as family problems.

While experiencing problems with the police is relatively less common, people who have experienced them report that severe consequences are common, mostly resulting in stress-related illness, loss of income, and loss of time.

#### Accidents

While legal problems related to accidents are relatively less common, their consequences are among the most severe.

The most common consequences of accidents are, as expected, personal injuries, loss of income and loss of time.

### The higher the impact, the more people try to resolve problems

In the next chapter, we turn to the way people try to resolve their legal problems and the rate at which they successfully do so. When we correlate the impact index with the number of people who take action to resolve their legal problems, we find that the higher the impact, the more often people take action to resolve their problem.

# The story of Dembe

*"My in-laws started disturbing me after my husband died. In 2016, my brother-in-law stole my cows during the night. He did not like that I talked about what happened. Then one night he came, put petrol on my house and my house exploded. So he burned my house because I tried to solve the problem of stealing the cows. I suffered from the burning of the house more and more. Right now, I am feeling a headache. Even my eyes cannot see very well. I am more and more worried. A problem was that my medicine was inside the house, about 3 boxes for 3 million. It was for my clinics. It got burnt, all of them. I have headaches, stress, I cannot sleep, I am worried, I have children but they cannot study. I left my burned house and my friends gave me the money to resettle. But I did not take any legal action, I just left those problems. I didn't continue with them since I don't have anywhere to go where I can start a process. I don't have money. If you are going somewhere, they want your money. So, I just left it."*



## Summary

Legal problems in Uganda produce massive amounts of stress and stress related illnesses. More than 60% of the people experience it because of their problem. Legal problems are also costly. Loss of time and loss of money appear in approximately 50% of the cases. Family problems and problems related to social welfare tend to subsequently occur for people who experience high levels of stress. Important personal relationships also suffer, especially in the case of family problems, but less often.

Around 15% of the Ugandans lost their job because of a legal problem. Having difficulties obtaining IDs or problems with the police aggravates the chances of losing a job.

Financial wellbeing seems to be one of the dimensions in people's lives that suffers the most.

Some problems are more impactful than others. We found that family problems, problems with the police and accidents affect people's daily life more heavily than, for example, problems with neighbours.

The true cost of the Uganda justice gap is thus twofold. On the one hand, legal problems severely impact individual people, in the multiple ways discussed. On the other hand, those individual impacts combined present a significant societal problem. Unresolved legal problems pose a risk to employment rates, to welfare, to physical and mental health, and to social relations.



## 4

# Problem Resolution in Uganda

This chapter focuses on the actions Ugandans take trying to resolve their most serious problems, and the outcomes they achieve doing so.

First, we ask to what extent Ugandans resolve their problems, and we identify what the determinants are of successfully doing so. Then we look at the justice providers in Uganda. Problem resolution happens in many ways. Sometimes people talk directly to the other party involved in the problem, and at other times, they engage a third party to help them. Often they combine both these strategies. We take an in-depth look at the interventions providers undertake, and ask how neutral and helpful they are from the perspective of those using their services.

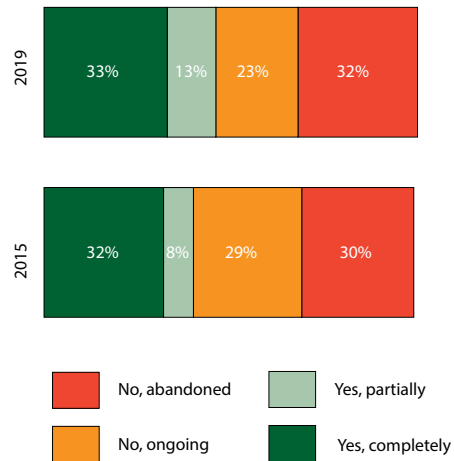
Knowing how problems are resolved is good. It can help guide justice sector resources and attention to the resolutions that work for people. It is even better to know why some solutions work and others do not. Success factors can then be replicated and obstacles avoided in designing innovative services. So we ask who did not get a solution, whose problem remains ongoing, who abandoned any hope of a fair solution, and why people get such different results.

We see a lot of potential for closing the Ugandan justice gap. Ugandans are very active when it comes to resolving their legal problems. Moreover, many of the world's finest justice innovations call Uganda their home country. The information in the next pages will provide a comprehensive assessment of the way Ugandans get their problems resolved.



## Hopeful improvements for problem resolution

### Has your problem been resolved?

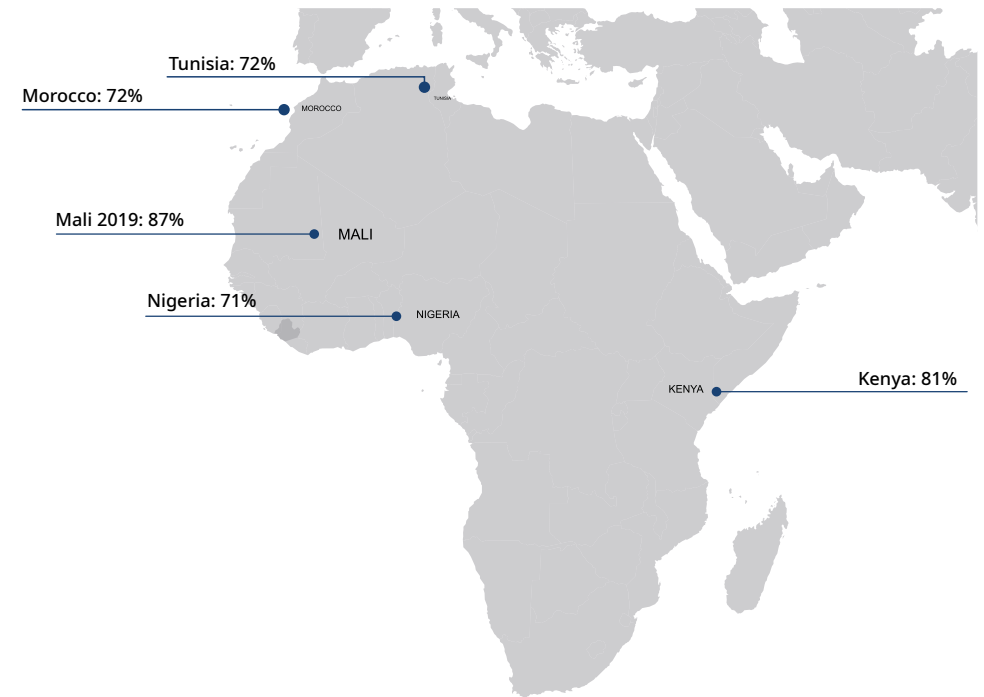


There are hopeful signs for improvements in legal problem resolution in Uganda. Almost half of people's most serious problems got resolved in 2019, either completely or partially. This is good news if we compare to 2015, but the increase is mainly driven by problems only partially resolved. The better news is the strong reduction of ongoing problems. As shown later, lingering, ongoing legal problems have a big negative impact on daily life.

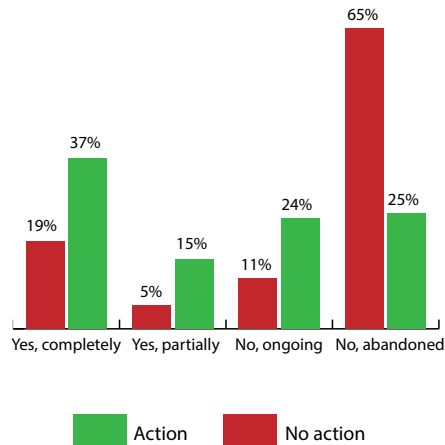
A lot of potential for increased user-friendly problem resolution, comes from the fact that more than 80% of Ugandans with legal problems try to resolve them. This is an increase from 2015 of almost 20 percentage points.<sup>9</sup> This means that Ugandans have the eagerness and energy to try to resolve their problems, so the desire for good justice services is high.

<sup>9</sup> The wording of the question in both waves is different, which might have influenced the difference. In 2019, we offered all justice providers options in the

same set, instead of separating them in formal; informal; and self-actions.



### Resolution and action (2019)



### Drivers of resolution

What factors drive resolution of the most serious problems Ugandans face? Achieving complete resolution is a function of individual, problem-specific, and action-specific circumstances or decisions. With the help of a multivariate statistical model<sup>10</sup>, we found the circumstances that, on average, help people resolve problems completely, partially, or remain ongoing, versus the possibility

of abandoning the problem without expecting any solution at all.

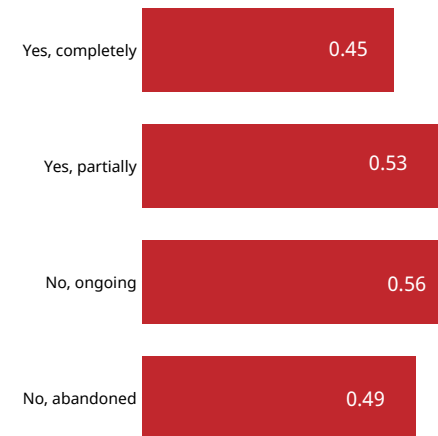
The graphs below show the relation between the variable that is identified as statistically significant in the model, according to the different resolutions status<sup>11</sup>.

*When we talk about resolution status, abandoning a problem means that the person goes on and does not expect resolution any longer, regardless of the justice provider selected.*

### The higher the impact, the less likely to completely resolve the problem

We find that the seriousness of a problem relates to the chance of getting it resolved. The average impact score of ongoing problems is the highest.

### Impact of the problem and resolution



On average, the most impactful problems are likely to remain ongoing.

We know how long ongoing problems take on average, providing a benchmark against which to measure progress on the speed of legal problem resolution. At the moment, ongoing problems last an average of 761 days, which is well over two years.

### People with domestic violence problems seem to achieve higher resolution rates

As mentioned, on average 33% of the people get their problem completely resolved. Certain types of problems are less likely to be completely resolved than others.

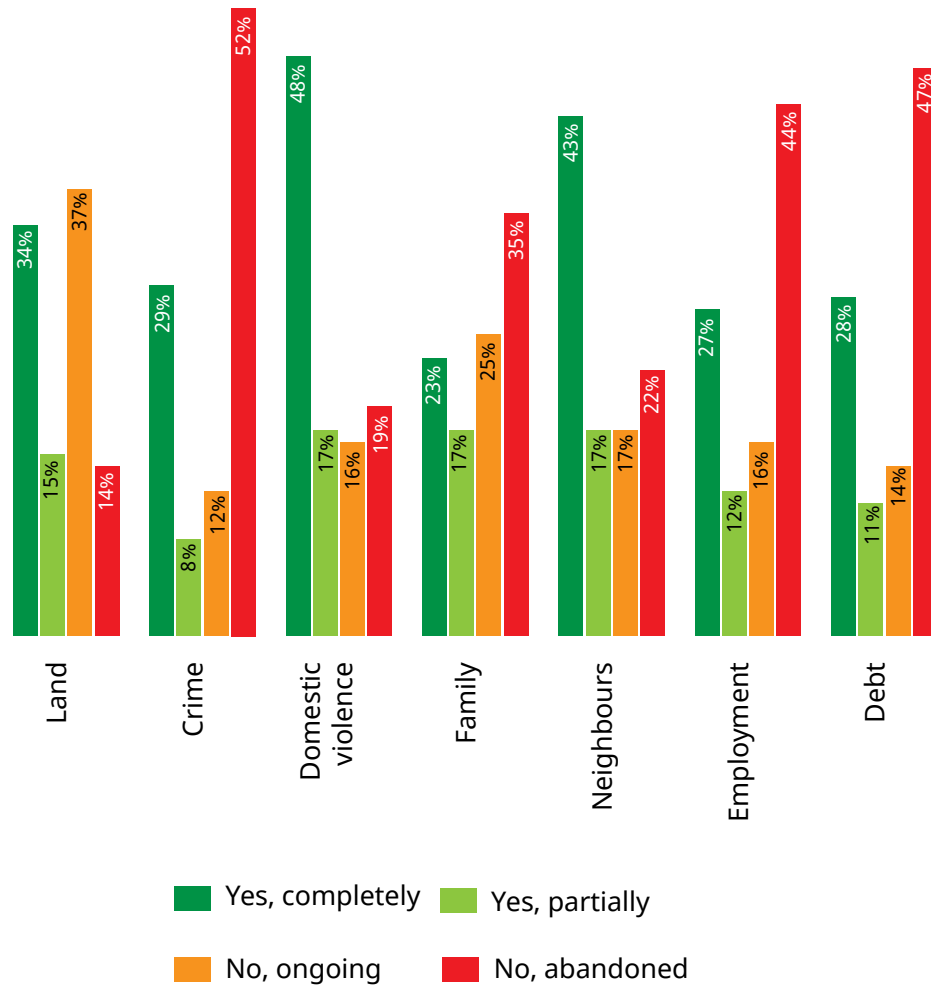
We know that land problems get complete resolution at an average rate. When all circumstances are taken into account, we find that Ugandans with problems related to domestic violence, the police, neighbours, or housing are as likely to achieve complete resolution as people with land problems. People with social welfare, corruption and crime problems are less likely to achieve complete resolution. Other commonly occurring problem categories in this group include family and employment. Graph below shows the distribution for the most commonly occurring problem categories among the most serious problems.

<sup>10</sup>Multinomial logistic regression with status of resolution as the dependent variable. This variable has four answer categories: complete resolution; partial resolution; problem on-going; and problem abandoned. This is a common statistical tool for dependent variables that are unordered.

<sup>11</sup>Please consult the online supplementary information for a technical visualization of the model's results.



### Problem category and resolution



### Land problems are very likely to be ongoing

As mentioned above, around 22% of all the most serious problems were still ongoing at the time of the study. Land problems are the second most likely problems to be ongoing, with an above average rate. Estimates from the multivariate model confirm this.

### Some problems are more likely to be abandoned

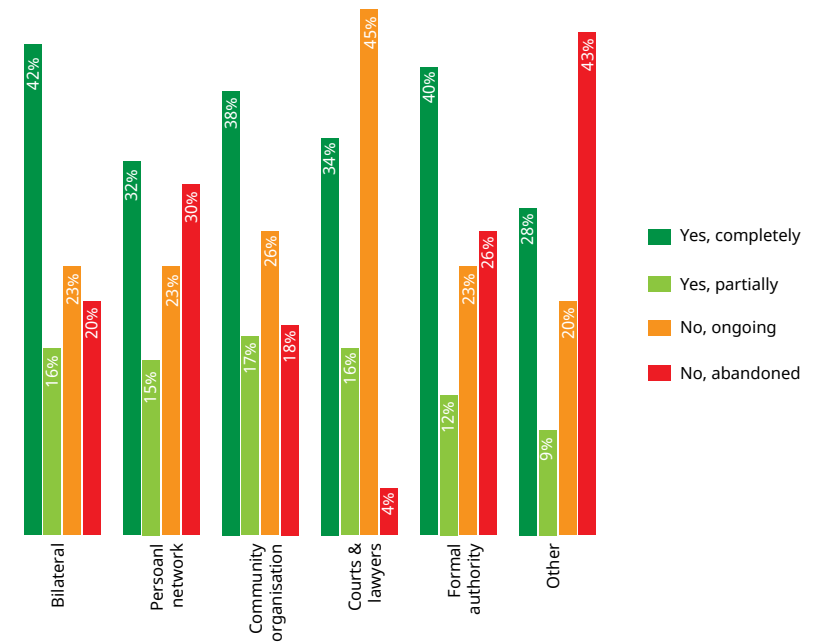
Problems around accidents, crime, corruption, debt or employment are more likely to be abandoned without a fair solution. This means that people do not even attempt to resolve these problems, suggesting that these problems are more complicated and people have little they are able to get them resolved.

### Helpful justice providers matter: Courts and lawyers will help those who have access to them.

The results from the multivariate model indicate that the most helpful dispute resolution provider in a justice journey has an effect on the resolution of a problem. Involving courts and lawyers will increase the chance of getting a problem completely or partially resolved. But, unfortunately but understandably, it also increases the chance of a problem lingering longer. We also find that talking directly to the other party involved in the problem, also known as bilateral negotiation, is more likely to lead to resolution than involving the personal network.



### Justice provider (aggregated) and resolution



### Effect of providers on resolution

Dispute resolution mechanisms:  
People tend to rely on family members, friends, and neighbours

Uganda knows different providers of justice that people may involve in resolving their legal problems. Among them, we include both formal and informal mechanisms of dispute resolution, such as formal courts and family members.



### Available providers of solutions in Uganda

Negotiating directly with the other party	Local public authority
Family member	National public authority
Friend	Community authority
Neighbour	Formal court
Religious authority	Lawyer
Police	Religious court
Local Council Court	

We asked people what types of dispute resolution they involved in trying to resolve their problem. The table below shows the types and relative use of justice providers Ugandans use, including both formal and informal mechanisms that may help provide justice. People were able to report as many providers as they engaged.

Justice provider	Percentage of users <sup>12</sup>
Family member	40%
Negotiating with the other party	34%
Police	21%
Friend	17%
Local Council Court	13%
Neighbour	13%
Local public authority	12%
Community authority	6%
Formal court	4%
Other	10%

Some trends are very clear:

- People rely a lot on family members, friends and neighbours to resolve legal problems.
- Talking to the other party involved in the problem is used a lot to resolve disputes.
- Police, LCCs and local authorities are the main formal, institutional mechanisms people use.
- Only 4% of people with serious legal problems took them to a court of law, which is in line with the experience in other countries <sup>13</sup>.

<sup>12</sup> Of the people who took action to resolve their problem.

<sup>13</sup> For more data on the use of different legal providers around the world, visit <http://justice-dashboard.com>





## LAND

Family member	46%
Negotiation	40%
Local Council Court	21%
Local public authority	21%
Police	18%
Neighbour	14%
Formal court	11%
Community authority	11%
Friends	9%
Lawyer	7%
Other	3%
National public authority	2%
Religious authority	1%
Religious court	0%

DOMESTIC  
VIOLENCE

Family member	52%
Negotiation	40%
Local Council Court	12%
Local public authority	4%
Police	15%
Neighbour	8%
Formal court	1%
Community authority	5%
Friends	18%
Lawyer	0%
Other	2%
National public authority	0%
Religious authority	3%
Religious court	1%

## CRIME

Family member	27%
Negotiation	9%
Local Council Court	14%
Local public authority	12%
Police	44%
Neighbour	21%
Formal court	2%
Community authority	4%
Friends	20%
Lawyer	0%
Other	2%
National public authority	1%
Religious authority	0%
Religious court	0%

## EMPLOYMENT

Family member	24%
Negotiation	40%
Local Council Court	16%
Local public authority	17%
Police	7%
Neighbour	27%
Formal court	1%
Community authority	7%
Friends	13%
Lawyer	0%
Other	4%
National public authority	1%
Religious authority	1%
Religious court	0%

## NEIGHBOURS

Family member	29%
Negotiation	45%
Local Council Court	3%
Local public authority	5%
Police	10%
Neighbour	3%
Formal court	2%
Community authority	2%
Friends	33%
Lawyer	2%
Other	4%
National public authority	3%
Religious authority	3%
Religious court	0%



### How accessible are courts?

Less than 5% of the people engage formal courts. There is no change in usage since 2016. A typical court user in 2019 is:

- Man
- Has a problem whose impact score is .63 (above average of .5)
- Has a land problem
- Not single

### Local Council Courts

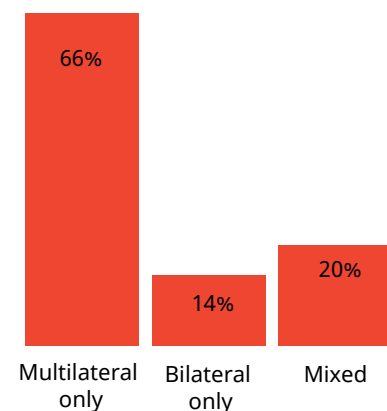
LCCs are among the most popular formal institutions that people turn to in their attempts to resolve legal problems. An average LCC user in 2019:

- Has a problem with impact index of 0.53, in other words, average.
- Has a land, crime or neighbour-related problem.
- Belongs to the lowest quartile of income levels.
- Is married or separated or widowed.
- Has primary education or other non-formal education.

### Paths to solutions

Ugandans typically engage a range of different providers on what we call their justice journey. For the majority of the most serious legal problems, people only involve third parties on their path to resolution. In a third of the cases, people talk to the other party involved in the problem, usually in combination with engaging third parties as well.

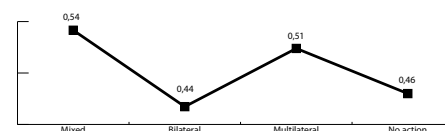
### Resolution paths



People with more impactful problems shop around for solutions

We find that people seek third party help primarily in the case of high impact legal problems. In the case of problems with a lower impact, people are more likely to talk directly to the other involved party, or take no action at all.

### Average impact of problem by resolution path

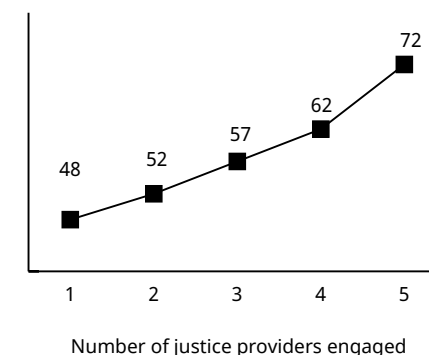


N=5159

Ugandans turn to an average of 1.7 justice providers on their justice journey. Although six out of 10 Ugandans who took action used only one provider. Only 5% of Ugandans engaged more than three.

On average, people seek resolution from 1.7 providers

### Impact of the problem by number of steps in dispute resolution



This can be explained by the fact that the average number of justice providers people engage increases when problems have more impact.

<sup>14</sup> This suggests that people try harder and explore more options to resolve impactful problems.

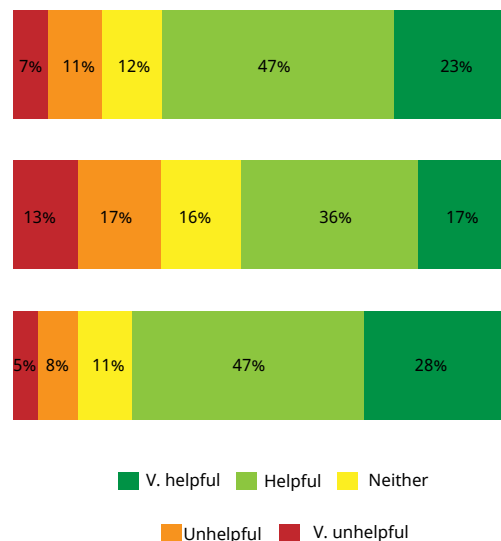
When broken down for types of legal problems, we find that problems related to land (2), family (1.8), and domestic violence (1.6) have the highest average number of providers engaged.

<sup>14</sup> The line is truncated at five steps because after that, the number of observations is too small to make claims.

On average, people who engage three justice providers have higher resolution rates and their problems are less likely to linger on, than Ugandans who engage fewer or more justice providers. This implies that there may be a need to **simplify the steps people take in their justice journey, especially for the most impactful problems in Uganda.**

Dispute resolution mechanisms are helpful

#### Helpfulness of provider



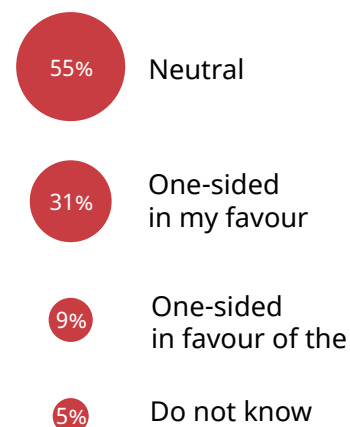
In general, Ugandans positively evaluate the helpfulness of the dispute resolution mechanisms they engage. We asked everyone who engaged at least one third party to evaluate how helpful the third party<sup>15</sup> intervention was during the resolution process.

We collected information about more than 7000 such interventions. About 60% of them received a positive evaluation. There are differences among interventions, though. **Among the most engaged justice providers, three out of four LCC users share a positive evaluation.**

<sup>15</sup> We did not ask this question to those who selected direct negotiation with the other party

Third party interventions are often regarded as neutral, with LCCs found most neutral<sup>16</sup>

#### Perceived neutrality of third party involvement



N=3752 persons and 5615 responses

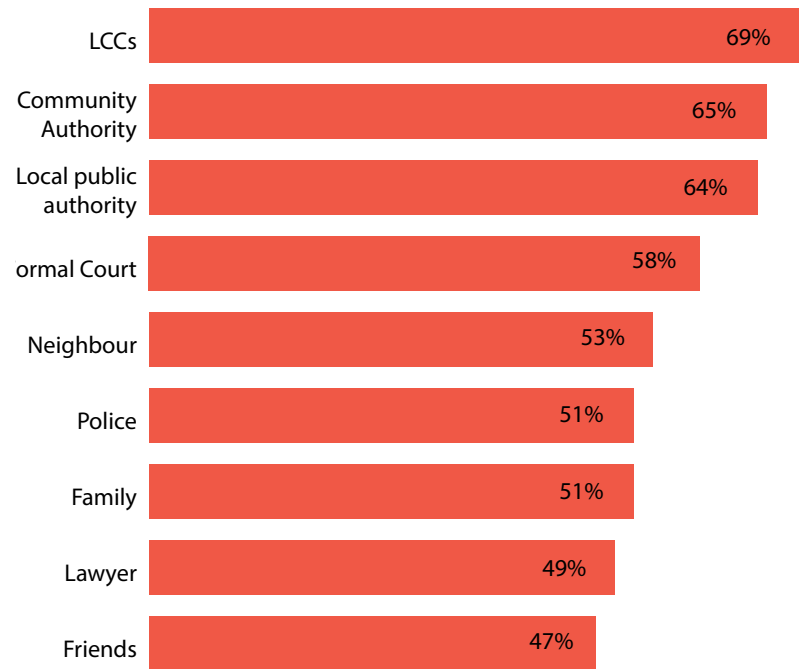
In one third of the interventions, the third party was siding with the respondent. In almost 10% of third party problem resolution, people thought they were in a process biased against them.

<sup>16</sup> We understand neutrality as the value of not taking any particular side during the dispute resolution process.





### Perceived neutrality by provider



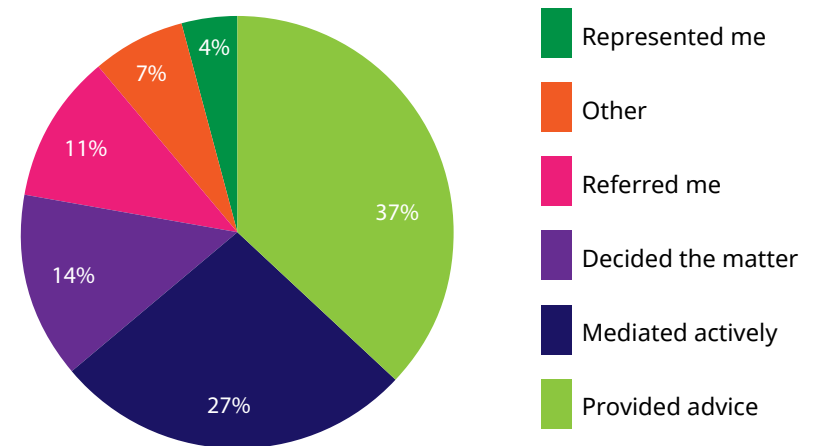
Local providers – LCC, Community Authority, and Local Public Authority – are most often seen as neutral, followed by formal courts, neighbours and the police. Understandably, family, lawyers and friends are perceived as less neutral

The people who consider their legal problems resolved often perceive the justice providers as neutral. Justice

providers are less frequently seen as neutral when the legal problem has not been resolved.

**Advice is a key part of dispute resolution and mediation resolves problems**

### What did the provider do?



N = 3752 persons and 5615 responses

Providing advice and mediation are the key dispute resolution interventions offered by justice providers in Uganda.

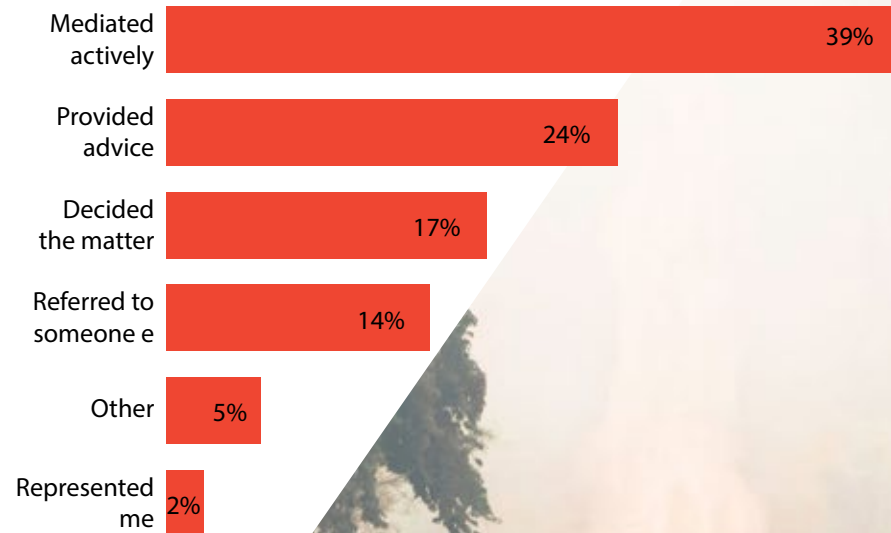
**Active mediation is the most common intervention in land and police-related problems.** For all the other problem categories, the most common intervention was providing advice.

**In completely resolved problems, mediation is the most common intervention.** LCCs are mostly providing such mediation as well as advice. Decisions to adjudicate a legal

On average, people who engage three justice providers have higher resolution rates and their problems are less likely to linger on, than Ugandans who engage fewer or more justice providers. This implies that there may be a need to **simplify the steps people take in their justice journey, especially for the most impactful problems in Uganda.**

problem case are far less frequently made by LCCs, which may explain why they are mostly seen as neutral.

### LCCs interventions

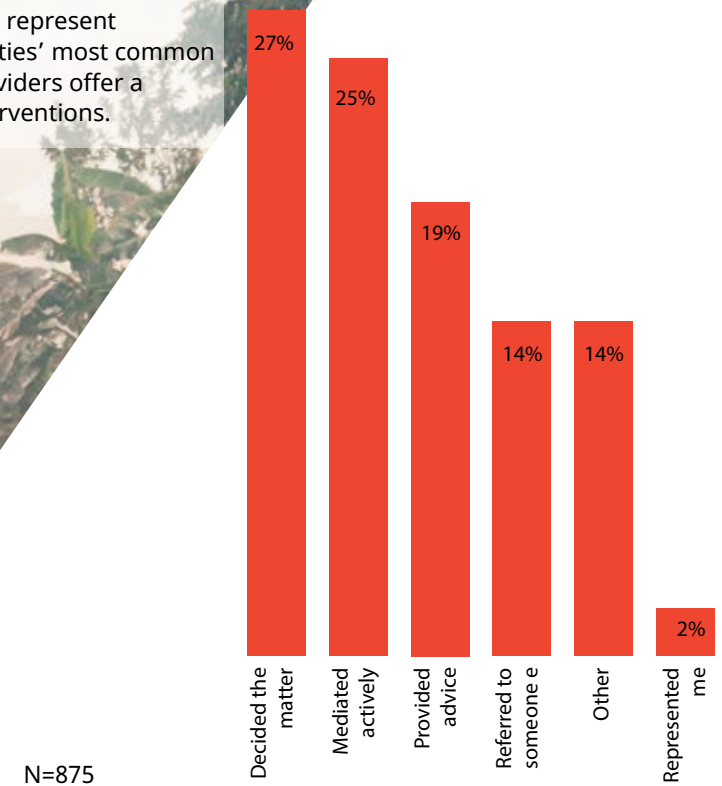


**On average, third parties in Uganda use three types of intervention to resolve disputes.**

Justice providers from people's own social network as well as religious authorities mostly advise on dispute resolution. Formal authorities mostly decide. And LCCs most commonly mediate and reconcile disputes.

These interventions represent respective third parties' most common practice, but all providers offer a combination of interventions.

### Police interventions



### Social network

Besides advising, family members, friends, neighbours, and religious authorities also mediate. Formal authorities

Local, communal, and national authorities, as well as formal courts and police, mostly decide legal problems by adjudication, or help mediate and reconcile disputes. Compared to social networks they do not provide advice as often, but compared to 2015 they are more actively referring problems to other forums.

### Informal authorities

The third group comprises LCCs and religious courts<sup>17</sup>. These institutions frequently use mediation and reconciliation approaches to resolve problems. Sometimes LCCs decide matters, but that is rare.

The below table shows the relative provision of different forms of intervention by the different justice providers.

<sup>17</sup> Absolute numbers of religious courts are very low - only nine times respondents report involvement of such institutions.

	Advised	Mediated	Decided	Referred	Represented
Family member	45%	28%	9%	7%	6%
Friend	64%	15%	4%	8%	4%
Neighbour	49%	24%	8%	10%	3%
Religious authority	51%	26%	7%	11%	3%
Police	19%	25%	27%	14%	2%
Local public authority	23%	31%	18%	18%	3%
National public authority	23%	17%	28%	16%	5%
Community authority	22%	33%	24%	14%	3%
Formal court	10%	30%	38%	5%	5%
Lawyer	25%	21%	11%	6%	35%
Religious court	11%	56%	22%	11%	0%
Local Council Court	24%	39%	17%	14%	2%

### Justice providers with the highest resolution rates

**LCCs and police have the highest rate of completely resolving legal problems.** Providers with more legalistic processes such as **courts and lawyers have the highest rates of ongoing resolution procedures.**

Religious courts have in fact the highest reported rate of dispute resolution: 77% of the problems brought to them are considered completely resolved. However, as discussed, religious courts in Uganda are rarely used to resolve disputes<sup>18</sup>.

LCCs and the police manage to completely resolve more than 40% of legal problems brought to them. The police, however, also has a high rate of unresolved (abandoned)

legal problems, probably because they attend to the majority of crimes in the country.

<sup>18</sup> There might have been an issue of underreporting.





legal problems, probably because they attend to the majority of crimes in the country.

The social network (family, friends and neighbours) and formal courts score similar percentages of resolution (33-37%).

	Completely	Partially	Ongoing	Abandoned
Family member	37%	14%	25%	23%
Friend	36%	15%	16%	32%
Neighbour	36%	17%	23%	24%
Religious authority	30%	27%	26%	16%
Police	41%	12%	21%	27%
Local public authority	32%	14%	32%	22%
National public authority	27%	12%	49%	12%
Community authority	36%	16%	30%	18%
Formal court	33%	15%	45%	7%
Lawyer	27%	15%	52%	7%
Religious court	78%	0%	22%	0%
Local Council Court	42%	13%	29%	16%
Other	31%	10%	21%	38%

Deciding and mediating are the most successful intervention to resolve legal problems

There is quite significant difference in the outcomes of the various dispute resolution interventions. Deciding and mediating are most likely to result in complete resolution. Advice and referral are less likely to do so. Representation is somewhere in the middle but it should be noted that relatively few people say that the provider referred them to another provider (n=250).

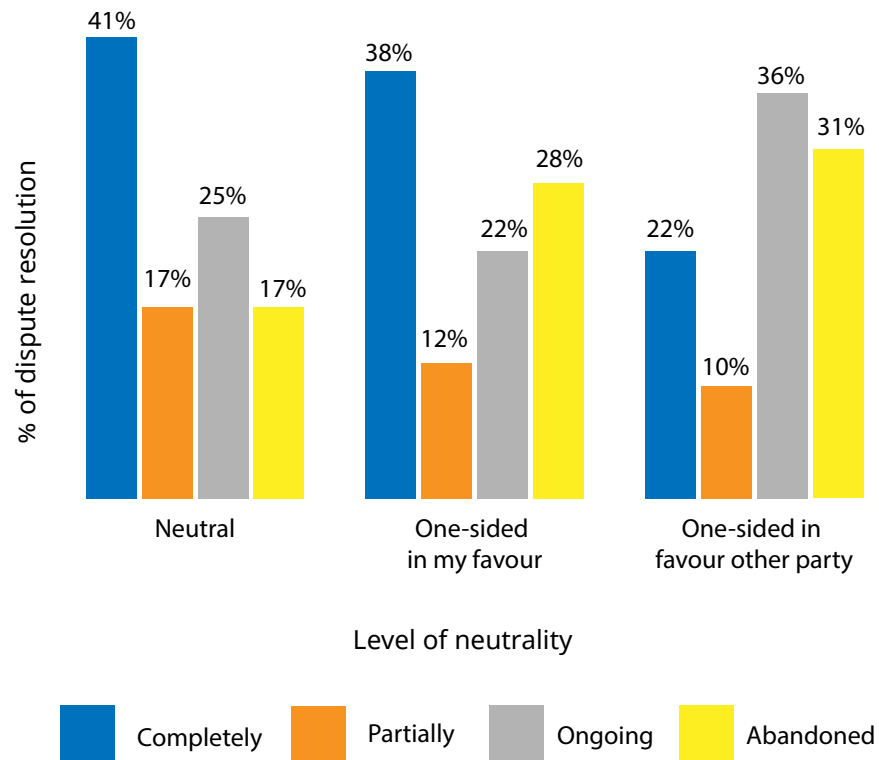
Successful resolution requires interventions perceived as neutral

Third parties that are seen as neutral deliver most often full resolution of the problem. Something similar happens when the third party has been seen as one-sided but acts in favour of the respondent. Compare to neutral third parties in this case there are significantly more disputes which are not resolved and the party does not intend to take other actions (abandoned).

Respondents from Uganda perceive the following institutions as most neutral: Religious authorities, LCCs, community authorities and local public authorities.

	Completely	Partially	Ongoing	Abandoned
Advised	29%	15%	27%	29%
Mediated	45%	16%	23%	16%
Decided	56%	14%	17%	13%
Referred	29%	10%	34%	26%
Represented	35%	16%	28%	22%

### Perceived neutrality



### Summary

Many Ugandans get their problems resolved. Particularly, if they take action. Compared to the previous version of the JNS survey, more Ugandans take action to resolve their problems (around 80% of the people with problems), and there are more people who get their problem completely resolved, and fewer ongoing problems.

When we look at the determinants of problem resolution, we find that the impact of the problem is a key predictor. As the impact of the problem increases, it is more likely that the problem will stay ongoing, without resolution. Ugandans with less impactful problems either resolve or abandoned them.

Bringing problems to court can help resolving more problems, but not too many people use courts. Following an international tendency, less than 5% of the people with problems go to formal courts. Most of the Ugandans prefer to resolve their problems informally, engaging family members or talking directly with the other party. LCCs are somewhat less popular, but they provide fair justice at affordable costs.

More impactful problems also require more dispute resolution providers. People shop around to get a solution. This suggests that there is a challenge of simplifying the justice journeys for those with heavy problems.

# 5

## Costs and Quality of Access to Justice

People who took action to get their problem resolved told us about how they experienced the cost and quality of their justice journey. Recognising that some people may have found a form of resolution without

As mentioned in the introduction, we have mapped people's satisfaction with their justice journeys in three dimensions: The process, the outcomes, and the costs of the journeys.

People's satisfaction with these indicators is measured on a scale from 1 to 5 – not at all satisfied to very satisfied. Ugandans overall satisfaction with the cost and quality of access to justice can then be conveniently displayed in a so-called spider web.

### Room for improvement of resolution processes

When we look at how everyone who got some form of resolution to their problem evaluates the process, we can find where the room for improvement of user-friendly justice is.

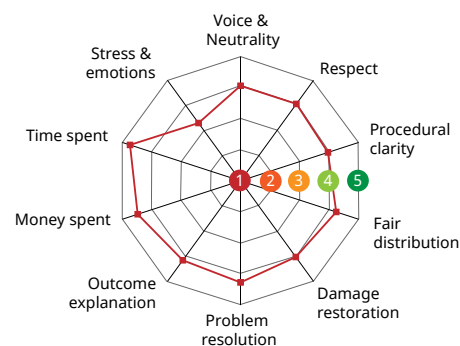
For all the people that took some form of action, it seems that clarity of procedures was one the least satisfying parts of the justice journey, with a satisfaction score of 2.96, as indicated in the following spider web. People find it difficult to understand procedures,

and are not always clear on what the outcome of a resolution process means.





### Process evaluation - all problems



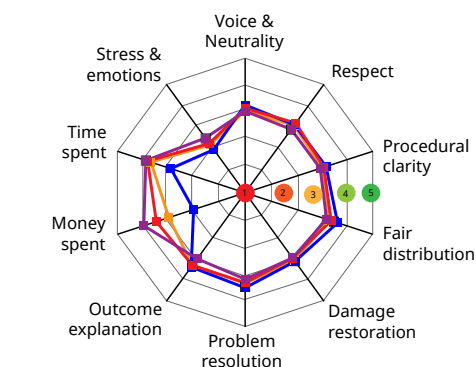
Other parts of people's justice journeys may also benefit from improvements. As discussed earlier, Ugandans experience neutrality of interventions in different ways, with many perceiving procedures as biased and unfair. This is reflected again the spider web, and may relate to the less than positive evaluation of the respect people experienced during resolution processes. .

Ugandans rate the costs of justice journeys more positively, specifically about disputes quickly getting an outcome. People are moderately positive about the money they spent on justice providers, but they are not satisfied with other costs. Particularly,

people see that disputes are being resolved in processes causing unacceptable levels of stress and negative emotions.

Justice providers mostly differ in costs. Courts and lawyers perform slightly better

### Process evaluation by most helpful provider



■ Bilateral ■ Courts & Lawyers ■ Formal authority ■ Community

For most of the procedural dimensions, differences between organised justice providers are minimal. Community-based organizations such as LCCs, religious leaders and so on, formal authorities such as the police, as well as courts and lawyers seem to perform

at similar levels. Courts and lawyers score slightly considerably worse on stress and negative emotions and other costs, and slightly better on fairness of the process.

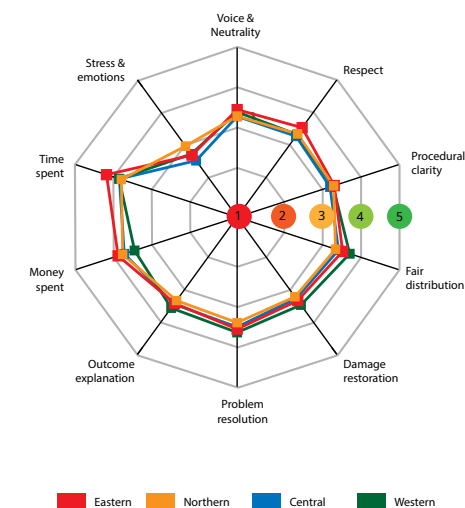
In terms of outcome distribution, courts seem to outperform other dispute resolution mechanisms, which is a bright spot for the formal justice system. However, we have to keep in mind that the formal only serves a limited segment of the population – predominantly, men who can afford it – and also note that problems going to court will likely linger much longer. This is reflected in the low score for time and money spent on courts.

Ugandans rate processes where the bilateral negotiation component was the most helpful one slightly lower than those with organized procedures in every dimension. People realize that these interactions are more affordable and faster ways of resolving problems.

The biggest gap between organized procedures is shown in the money-spent dimension, between the more expensive courts and lawyers, and the more affordable community-based providers. **Are the marginal gains in procedural fairness and outcome satisfaction worth the extra time, money and stress that Ugandans spend?**

### Slight differences between regions

### Process evaluation - regions

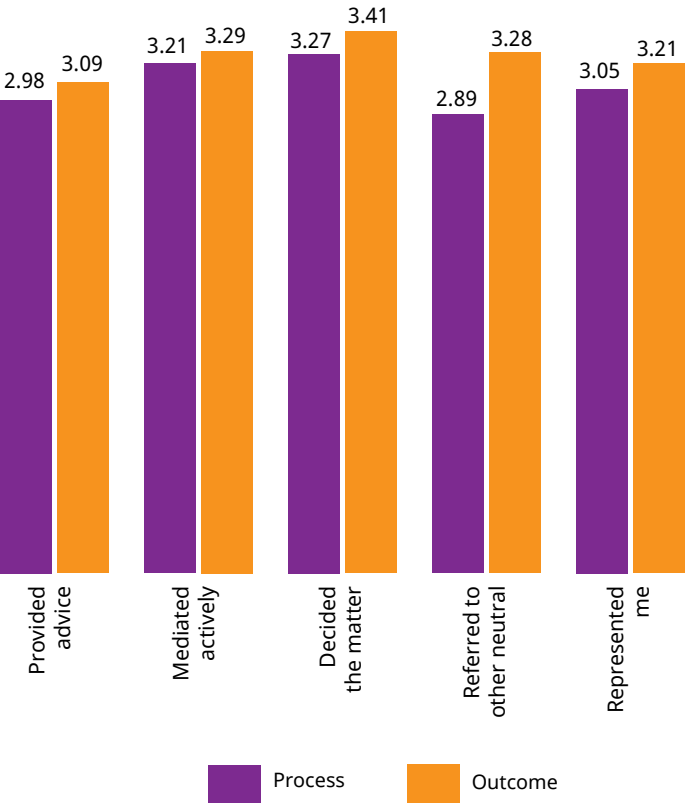


In the 2016 report, we found that when asked similar questions, Ugandans living in the Northern region were comparatively more satisfied with their justice journeys. These differences have been reduced in 2019, but not because other regions are catching up. Rather, Ugandans from the North now give more critical scores to procedures. Eastern Ugandans do report an improvement in terms of respectful process, and the Central region hosts procedures perceived as stressful and producing negative emotions.

Third party decision and mediation most positively evaluated

Following the measures from the spider web graphs, we will go in-depth into the relation between interventions and quality of processes and outcomes.

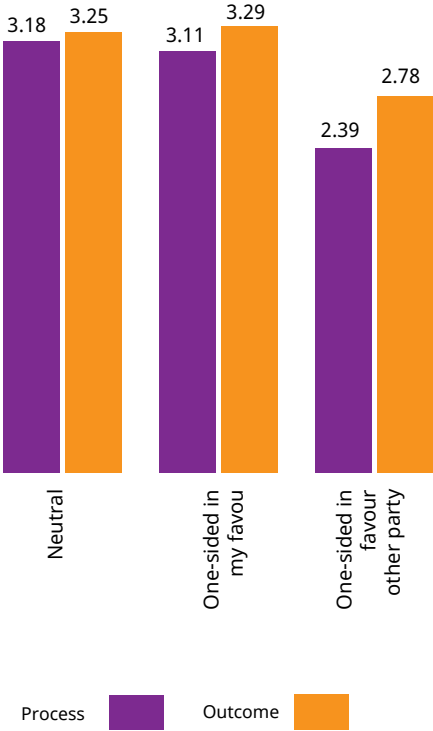
Ugandans rate third party decision and mediation as the better resolution processes. With regards to outcomes, a third party deciding the matter receives the highest score. In this dimension, mediation and referral have almost identical results.



Understandably, people experience the interventions they perceive as neutral or favourable to them, as better in terms of process and quality of the outcome. Interventions that are perceived as biased towards the other party receive significantly lower scores.

Access to justice brings positive change

We want to know how resolving a problem makes the life of Ugandans better, suggesting what is at stake in closing the justice gap. So we asked people what the outcomes of resolving problems were, and how that helped them.

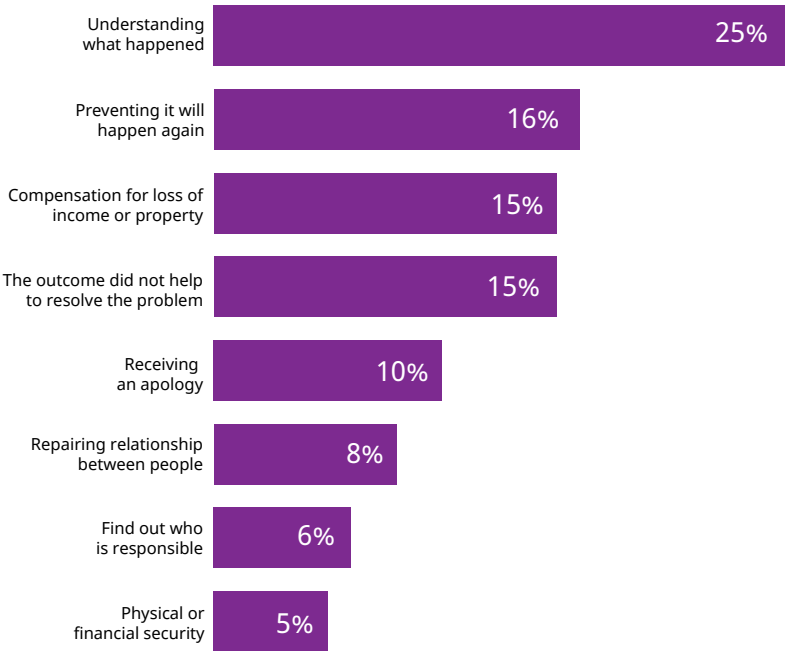


Resolving land problems, for example, may result in fair land ownership, which allows people to invest time and resources in produce rather than dispute. Resolving problems between neighbours leads not only to repaired relations between two families, but can have a positive effect on community relations as a whole.

Resolving employment disputes in a respectful, fair, and efficient manner, may prevent future problems in the workspace, which positively contributes to welfare for both people and society.

The graphs below show how Ugandans feel problem resolution helps them, grouped by type of problem.

How did the outcome help (general problems)

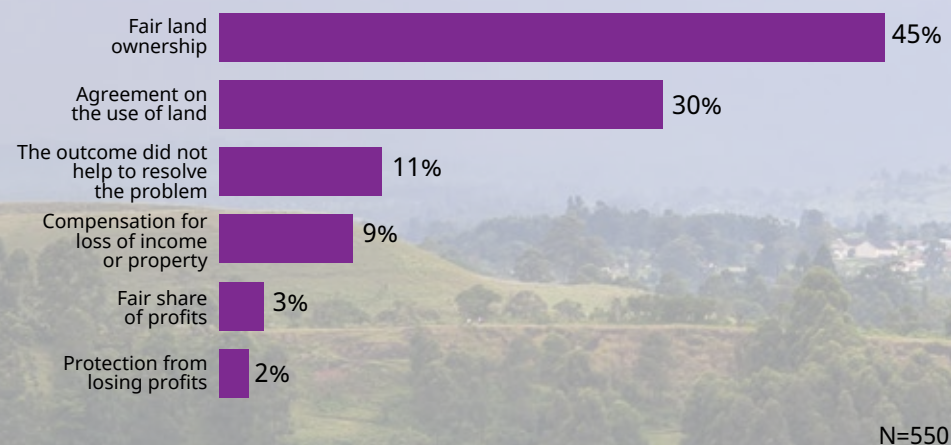


N=437

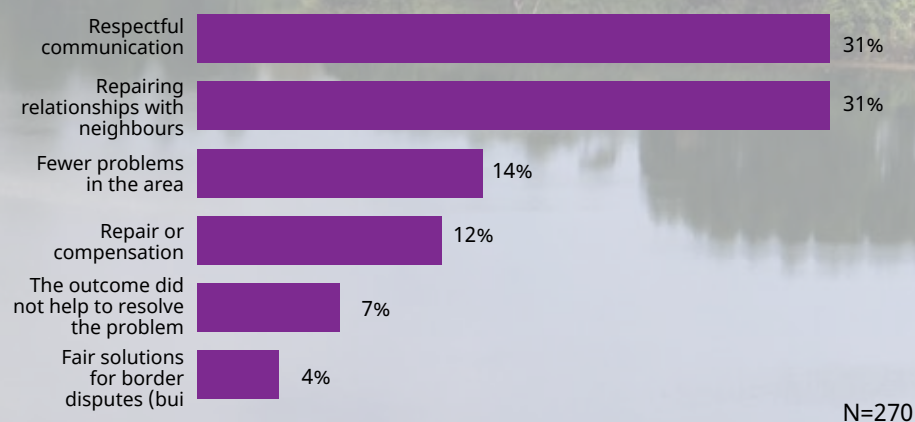




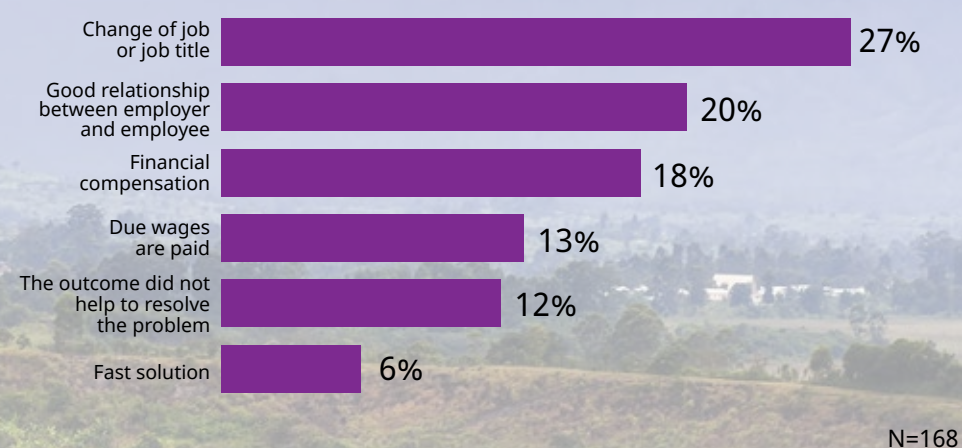
### How did the outcome help - LAND



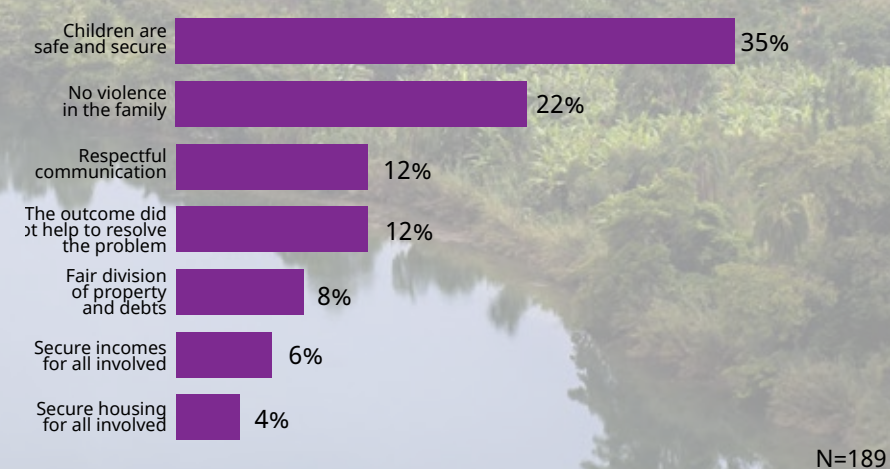
### How did the outcome help - NEIGHBOURS



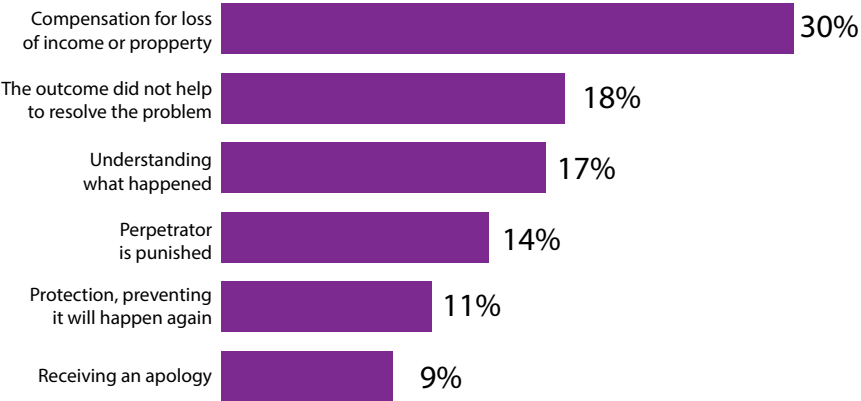
### How did the outcome help - EMPLOYMENT



### How did the outcome help - FAMILY



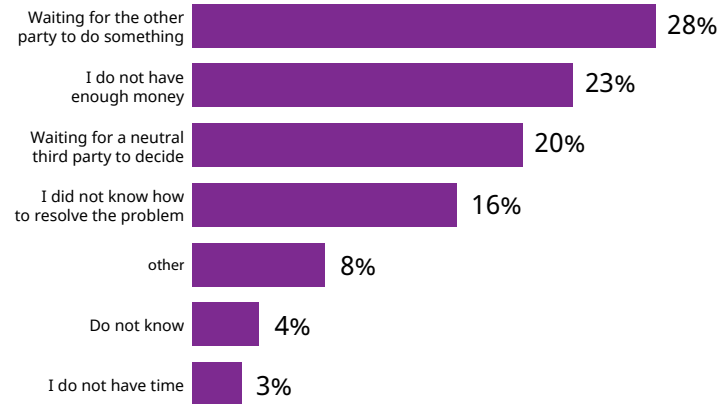
How did the outcome help - CRIME



N=355

Ongoing problems require the other party to be resolved and risk spin-off problems

Why is the problem ongoing?



N=1113

In general, having an outcome helps to overcome a problematic situation and has a variety of positive knock-on effects. We see that in approximately 10% of the resolved legal problems, outcomes did not help people in any way. This means that in 90% of the cases, resolution brings some positive change. Repairing relationships in one form or another, appears among the top three of such positive change.

The two main reasons that problems remain ongoing are disengagement of the other party involved in the problem, and a lack of money to continue pursuing a legal resolution. In one of five problems, resolution is not yet achieved because the process is stuck at a third party procedure.





Above we showed that people with ongoing difficult problems go through long processes hoping for resolution. Around 30% of them say the problem is likely to be resolved, but 22% feel it is at least unlikely to achieve a resolution. The majority of those who feel resolution is likely, expect it in the next 12 months. But some people foresee more than two years of waiting. Especially for some types of problems, this means a great risk of new problems spinning off from ongoing problems.

Problem Category	Percentage of people with ongoing problems who expect an additional problem because of it <sup>19</sup>
IDs	76%
Social Welfare	76%
Domestic Violence	72%
Family	72%
Land	66%
Crime	59%
Neighbours	55%

For family-related and public service-related problems, having an ongoing problem will most likely unchain an additional problem.

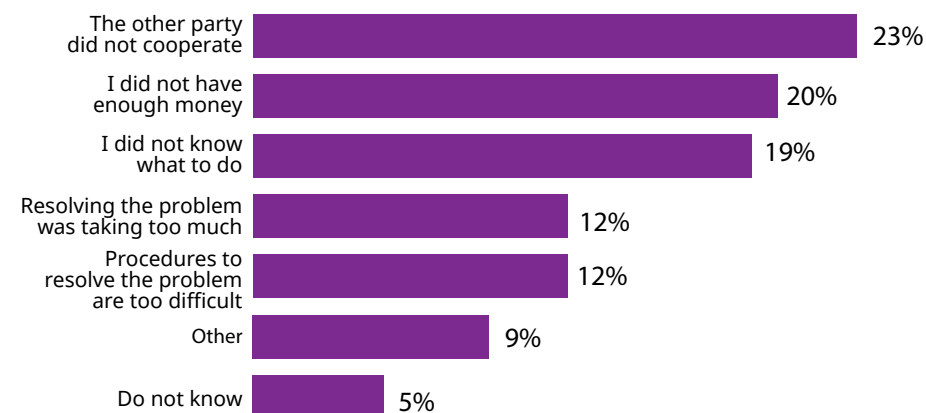
<sup>19</sup> Sum of categories likely and very likely.

The same goes for people with ongoing land problems. Therefore, there is an urgent need to find fair solutions for those who have an ongoing problem.

### People abandon problems due to a lack of cooperation between parties

We want to know more about the reasons and eventual consequences of abandoning problems without a fair resolution.

### Why is the problem abandoned?



People abandon problems, because of a lack of cooperation from the other party, and lack of money. That the problem is taking too long is not one of the main reasons, and neither are overcomplicated procedures.

The overall picture is that people who abandon problems need the collaboration from the other party, and financial support is needed to move these problems towards a fair solution.



Problem Category	Percentage of people with abandoned problems who expect another additional problem because of it <sup>20</sup>
Domestic Violence	58%
Family	57%
Land	57%
Social Welfare	56%
Neighbours	49%
Employment	41%
Crime	40%

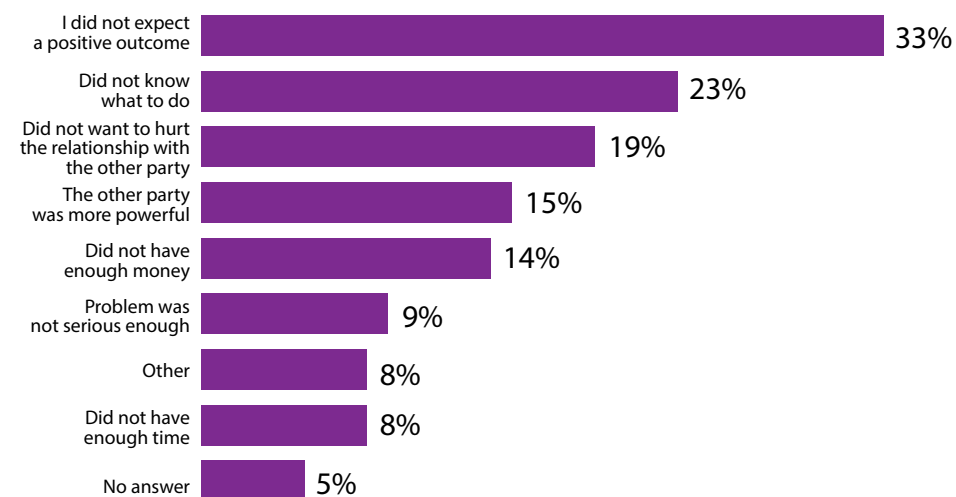
Ugandans who abandoned their most serious problem without hope for resolution also see it likely that they would experience an additional problem because of it. For those with family-related and land problems, more than half of them expect another problem on top of the abandoned one.

#### Reasons for not taking action: Lack of hope and knowledge

People who do not take action rarely resolve their problems. These people did not talk to the other party and did not engage a third party.



#### What were the reasons for not taking action?

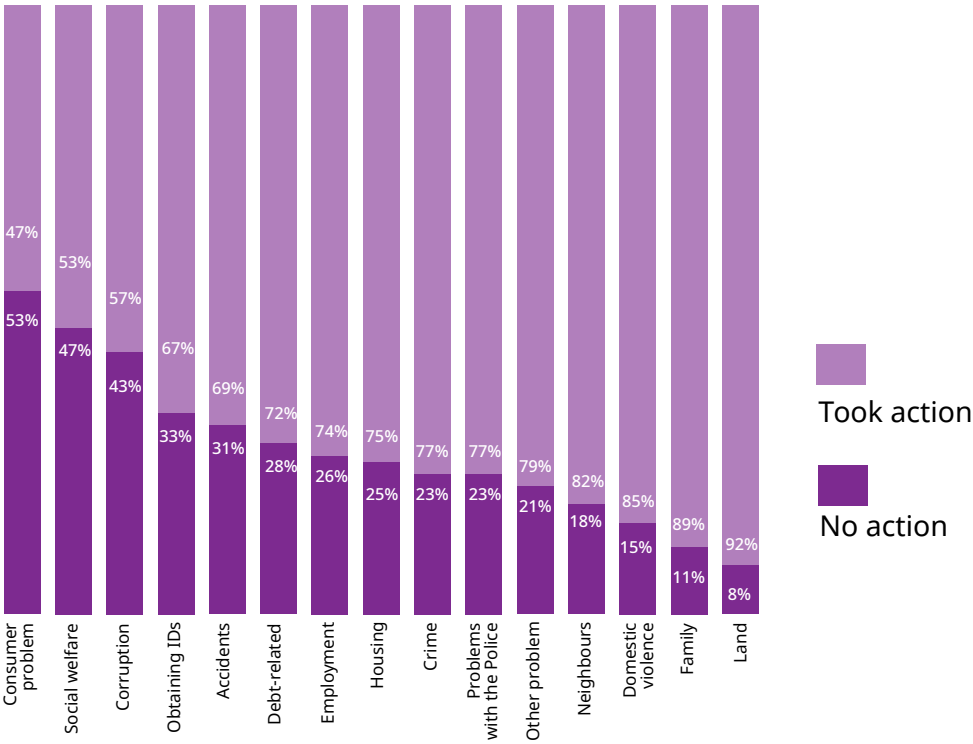


More than 50% of the people who did not take action told us that the reasons were not expecting a positive result or not knowing what to do. For almost 20% of them, maintaining personal relations was a reason to take no action. A slightly smaller percentage of people told us they took no action because they felt powerless, either because of financial or societal reasons.

N=1007

<sup>20</sup> Sum of categories likely and very likely.

Taking action by problem category



People are more likely to take action when dealing with highly impactful problems, such as land, family, and domestic violence. For important problems related to, for example, obtaining IDs, social welfare, or corruption, people seem to take action less often.

N=5159

Summary

In general, we find that Ugandans go through stressful procedures and pay the mental cost of experiencing negative emotions, in particular when dealing with lawyers and courts. Nonetheless, there is satisfaction in the quality of the process and the distribution of outcomes when courts and lawyers are involved. People rate community-based mechanisms such as LCCs not too different from courts and lawyers, but in terms of costs, the former outperform the latter.

At the level of interventions, people say that third party decisions and active mediation between the parts are associated with better procedures and outcomes.

Getting a resolution for problems does not mean resolving the problem. Around one in 10 Ugandans who get an outcome do not consider their life improved because of the outcome. For the great majority, getting an outcome means relationships are restored and damaged addressed.

Hopelessness and the lack of collaboration from the other party make problems stay ongoing or become unresolved. There is a clear expectation that having an ongoing problem will end up producing other legal problems, which will stack on top of each other.



## 6. Story of John's Land Problems

In our study on justice needs in Uganda, we spoke to John. He told us an exemplary story about having and resolving a legal problem about land-use.

*During the war, we had to vacate our two pieces of land. After the war, we went back and found someone had encroached our other plot. One piece of land had a title, so there were no problems with that. However, we also had about six acres of untitled land, which someone had encroached.*

*The man who originally had sold this land to our father had died. By default, since this was our father's land, it became our [the children's] land. It was accepted even officially and legally. Now this man said that he also had inherited the land, [that he] was the new landlord and claimed he didn't know us. We wanted to prove that we are the legal owners. The first approach we took was to explain him our story. Therefore, we started by communicating to him. He showed a lot of interest and he appeared to be assisting us but secretly he was doing the opposite.*

*Eventually, we discovered by hearing rumours that he had already sold our land to three people. The land was cut into pieces, although there were people were still working on the land. Immediately we went to area land committee.*

*We wanted to remain in good reputation*

*in our village, as we wanted to induce the development in the area. We could not do anything that could have tarnished our name. We wanted to remain friends even with the people who were after our land. First, we tried to talk to them. This was a failure, so we determined that the proper approach is to go to the area land committee.*

*I still praise the area land committee. They called a meeting with us, the people grabbing our land, and the villagers on the very site. Before the meeting, they went around the village and interviewed all elderly people who were alive at the time. They got at least twenty-five names, each one writing a document and signing it, acknowledging that they knew the land was originally ours. They even got a witness who was a neighbour to us before the war. He had migrated elsewhere but he was also called and he came in to testify in the meeting. The land committee presented their findings, and the evidence was on our side.*

*The land committee judged the case in several verse. Since the other party had sold our land, they were advised to compensate those who had bought the land from them. Those who had bought the land, two of them were also present in the meeting. The third one who was not, but he was also informed that they should just go back and*

*they will be paid back either by giving their money back or being given another plot of land. So, we got back our land.*

*In this particular case, going to the area land committee was a necessary thing to do. These people are on the ground and they know the long history of the area. Both in information and in ability, they were the right people to help us. So, it was the right step we took and we wouldn't have considered something else unless this one was exhausted. Many don't go land area committee. Some because of ignorance and others are threatened. There are many other reasons. But they should do it, because going to area land committee is cheap enough. It's not like going to court.*

*Now I am relaxed but certainly, it has taken a long series of steps to get here. These people didn't stop there when we defeated them. They have tried several other means of getting the land but we have succeeded in retaining the plot. It has not been a short or easy journey. We intended to have excellent relationship in the whole village because we want to establish business there. We also wanted to keep in touch with the authorities right from the first level of LCC. In the end, we were keeping in touch with them, and they were following what was happening. I'm happy that we managed to remain in good terms with the community, LCCs, police and even with the very people that were grabbing our land.*

*The loss or gain in these cases depends very much on the knowledge. For example, when we were determining our course of action, we went to see the minister of lands and she gave us one strong advice. She advised us to never let that land free, so that the other party couldn't start working there. It*

*was also vital that wherever we went, when people asked about our case, we would always claim it to be ours. This advice did wonders for us.*

*When having problems like this, it helps when there's enough communication or consultation. Taking the case to many areas helps. We went to area land committee, and that we went to the LCC. He was aware of our case, although he was more on the side of the people who were getting our land. It was because those people were more established and they were bucked. Nevertheless, it was important that we went to inform them and area land committee, as well as the police. So, they all advised us. For example, when these people came back and tried grab our land again through claiming that somebody has sold it to them, we went to the police.*

*They advised us that first we need to go and make a confirmation and not depend on rumours. They advised that we should go and see the LCC. So, we went to see the LCC and he confirmed that the transaction took place. That was an important advice. Then when we went back to the police, who said that "OK, now write a letter to whomever it may concern that you are not allowed to buy that land from anyone else because nobody has authority to sell that land, whoever buys it, buys it at his own risk". We made that document and we circulated it. This information on how to proceed was given to us because we were contacting the relevant authorities to give us the right advice. If we had failed to carry this out, perhaps we would've lost as in the end we would have nothing to say, if no communication was made. Even when you go to the court, the court depends on the documents.*



# 7

## Legal Information and Advice

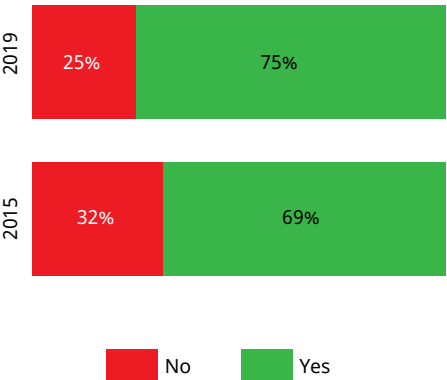


After experiencing a legal problem, access to information and advice is an important step towards a successful resolution. Denied or limited access to legal advice can cause one to end up navigating the justice system without knowing where to go. Improving access to justice with user-friendly services may begin by understanding whether people have the information they need to resolve a legal problem. In this chapter we examine how Ugandans seek and receive such information.

Majority of people with a problem seeks legal advice

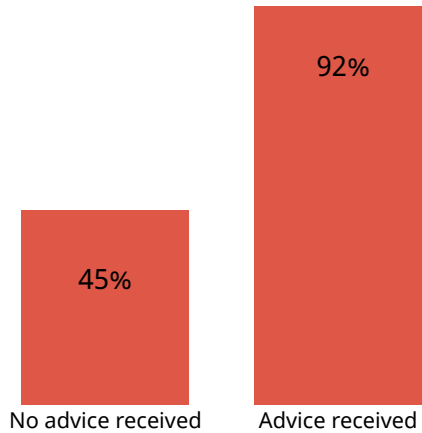
The majority of Ugandans (75%) look for advice after experiencing a legal problem. This is more often than in 2016 (around 70%). When looking at demographic groups, women (77%) seek advice slightly more often than men (73%). People with a high income are more likely to seek advice (80%) than people with medium (72%) or low (77%) incomes.

Did you look for legal advice?



Advice and action go hand-in-hand, meaning that people who seek and receive legal advice, are also more likely to take legal action.

Legal advice and legal action go hand-in-hand



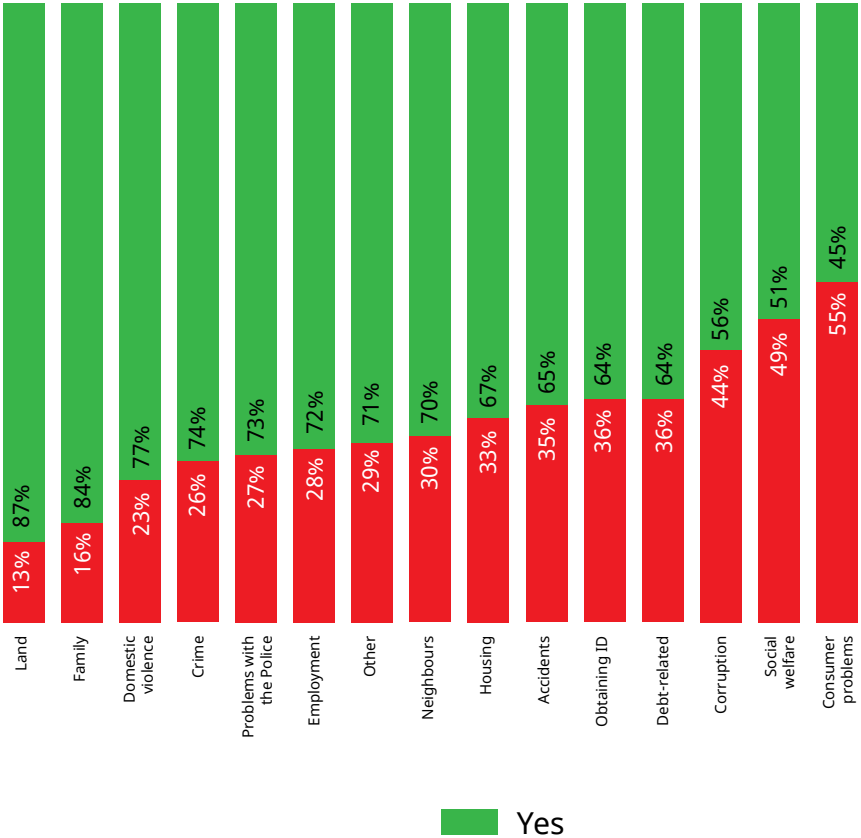
Legal action taken

N = 5159

For what problems do people seek advice?

People seek advice differently for different problems. Advice is mostly sought for the most serious legal problems in Uganda. Advice is sought most often in the case of land problems: 87% of the people with a land problem seek legal advice. On the other hand, consumer problems, problems with social welfare, and problems with corruption often linger on without people seeking any advice.

**Did you look for legal advice?-  
Specific problem types -**



N = 5159

As examined in chapter three, problems with an impact above average are family, problems with the police, accidents, employment, domestic violence, land and corruption. The impact score of the problem<sup>21</sup> does not affect whether advice is sought; advice is being sought for the most common problems, not based on the average impact of the problem type.

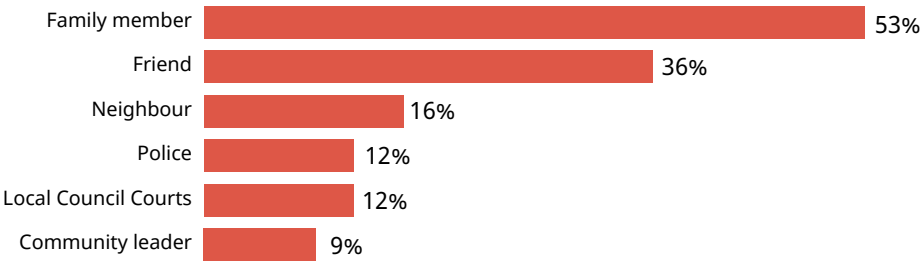
**Advice is often sought from personal networks**

Most often Ugandans seek advice from people in their personal network: family, friends and neighbours. Police and local council courts are contacted for advice only in 8% of the cases. People who contact LCCs for advice have mostly land and neighbour problems, while the police are contacted mostly for advice in crime matters or accidents.

<sup>21</sup> For a full analysis and explanation of the impact score, see page 58.



Who did you ask advice from?



N = 3874



On average, people seek advice from 1.5 providers.

Type of advice per provider

People seek advice from different providers for different problems. Police, for example, are most commonly consulted about crime related legal problems, while lawyers are usually asked for advice on



problems of land-use. Numbers in the graph below represent the percentage of people who consult each provider, based on the type of problem. Meaning, for example, that 37% of those who consulted the police had a crime problem.



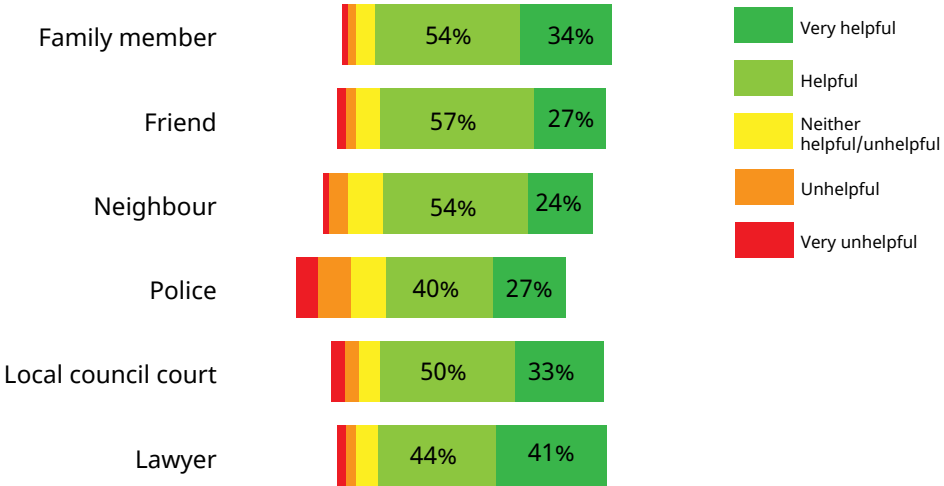
Advisers also provide different kinds of support. Personal networks provide help especially by giving emotional support and advice on how to proceed with the case. Formal advisers, such as police and lawyers, provide help by preparing documents, advising on legal rights and options, and helping to reach out to the other party. LCCs and community leaders have a guiding role in the community, as they often provide help by advising on where to go to resolve the problem.

Legal advice is helpful

In general, people find legal advice helpful. All the most common advisors were evaluated as helpful. The most critical evaluations were for the police. Majority of the people who evaluated police as unhelpful had experienced a legal problem related to crime or land.



How helpful was the advice?



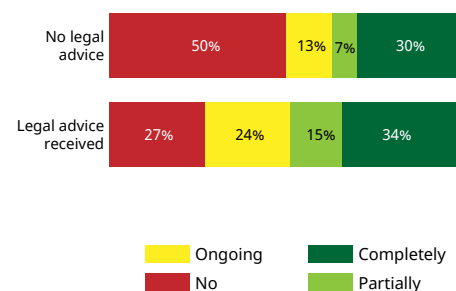
N = 4951

Legal advice can significantly increase chances in finding a resolution for the problem. Especially people with problems related to land, domestic violence, neighbour problems, employment, family, crime or debt greatly benefit from access to advice.

Obtaining advice does not guarantee a complete resolution. The rates are very similar between those who did and did

not get legal advice. However, it greatly reduces the possibility of not achieving any. Half of the people who did not receive information and advice were also left without a resolution to their problem. It may be the case that legal advice helps people identify for which problems it is worth pursuing action.

### Resolution rate of problems

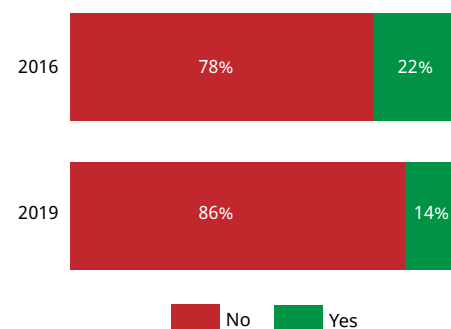


N = 5159

### People barely use public sources of legal information

While people often seek personalised advice, sources of public information<sup>22</sup> are far less utilised. Only a little over one in ten people make use of publicly available sources for legal information. Public sources of legal information are consulted mostly by people with a land problem.

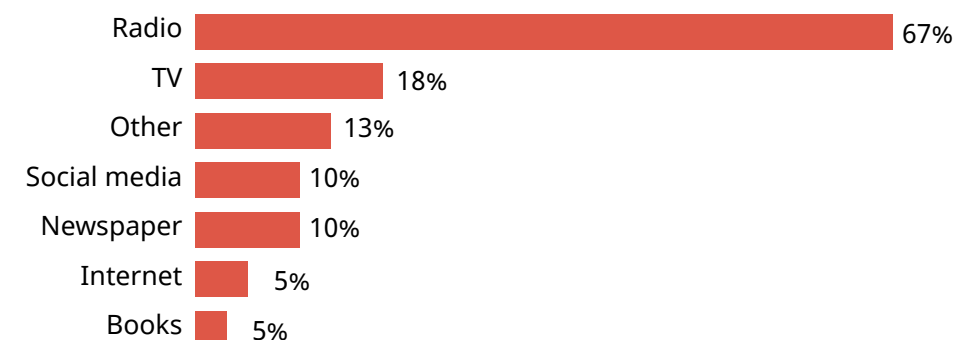
### Did you use public sources of information?



Out of people who do seek information from publicly available sources, a clear majority listens to advice from the radio. Searching information from internet or printed media, such as newspapers and books, is far less common. Every source of information is generally evaluated as helpful.

For some problems, information is sought more actively. Public sources of legal information are consulted most actively by people who have problems related to employment, domestic violence, and obtaining IDs.

### Where did you find information?



### Legal Hub Uganda

*In 2017, a group of young lawyers created this innovation. One of the most attractive services they offer is a podcast that increases legal awareness across the country. They identified that people prefer the radio to get information. They realized that radio shows required big upfront investments. To tear down that wall, they use technology available in every computer, allowing them to create relevant content in digital audio format that can be distributed across the country, using local radios to amplify the message.*

*In 2019, Legal Hub won the Innovating Justice challenge regional finals of East Africa and they participated in the Innovating Justice Forum in The Hague, The Netherlands in February 2020.*

<sup>22</sup> These are radio, TV, social media, newspapers, internet or books/brochures.



### Summary

More Ugandans seek legal advice now than four years ago: 75% in 2019 compared to 68% in 2016. People who get legal advice are more likely to take action to resolve their problems. Importantly, they are more likely to get their problem resolved.

People facing land, family or domestic violence problems seek for legal advice at higher than average rates. The majority of people seek advice from their personal network.

Few people look for legal information through public media. When they do, they turn on the radio. Radio shows portraying legal matters are popular in Uganda.





# 8

## In-Depth: Legal Problems of Women in Uganda



This chapter maps out the justice journeys of women. As women around the world, from North to South and East to West face obstacles to equal opportunities and rewards, we wonder what the situation is for Ugandan women having legal problems. Hence, this chapter offers comparisons between what women and men told us about their experience with legal problems and resolving them. -

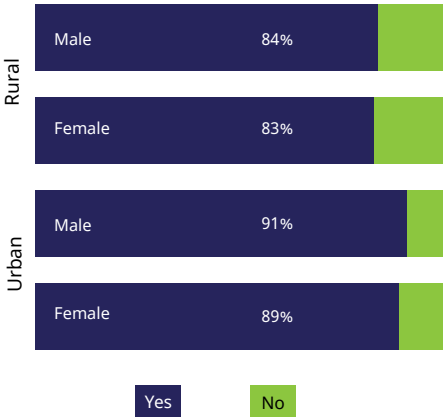
Women are more vulnerable

In general, Ugandan women have a relatively lower level of education compared to men, are more likely to be married, and do not have paid work as often as men do. This indicates their weaker economic and social position in the society and vulnerability to experiencing legal problems and consequences.

More vulnerable women are less likely to identify legal problems

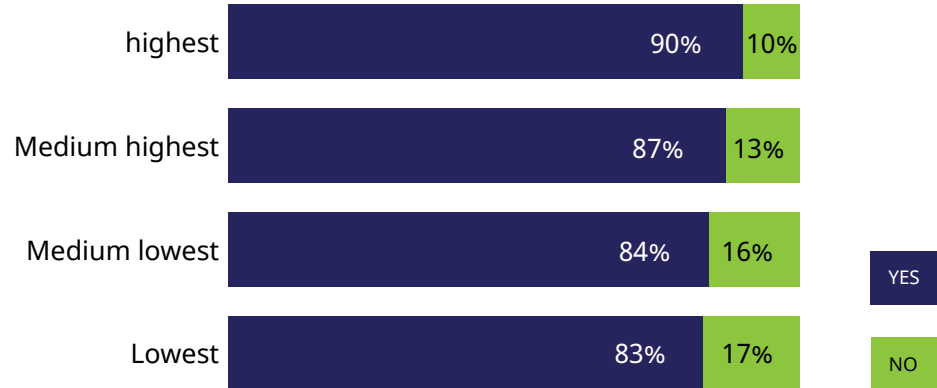
During the past four years, eight out of 10 Ugandan women experienced problems that were resolvable by legal means. Rural women and women with lower education are slightly less likely to report problems. This might indicate underreporting, but also lack of awareness about what constitutes a legal problem.

Prevalence of problem by rural-urban



N= 6129

Prevalence of problems among women by income group

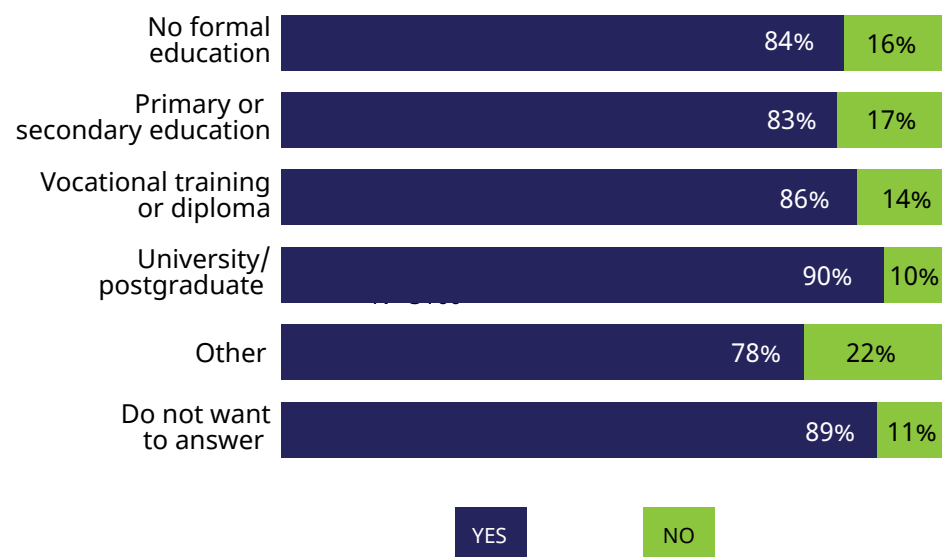


N= 2721

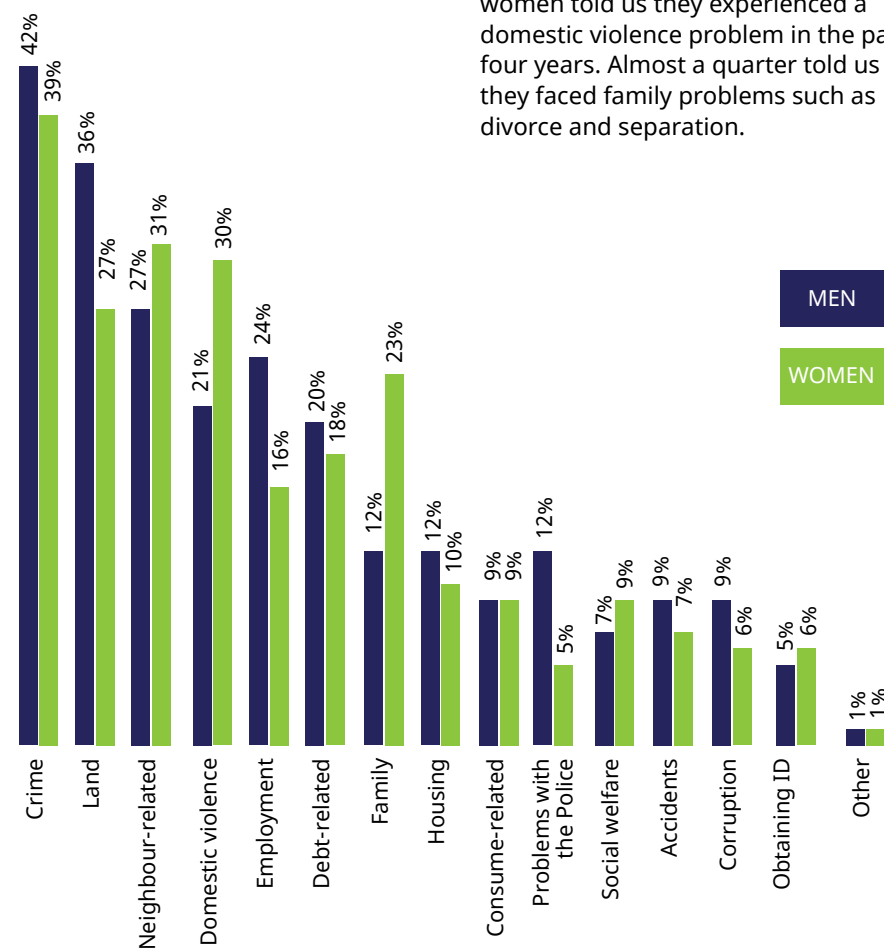




### Prevalence of problem among women by education



### Domestic violence more targeted against women



Women are more likely to experience domestic violence and family problems in general. Almost a third of the women told us they experienced a domestic violence problem in the past four years. Almost a quarter told us they faced family problems such as divorce and separation.

### Domestic violence and family problems are also among the most serious problems of women

In general, land is the most serious problem reported by both men and women, but it has higher prevalence among men. On the other hand, more women (14%) face domestic violence and family problems as their most serious problems. Particularly domestic violence is so common that almost every day it appears in the Ugandan news reports. In a 2006 study, the Uganda Law Reform Commission cited by UN Women found that 66%

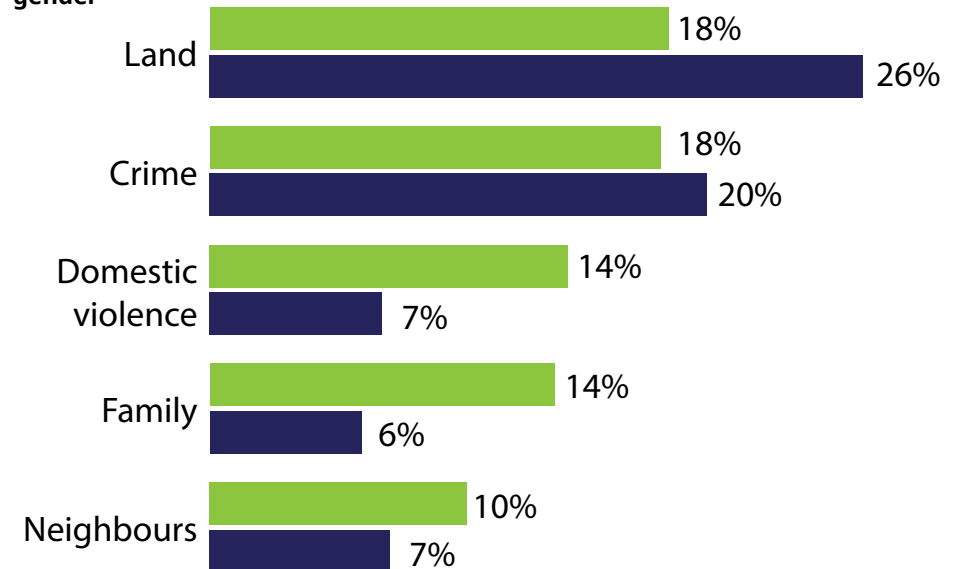
of Ugandan women had experienced some form of domestic violence<sup>23</sup>. Domestic violence has a manifold impact on women's life, from affecting their mental and physical health to limiting their ability to participating in family and public life.

Therefore, domestic violence is the focus of this chapter.



<sup>23</sup> UN Women 2016 Gender Bench Book.

### Most serious legal problem by gender



N=5159

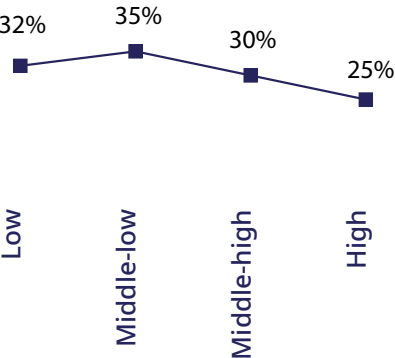
### Women with low education suffer from domestic violence

A higher percentage of women with primary and secondary education report domestic violence in comparison to those who have graduated from a university.

### Poor women are not necessarily more vulnerable to domestic violence

There is a small but important difference when we look at how women in different income groups face a domestic violence problem. For the poor and middle-income women who have at least one legal problem, around a third in each group experience it. For richer women, it is a quarter. Therefore, it is a widespread issue in the society.

Women experiencing domestic violence by income level



N= 2329

Ugandan women told us that physical and emotional abuse (48% of them in each problem) are the most common forms of domestic violence, followed by intimidation and economic deprivation<sup>24</sup>.

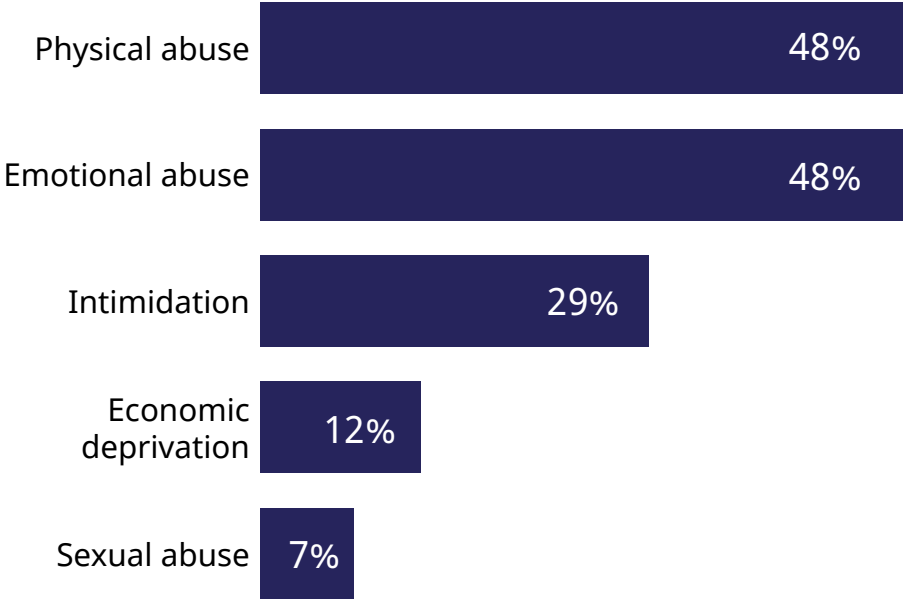
<sup>24</sup> This means, a situation in which a partner denies access to financial means (money, assets, credit) as a mean of control.

<sup>25</sup> Un Women 2016.

A possible reason for the lower percentage of sexual abuse cases is the underreporting. Furthermore, courts in Uganda do not consider marital rape as crime<sup>25</sup>. Looking at differences between rural and urban communities, more women from rural areas (29%) report economic deprivation as their most serious problem, in comparison to women living in urban areas. Relatively more urban Ugandan women reported intimidation as their most serious problem (13%).<sup>26</sup>

<sup>26</sup> Percentages in the chart sum up to more than 100% because people can report more than one problem in the overall domestic violence category.

Most common domestic violence problems of women



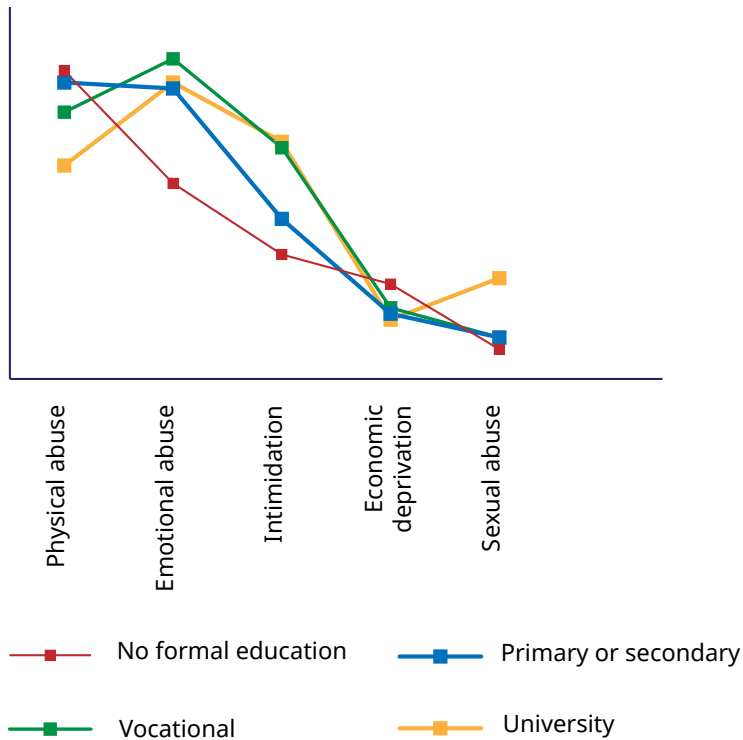
N=782



Physical and emotional abuse are the most serious specific problems of Ugandan women

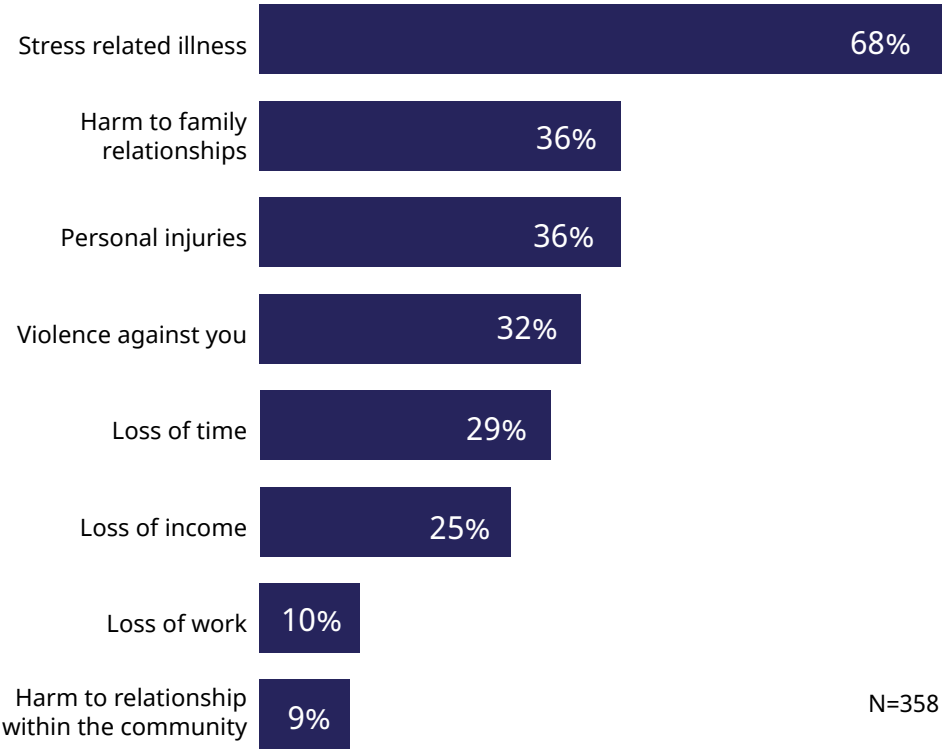
Women from different income groups and with different levels of education report different types of domestic violence as their most serious problem.

Commonly occurring domestic violence problems



Domestic violence causes harm to family relationships, personal injuries, and violence against Ugandan women

Domestic violence has a diverse impact on Ugandan women's lives. It not only affects their mental and physical well-being but it also has a negative effect on income, job and relationships within family and community.



N=358

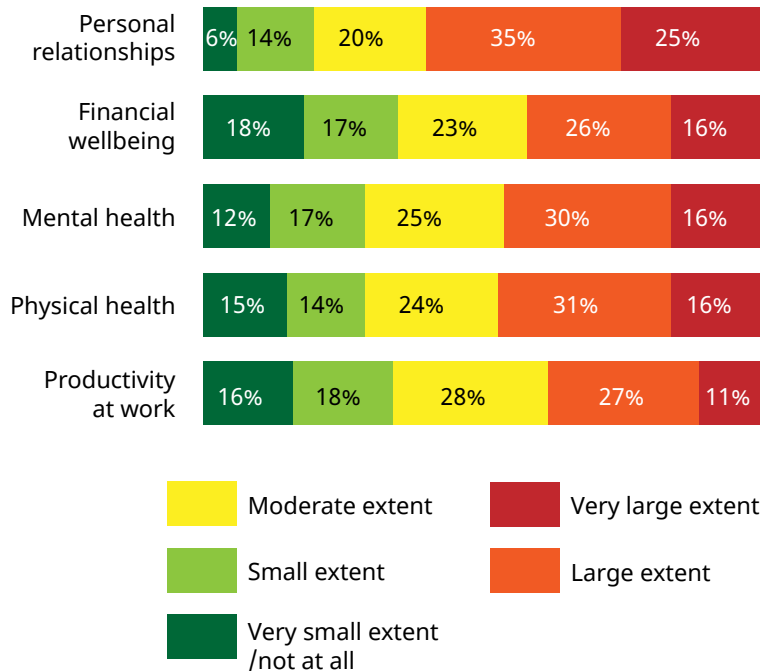


*"Divorce is a journey. It's a painful one and it takes a toll on even the lawyers and, of course, children especially. Many times we don't see them during the process. It takes a toll on both parties. They just want to get done with it"*

Expert interview



### Impact of domestic violence on women



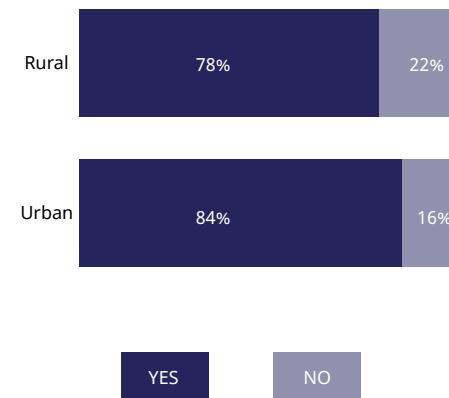
N=374

In general, more women look for legal information and advice than men

Legal advice and information is one of the most important steps in resolving a legal problem. Competent and timely advice may lead to a relatively better and quicker problem resolution.

Women experiencing domestic violence seek legal information and advice relatively often, although rural women less than urban women.

### Did you seek legal information and advice (women with a domestic violence problem)?



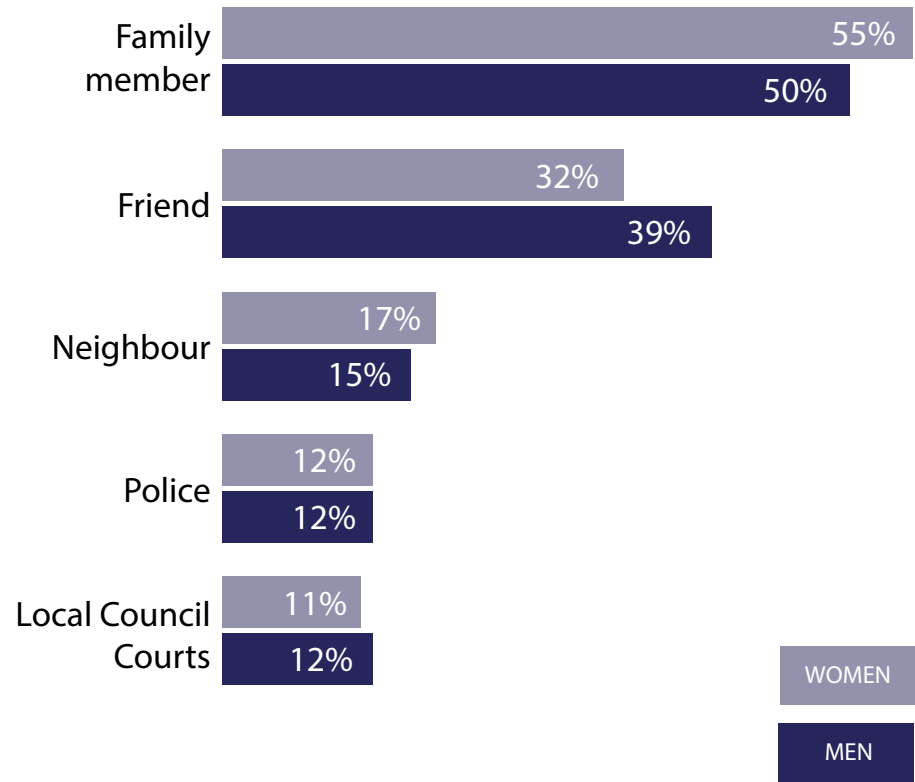
N=374



Family members are the most common source of legal advice for Ugandan women

About half of the men and women contact family member for legal advice.

Who did you ask for advice?



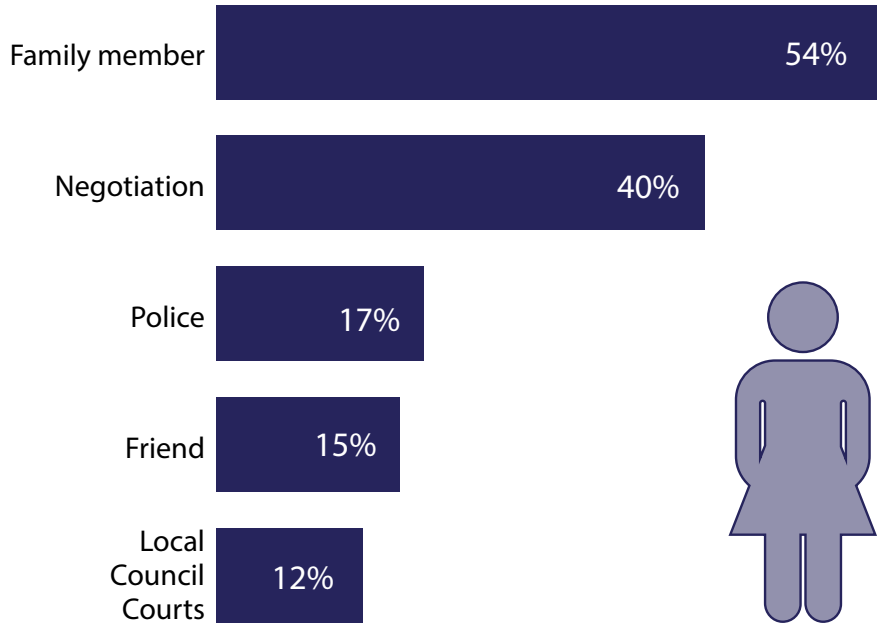
N= 3874

Around two thirds of women with domestic violence problems who sought legal advice approached a family member (64%). They almost never contact lawyers, paralegals, or legal aid organisations.

8 in 10 Ugandan women take action to resolve their legal problems

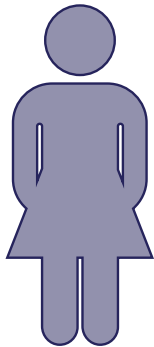
Taking action is an important step in the process of resolving a problem. Here we will focus on the paths women take to resolve their problems.

Most common justice providers for domestic violence



Women try to resolve domestic violence engaging family members

Ugandan women try to resolve their domestic violence problems mostly engaging family members and directly addressing the issue with the purported offender. The police is the most commonly approached state institution for this matter.



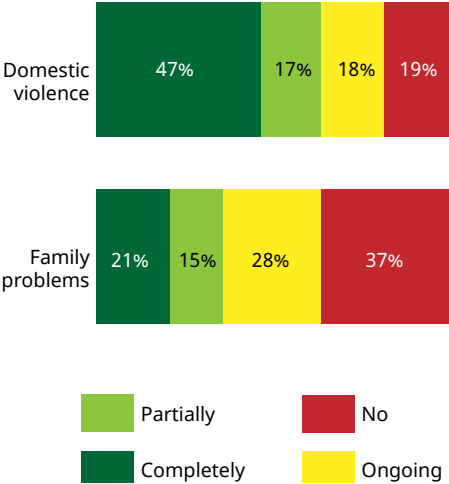
N=324



Domestic violence can be resolved

Almost half of the women whose most serious problem was domestic problem were able to completely resolve their problem compared to one in five women who reported family problems as their most serious problems. Also 37% women who experienced a family problem could not resolve their problem as against 19% women who experienced domestic violence in any form.

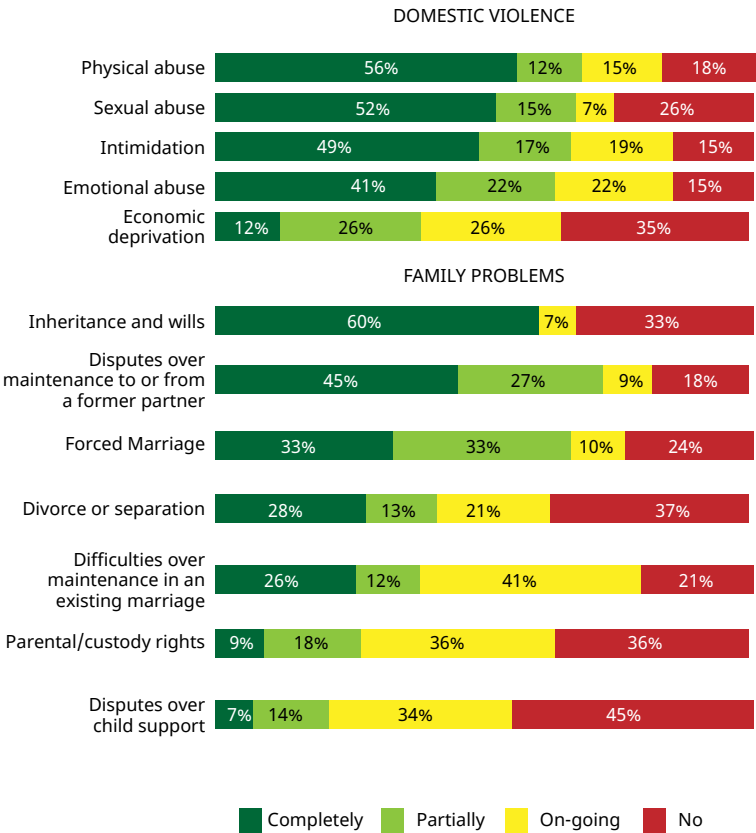
Resolution rate for domestic violence and family problems among women



N=734

Problem resolution rate for specific domestic violence and family problems

Almost 40% of third party interventions to resolve domestic violence problems involve the provision of advice. A third of the interventions involved active mediation.



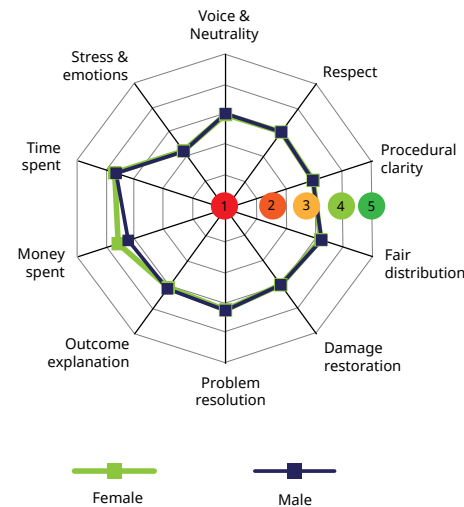
N=734





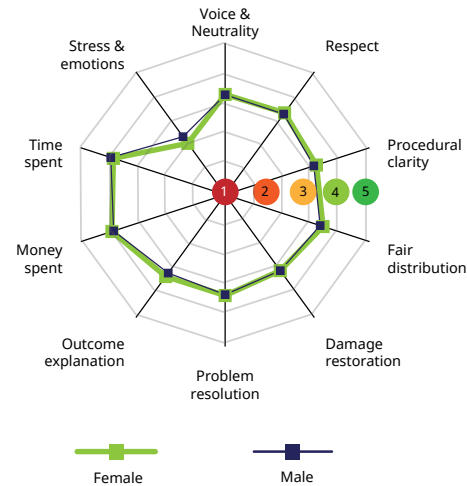
Costs and evaluation of the justice journeys similar between men and women

### Process evaluation - all problems of women



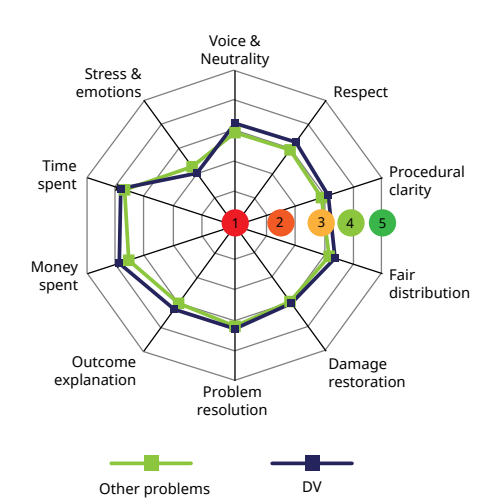
On average, when we take all problems together, there are little differences in terms of how men and women rate their justice journeys. The only apparent difference lies at the level of money spent, with women spending less money for justice, probably because they tend to keep resolution at the level of personal networks.

### Process evaluation - Domestic Violence



If we focus only on domestic violence, we find that women rate their journeys slightly better than men do, with the exception of suffering more stress and negative emotions costs. This signals that domestic violence resolution mechanisms might need to account for women's emotional needs. But the actual comparison is, for women, how domestic violence resolution mechanisms fare compared to other problems.

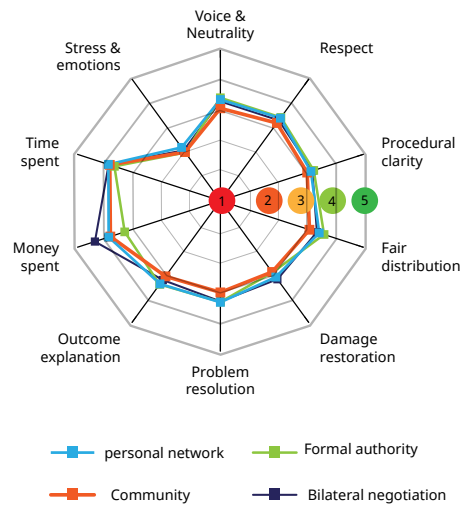
### Process evaluation - Domestic Violence vs other problems



The graph above shows that when comparing domestic violence procedures and journeys to those for other problems, it seems more positive for the former. There is more empathy, more respect and voice in the procedures. Outcomes are better explained and restore damage more often, and as we saw before, the resolution rate is higher, making this a bright spot for Uganda. Still there is room for improvement as the value in every dimension is still below four, which is considered as good, and in particular, about the stress and negative emotions associated with domestic violence procedures.



## Process evaluation - Domestic violence by provider type



In general, different justice providers differ mostly on the monetary costs of justice, being formal authorities, such as the police, the one receiving the most critical scores. Community based mechanisms seem to be outperformed in the quality of the outcome, such as fair distribution and problem resolution.



### Summary

There are certain categories in which women are more prone than men are to having problems. Particularly around neighbour-related disputes, domestic violence and family problems. Still, land and crime are key issues for women as well.

Suffering from domestic violence issues is not a matter exclusive for the most vulnerable Ugandan women. As much as a third of poor women report it, and the proportion is a quarter in richer segments of the population. Physical and emotional abuse are the most common specific forms of domestic abuse. Still, physical abuse occurs more often among women with no formal education and less among university degree holding women.

Domestic violence has a strong negative effect on women's lives, particularly on personal relationships, physical and mental health. Urban dwelling women are more likely to seek legal advice when facing a domestic violence problem.

The most common justice providers are family members, the police, friends and LCCs. However, women also engage in direct negotiations with the other party.

The majority of domestic violence problems get a resolution. Much more than the average resolution rate for other problems, such as family problems. Still, when rating their experiences through the justice journey, community-based justice providers can improve the quality of their procedures, particularly on making women feel heard and respected.





## The story of Florence

*"I was married, but my husband was kicking and slapping me. I went to the police and the man was taken to the prison for three days, after which they released him. I also went to his parents but they didn't do anything. I couldn't continue in such a marriage so we separated. We have children who need to be taken care of. What I wanted from the police to punish this guy because he really hurt me. Another thing is that I wanted both of us to be responsible for the schooling of our kids, because they are not my kids alone. They are our kids. I thought maybe the police would help me. I feel sad, because I didn't get any help and that is why I can say that there was no justice."*



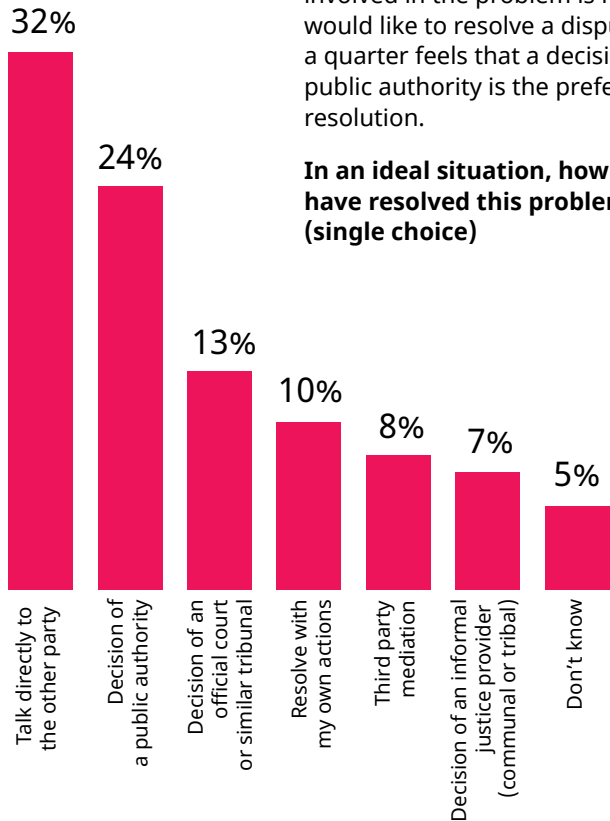
# 9

## What Do People Want? Desired Resolution and Information



In this chapter, we identify what kind of dispute resolution process people would ideally want to have.

Ideally, resolution paths should involve the other party



N=5159

We asked people to reflect on what would have been their ideal justice journey, going from problem to resolution.

Almost a third of Ugandans agree that talking directly to the other party involved in the problem is how they would like to resolve a dispute. Almost a quarter feels that a decision from a public authority is the preferred type of resolution.

In an ideal situation, how would you have resolved this problem? (single choice)

Ugandans from urban areas prefer the decision of an official court more often than rural people do.

People seem to prefer different kinds of dispute resolution for different types of legal problems. For example, in the case of domestic violence, neighbour

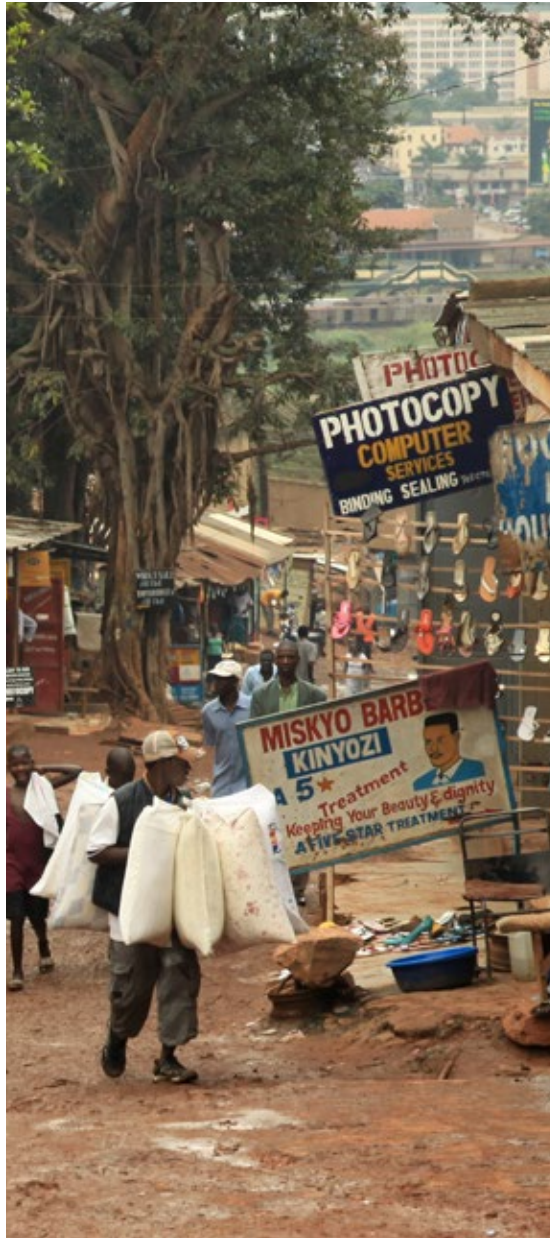
disputes, housing problems, consumer problems, and accidents, people prefer to talk directly to the other party involved. With regards to crime, IDs, and social welfare on the other hand, people prefer a formal decision to adjudicate the matter.

Problem categories	Above average options
Domestic violence Neighbours Housing Consumer problems Accidents	Talking with the other party (above 40% in all the cases)
Land	Informal justice (13%)
Crime Obtaining IDs Social Welfare	Decision of a public official (35% to 50%)

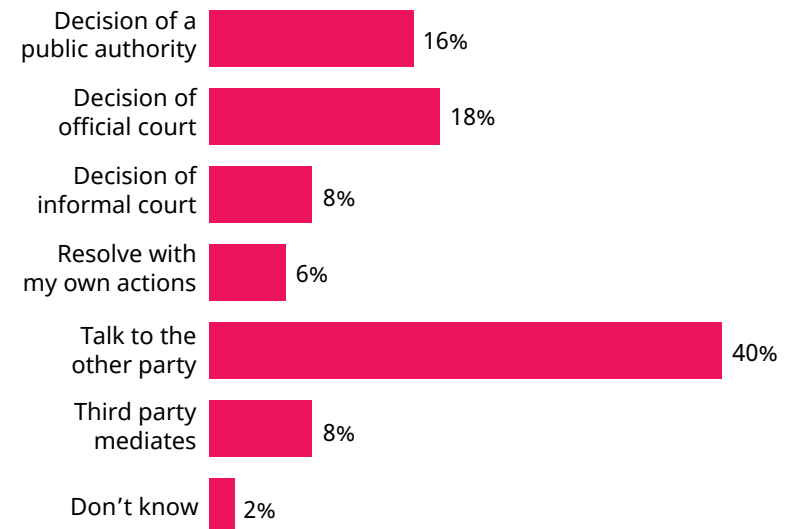


Understandably, people with low-impact problems are more inclined to speak to the other party (36% of the cases) than people with high-impact problems (29%). It seems that this results in people with a high-impact problem preferring intervention of a formal court (16% of the cases) more often than those with a low-impact problem (11%).

We split this analysis by the different kinds of justice journeys that respondents took. Almost 27% of those who chose to go engage a **third party** claimed that talking to the other party directly would be best. While 28% said a decision from a public authority was fitting. For those who talked **directly to the other party**, almost 52% said that talking to the other party is preferred. 16% believed that a decision of a public authority would have been better. Almost 40% of those who used a mixed justice journey (both talking to the other party and engaging a third party) towards resolution agreed that the ideal resolution would be through talking to the other party.



### In an ideal situation, how would you resolve this problem? For those who used a mixed resolution path



N=5159

People tend to rationalize their decision. In other words, people retroactively ascribe positive attributes to an option they selected. 52% of those who used **courts and lawyers** to resolve their problem believe that the most ideal way to solve their problem is through an **official court**<sup>27</sup>. Those who went through an official authority

see a decision from a public authority as preferred.

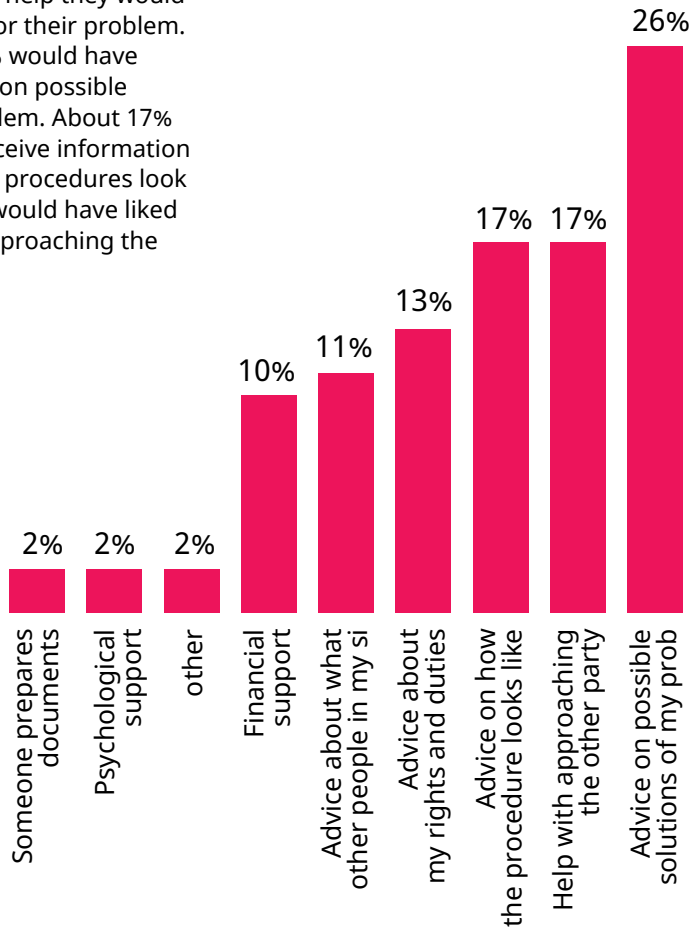
**Nonetheless, talking to the other party is always in the top two most preferred options. This suggests that advice on how to do this productively would benefit people with legal problems.**

<sup>27</sup> meaning, a public authority that has jurisdiction to resolve disputes.

**People would like advice on possible solutions**

We asked people what help they would ideally like to receive for their problem. In general, almost 26% would have liked to receive advice on possible solutions to their problem. About 17% would have liked to receive information about how the various procedures look like. And around 17% would have liked to receive help with approaching the other party.

**In an ideal situation what help would you have liked to receive for your problem? (single choice)**



N=5159

In the chapter on legal advice, we showed that the most common interventions offered by lawyers is preparing documents. The data on what people actually need and want suggests that simpler processes are needed to increase access to justice in Uganda, with professionals advising on possible solutions or helping parties talking to each other.

There are differences depending on the justice journey people choose. Interestingly, those who talked to the other party would have liked to receive more help with how to approach the other party (23%).

Those who approached a lawyer and went to court would have wanted

advice on possible solutions (32%). About 20% would have wanted advice on how the various procedures look like.

We also notice some difference with the type of problems people encountered:

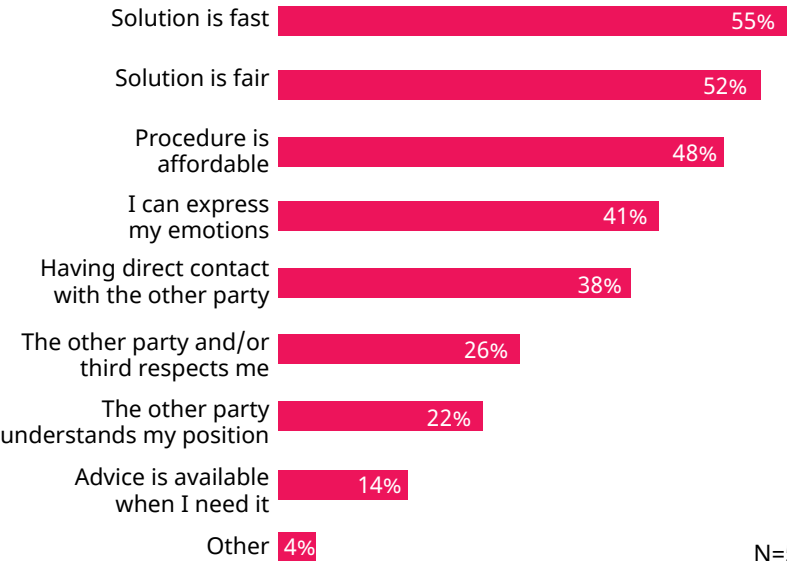
- » Those encountering a problem with the police would ideally like to receive more information about their rights and duties (20%).
- » Almost 23% of people facing consumer problems would like more information about how to approach the other party. For those with debt issues this is about 19%.



Characteristics of an ideal resolution

**What people want the most is to find a resolution to their problem as soon as possible.** A justice problem brings discomfort and people want to get back to normality. More than half of the people choose for a fast solution. At the same time, they want the solution to be fair (52%) and affordable (48%). The problem needs to end in a reasonable way. If the solution is unfair this can prolong mental and physical discomfort.

**Which are the three most important characteristics of a process when trying to resolve a legal problem?**



N=5159

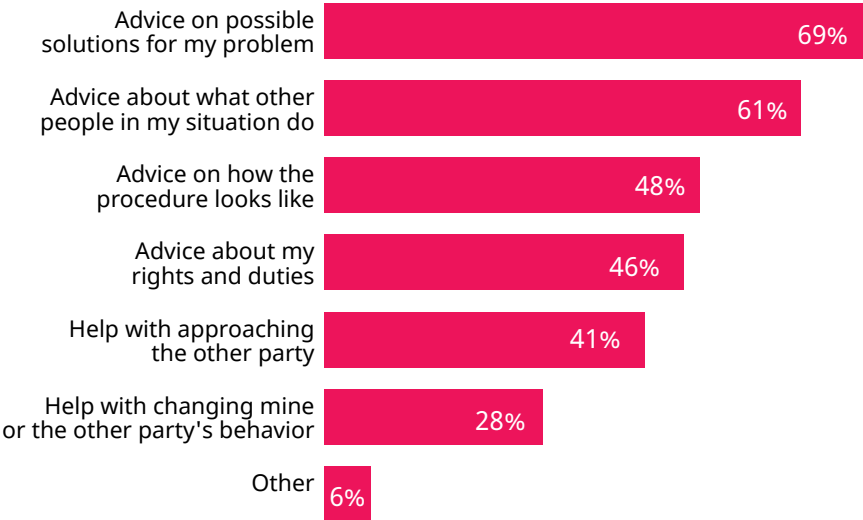
These preferences are the same regardless of the average impact of a problem. People also value a feeling of being respected during a resolution process. Understandably, those who were able to resolve their problem, tend to feel more respected by the other party than those who failed to resolve a problem.

Desired information

When we ask people about the support they would have wanted to receive, about 69% would have liked to receive more information about the possible solutions to their problem. Furthermore, about 61% of respondents would like to hear more about what other people in similar situations did.

Perhaps to understand if there is a consensus around a certain topic and to receive confirmation, or to see what is the standard resolution rate or standard process for a given situation. Also might be a confirmation of some sort of fairness standard.

**What kind of support would you have liked to have? (multiple choice)**



N=5159

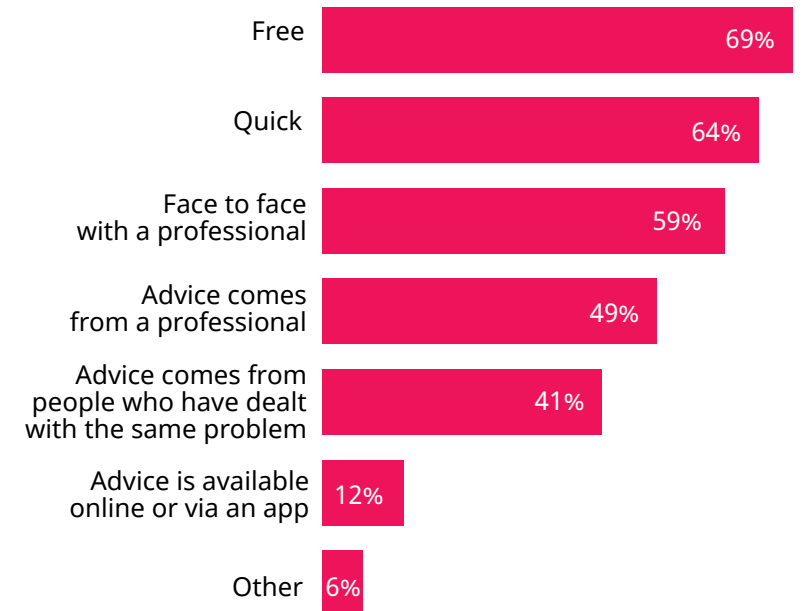




We also asked people to select the three most important qualities of legal advice. Cost and speed are important dimensions of a resolution process. People want advice to be free (69%) and quick (64%).

Interestingly almost 59% wants advice to be face to face and with a professional (48%). About 10% of the respondents are in favour of an app. This would suggest that offline innovation of justice services would be more in line with the needs of the people.

**What are the most important qualities of information and advice?  
(multiple choice)**





## Summary

We asked everyone with a legal problem what they desire in a dispute resolution process. Ugandans want to include the other party to resolve disputes. They prefer this to the possibility of having an official third party deciding the process (either a public authority or formal courts). Mediation ranks low.

People who deal with high-impact problems prefer more often than those with a below-average impact the participation of public authorities and formal courts.

People tend to reaffirm their actual choices when evaluating prospective choices. For instance, a person who actually involved courts and lawyers would say that the desired dispute resolution should involve courts and lawyers. Still, talking to the other party is always in the top two most preferred options. This suggests that people need more support in how to do this correctly.

When we ask the people about what help they would desire in an ideal situation, they mostly say they would like to know possible solutions to their problem, as well as help on how to approach the other party. When we ask them about resolution, people want to get back to normality as soon as possible. More than half of the people choose for a fast solution. At the same time, they want the solution to be fair and affordable.

Finally, when we ask Ugandans about what they want in terms of legal advice, agreeing with the resolution part, people would like to know possible solutions to their problems. The majority of the people prefer free, quick and face-to-face advice. Only a small fraction prefers online help.



# 10

## Legal Empowerment and Trust in Justice Institutions

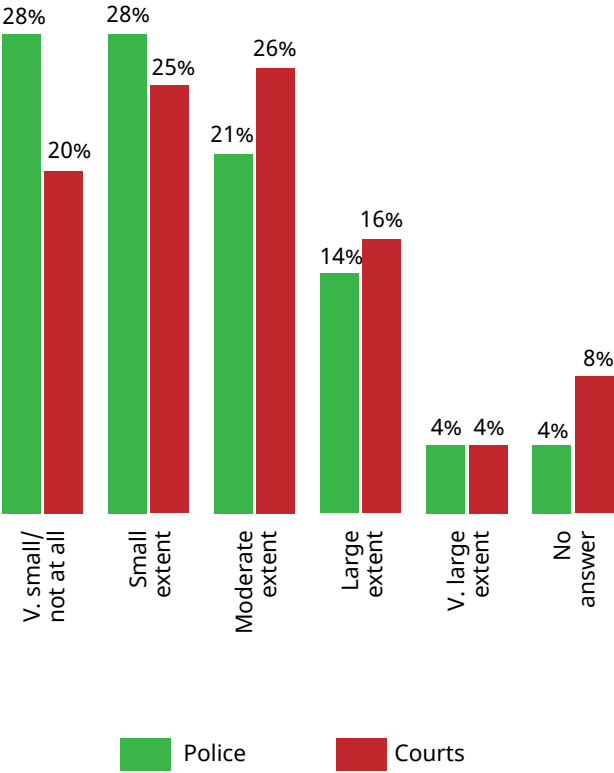




An important part of any justice system's ability to provide good services and solutions to people, is the people's perception of justice institutions. Do people feel empowered to take legal action and involve justice providers? And do people trust that justice institutions can help them resolve legal problems in a fair and efficient way?

We asked all of the respondents in our study about their perceptions of justice institutions in Uganda, regardless of whether they experienced legal problems or not.

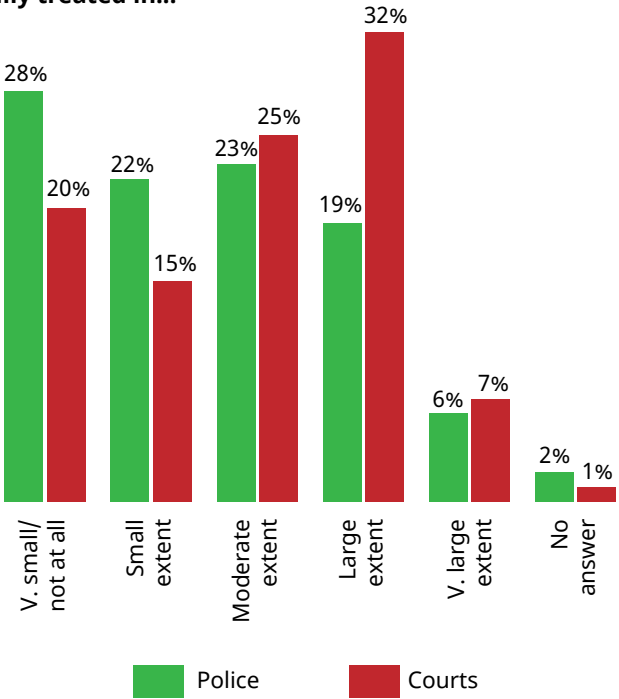
**Are people equally treated by...**



N=6129

Ugandans in general believe that there is more equality of treatment by courts than by the police. However, the percentage of people who think so is small, at around 20%. This is a general perception. Of course, the majority of these people have not dealt with these institutions in the past four years.

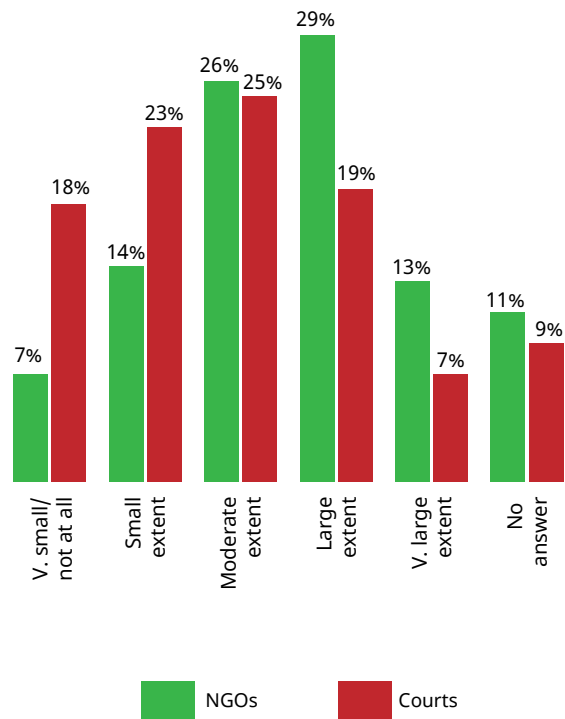
**Are people equally treated in...  
(users only)**



N=183 and 875

For those people who actually been to court, <sup>28</sup> they do believe that everyone is more or less treated equally in courts. However, if we recall from previous chapters, courts users tend to be, on average, people that are more privileged than the rest of the population.

To what extent do you trust...



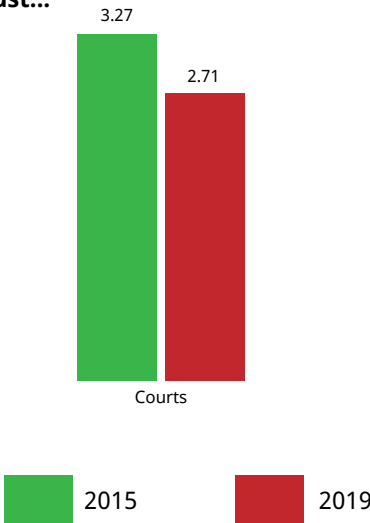
<sup>28</sup> When we specify “users”, we mean people who told us they engaged the respective provider (courts, police, etc.) to resolve their most serious justice problem.

N=6129

Ugandans tend to conform to the worldwide tendency of NGOs being more trusted than courts or other state institutions. There are no gender differences in this, although women are less likely than men to express an answer, which may be a hint of self-censoring behaviour.

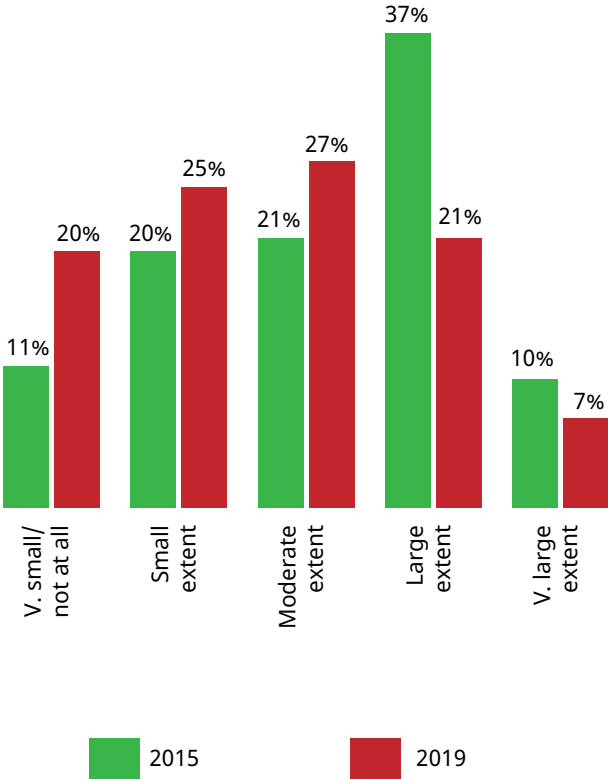
Compared to a similar – but no equal – question about trust in the 2016 survey, where 47% of the people expressed some trust in Ugandan courts, the results from 2019 might look as a decrease in the level of trust, with less than 30% of the people saying so.

I trust...



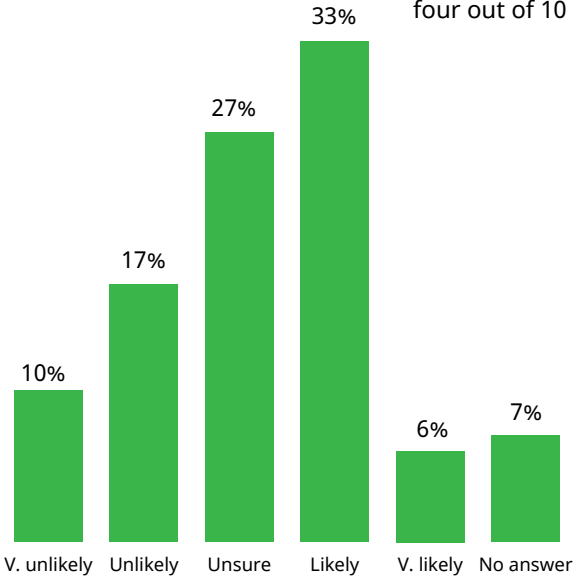
The graph above shows the average score people gave on a scale from 1 (do not trust courts at all) to 5 (trust to a very large extent), and how it declined between waves

To what extent do you trust courts?



Unfortunately, it seems that overall trust in courts has declined between surveys.

In general, how likely are courts in Uganda to make fair and impartial decisions?



Nonetheless, despite the low levels of trust in courts and the perception that not everyone is treated equally by them, a significant percentage of the population think that courts make fair and impartial decisions. Around four out of 10 Ugandans think fair and



impartial decisions are at least likely.

People who have experienced legal problems are slightly more likely to express a positive view in this question. For court users the percentage is an overwhelming 62%. In general, percentages are also higher for people who got their problem resolved than those who are still waiting for resolution or abandoned their problem, regardless of the dispute resolution mechanism they engaged.

#### Legal empowerment

People who have not encountered any justice problems are also a valuable source of information on eventual justice journeys. They can tell us something about the extent to which Ugandans feel empowered to take legal action in the case they would need to, giving insight about public knowledge and perceptions of the justice system.

As mentioned, 16% of Ugandans have not encountered any legal problems, with urban people having legal problems slightly more often than rural people, and adolescents and elderly having slightly less problems than middle-aged people.

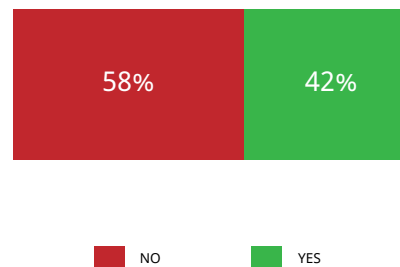
We asked these respondents whether they have looked for information related to law, and whether they think

they know what to do in case of a legal dispute.

#### Legal information and advice

Many people (42%) have looked for information related to law, even when they have not experienced a legal problem. This can be for example general information, information on how to proceed with legal matters or what are one's rights, or looking for information on behalf of a friend. Having information readily available can prevent disputes from arising, as people are aware of the correct procedure, duties and rights.

#### Have you looked for information related to law?

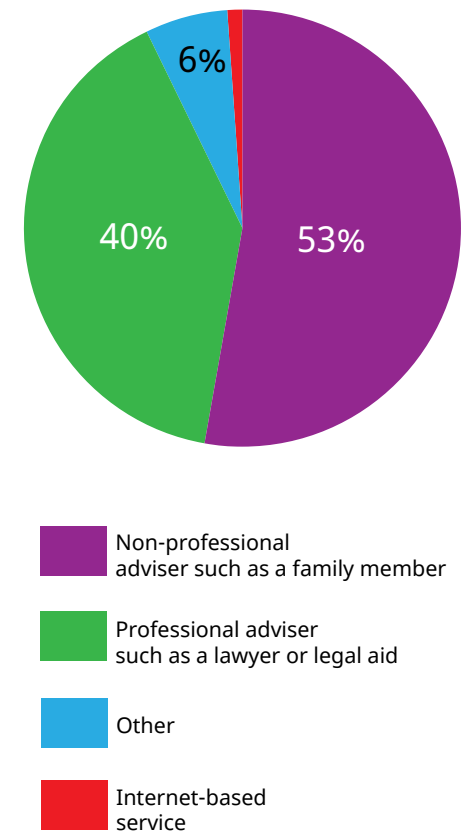


N=970

The ones who had looked for information related to law, had listened for advice from a radio (63%) or watched a programme from TV (22%). Storytelling through radio programmes is an important element of public information, including legal information.

We asked respondents without legal problems to imagine they had a legal problem. Then we asked them to think what source they would rely on for legal advice. Professional advisors are people with legal education and profession, such as lawyers and legal aid workers. De-facto advisors are people such as family, friends, neighbours and other people from one's circle that do not give legal advice professionally. We can see that many would rely on their personal network. This indicates that in case people experience a legal problem, most likely they will first consult non-professional advisors.

#### In case of a legal problem, what source you could rely?

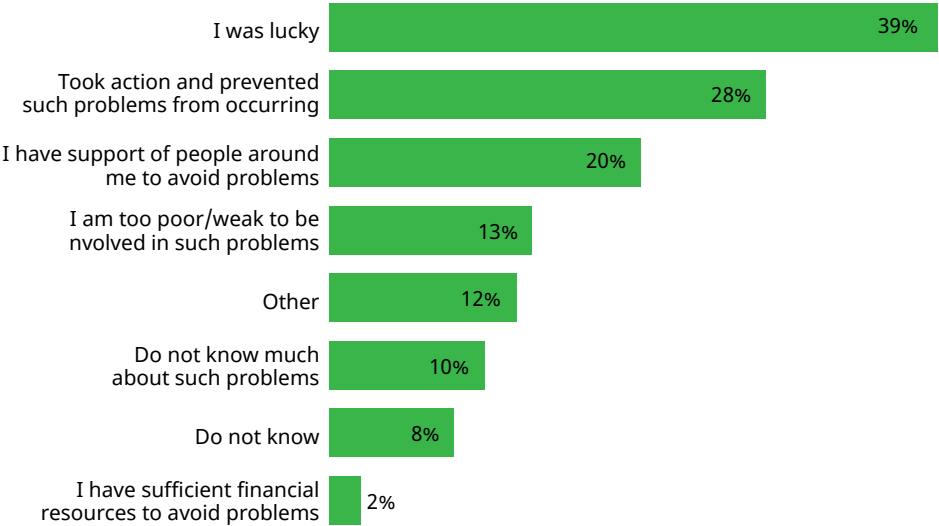


N=970

Perception of legal problems

Asking why people think they have not experienced justice problems can reveal how justice problems are generally perceived in Uganda. Many people think they were lucky to avoid justice problems. However, almost one in four say that they took preventative actions. While this is the perception of the respondent, it also indicates that justice problems are preventable when taking the right measures.

Why do you think you have not encountered any justice problems?



To assess people’s perception of legal problems, we asked the respondents without legal problems to imagine they encountered some of the most common justice problems.

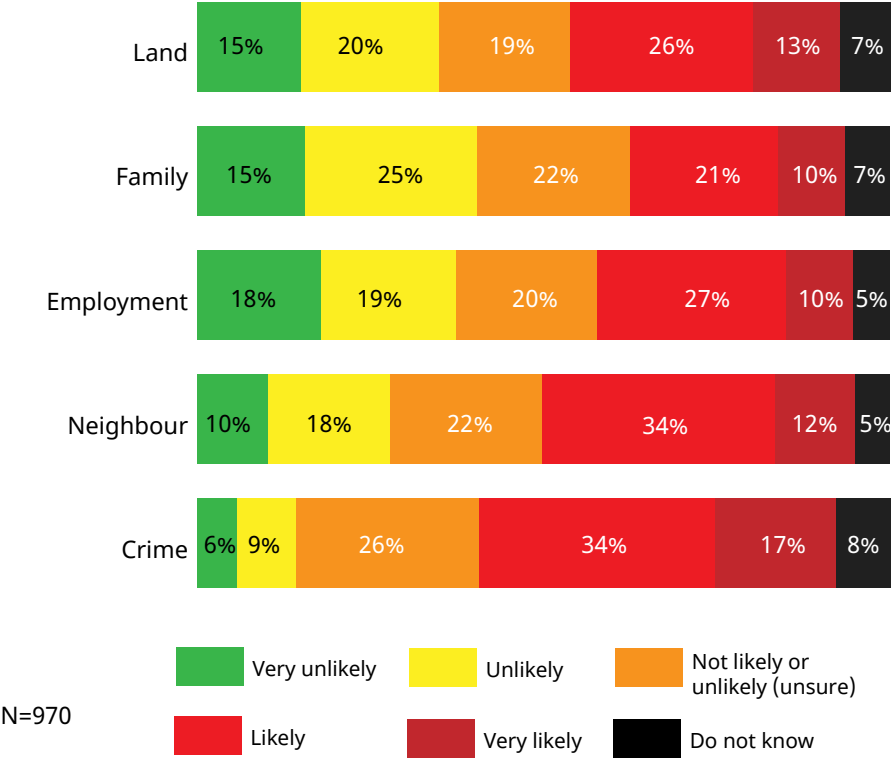
N=970

The scenarios we introduced were based on the most common problem types in Uganda. They are:

- Land:** Imagine somebody claims ownership on your land and starts using it without your consent.
- Family:** Imagine you have to deal with a dispute related to child maintenance.
- Employment:** Imagine your employer is withholding one month’s wage.
- Neighbour:** Imagine a neighbour is constantly causing loud noise.
- Crime:** Imagine someone breaks into your home.

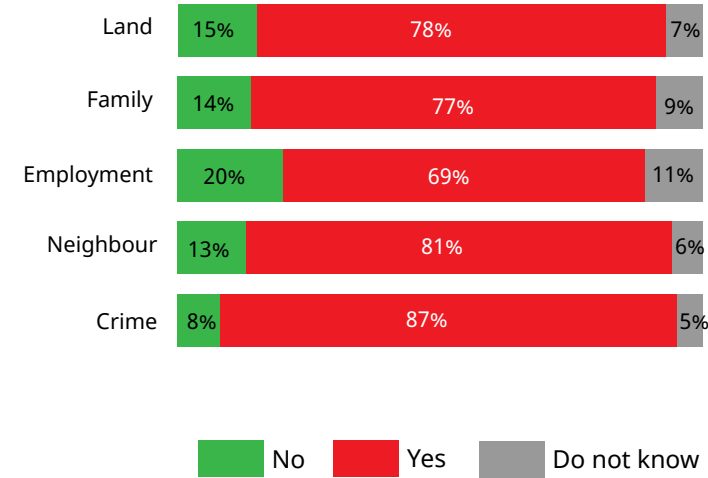
Then we asked people to assess how likely it is that they will encounter this problem in the future. From the responses, we can see that generally people perceive the likelihood of these problems differently. Crime is seen as the most likely to happen, alongside with land and neighbour problems. While more people perceive family and employment problems as less likely, still over one in three see family problems as likely or very likely, and almost two in five assess an employment problem to be likely or very likely. **This indicates that people who have not encountered legal problems are aware of usual legal problems in Uganda: they evaluate the most common problems as the most likely to happen.**

How likely it is that you will encounter this problem in the next 4 years?



When we asked whether people think they will know what to do in case they encounter these problems, we can see that many people feel empowered about their knowledge. Especially crime and neighbour problems receive positive responses, indicating that people feel confident about the route they would have to follow in case they encounter this problem. However, we did not ask people to explain their thoughts further. Hence these results do not indicate that people know the 'correct' answer or would go for the most effective option. Do you think

you will know what to do to resolve a problem?



N=970



## Summary

Trust in legal institutions has slightly declined between the HiiL JNS studies of 2016 and 2020.

People who have not encountered legal problems in the past four years do not really look for legal information. Those who do, prefer to do it via the radio.

When put in hypothetical situations regarding eventual legal problems, they would turn to non-professional help, just like Ugandans with problems do. Still, a high percentage would consider professional ones. Almost no one would turn to online services.

When we ask them to evaluate how likely it is that they would face common legal problems, they seem to be aware which ones are more likely. However, they seem unaware of the normal rates of dispute resolution, as the majority are confident they would resolve such a problem.



# 11

## Conclusion: Findings and implications





What can be done to address a justice gap of an estimated 6.5 million legal problems that are unresolved every year? How to provide services that increase access to justice for the 70% of people who have legal problems but lack complete solutions? How to make efficient use of resources in the justice sector in an attempt to take on this challenge?

These are not just challenges faced by Ugandans. Justice systems around the world face these challenges, to different extents. An international community, partly led by the OECD and proudly supported by HiIL, promotes a needs-based and user-friendly approach to this challenge. Acknowledged in SDG 16.3, justice services have to be made equally accessible to all through the use of efficient services that respond to people's needs.

The Justice Needs and Satisfaction data presented above, provides insight into what Ugandans need from justice services, and how they could make use of them in the most efficient, user-friendly way. This can help the Ugandan justice sector to make smart choices in resource allocation, service design, and performance evaluation.

Below we offer some suggestions as to how the JNS findings may help Uganda close the justice gap.

### Distribution and impact of the most pressing justice needs

We have identified the most common, the most serious, and the most impactful legal problems for Ugandan people in general, and for women who are disproportionately vulnerable to legal problems in particular.

Whether to focus efforts to improve access to justice on the most common, most serious, or the most impactful problems is a complicated choice. Solving the most common problems improves access to justice for the highest number of people. Solving the most serious problems offers the biggest positive change in people's lives. And solving the most impactful problems probably offers most relief of the broader societal burden.

The choice might be easier, however, when we see that problems related to land, crime, domestic violence, the family, and neighbours rank among the highest on all three measures. We conclude, therefore, that these are Ugandans' most pressing overall justice needs.

It is recommended to pay special attention to the most vulnerable people suffering disproportionately from legal problems. Ugandan women tend to suffer from domestic violence and family problems more often than men. Also, women and senior people in Uganda (65+) tend to face resolution processes that linger longer than those of other groups.

### Outcomes: Resolution and results

Out of all the problems Ugandans have, around 35% do not obtain any solution at all, and another 17% receives only a partial solution. This means that 52% of legal problems are not or only partially solved. The data suggests that it is particularly those problems deemed most serious that are difficult to solve. At the time of the study, 20% of the most serious problems were ongoing without solution. Comparing different kinds of problems, we see that land problems tend to last longest until they are resolved.

The higher the impact of a problem, the less likely it is to be resolved, and the more justice providers people approach for help.

For those people who do manage to resolve their legal problems, the outcomes of resolution differ according to problem type. For instance,

safety may be the outcome of family problems, or fair ownership may be the outcome of resolving a land. Knowing in what way the outcomes of legal problem resolution improves people's lives can help to decide where to focus resources. Services can be designed and scaled up in line with the kind of outcomes that are a priority for national or regional justice sector policy-making.

Having well-defined outcomes also enables the justice sector to purposefully raise funding from the government and to monitor whether intended outcomes are achieved over time.

And practically, deciding what outcomes are ideally achieved by resolving legal problems, allows innovative design and prototyping of specialised justice procedures and services.

### Interventions and treatments

From the JNS data a picture of people's justice journeys emerges, allowing us to identify what obstacles and opportunities people experience in resolving legal problems.

As mentioned, for example, that people approach more justice providers in trying to resolve high-impact problems. Resolution rates



peak at three providers involved, and then quickly drops, while the rate of ongoing problems increases. This means that on an ideal justice journey, people should not have to engage more than three providers. Going from one provider to another has several downsides, such as revisiting potentially traumatic experiences and increasing costs.

Ugandans typically engage a variety of different providers. Practically everyone first turns to their own social network of family and friends, mainly for advice. Partly dependent on the type of problem, they then turn to a combination of the police, local council courts, and formal courts.

For some problems, adjudication by third party decision seems to work best. But overall, the most efficient intervention seems to be mediation by a third party.

People's preferred intervention, however, is to talk directly to the other party involved in the problem.

Interventions should thus probably streamline different types of treatment into a single process that starts with direct talks between parties and then enters into mediation when necessary. It is recommended that people with a legal problem are offered entry into such a process through a one-stop-

shop. This means a single entry point into a resolution process, where the nature of the problem and the most efficient resolution steps are assessed. Family justice in Uganda is likely to benefit from this. Women suffering from domestic violence probably as well.

Justice providers offering their services along the path of a one-stop-shop resolution process could benefit greatly from evidence-based guidelines. These are collections of recommendations based on the experience of local experts and international, comparative scholarly work, indicating what treatments work best per problem type.

Problem-specific guidelines would support justice workers prevent and resolve disputes, by providing step-by-step actionable advice.

#### Justice sector services

Our data indicate that Uganda's Local Council Courts provide high quality justice to a more diverse and slightly more vulnerable segment of the population than other justice providers and services.

We saw that people rate the services of LCCs highly in terms of helpfulness and neutrality, across a range of different types of problems. Since LCCs mostly

provide advice, it is recommended that the justice sector builds on their experience and positive evaluation in providing legal advice at a larger scale.

People also value advice offered by the police, as they are a widely recognised source of information and assistance when it comes to legal problems. It might be valuable to identify how the police and LCCs could cooperate in providing their services.

Ugandans indicate that neutrality is an important quality of legal problem resolution, regardless of the justice provider they engage with. People look for neutral justice providers first and foremost at the local level. Data suggests that neutrality is not only a preference, but that it also leads to more problem resolution.

The Ugandan justice sector could consider taking advantage of the justice-user-feedback initiatives throughout the country, to generate more data on how neutrality could be best guaranteed in accessible services.

Respondents have also reported that it would be helpful to have access to an overview of the possible solutions for their problems. This would help them make informed decisions as to what steps to take to resolve their problems with ease and speed. They would like the process to be face-to-face, and

offered at little to no cost if possible.

#### Policy and legislation level

Increasing access to justice starts by acknowledging the formidable challenge ahead. This report has indicated the size of the justice gap. An estimated total of as much as 6.5 million legal problems are unsolved each year.

Closing this justice gap can obviously not happen overnight. It will take time, and it will take smart policies and legislation. Policy-makers are recommended to find ways to leverage the importance of people's own social networks in resolving legal problems, as well as the fact that they prefer to resolve problems in direct contact with the other party involved. Supporting people's proven self-reliance, is an opportunity for the justice sector.

Local justice providers such as the police and the LCCs are recognised sources of advice and services. Cooperation between local providers can harness their networks for prevention and resolution of legal problems, supported, for example by readily available and widely used public sources of information like the radio.

Efficiency that might be gained this way, allows people to spend less time and money on finding the right

provider, which they may be willing to use to finance one-stop-shops.

Local one-stop-shops providing a streamlined process of information, mediation, and decision when possible, would relieve formal courts from some of its administrative and civil caseload. This, in turn, would enable judges and lawyers to optimise their processes and focus on the decisions that require their expertise.



### PS: Justice in the times of Covid-19

We finished this report at the time the Covid-19 crisis was reaching Africa and Europe. Governments around the globe started implementing measures that involved some sort of lockdown, to different degrees. This affected the ways people access justice, which traditionally has been through presential means. Is this the time for justice to pivot in a bid to not only continue business as usual, but to reach those who need it most, and why not, to reach all?

#### We believe the answer is yes.

Uganda is ahead of the trend. The implementation of the electronic case management system is the correct first step. Still, systems do not solve problems by themselves. They need humans who are prepared to take advantage of the technical improvements. We will return to this point later.

At the same time, there is a risk of overloading courts, as they start showing good results. Ugandans, just like in the majority of the world, rely on informal justice providers who also need support to transit towards an on-line service delivery.

Still, persons should be at the center of justice delivery and justice

transformation.

In this, Uganda is also ahead of the trend. Through surveys like the JNS you just read, and citizen feedback platforms for public services like SEMA, Uganda knows its citizens.

But there are humans delivering justice all across the country. How would an eventual transition to online-based justice affect the motivation of street-level workers? Providers who are motivated to give high-quality services have a strong effect on how citizens experience public service delivery. Think about the LC chairman, the police officer, the legal aid provider.

The justice sector often looks at public health for inspiration. Many countries are turning towards telehealth to increase access to healthcare. This is the opportunity to deploy information technology to increase access to justice. It just needs to have people at the centre at the time of implementation.

## About the JNS

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

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

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

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

The countries we have worked in since 2014 include The Netherlands, Nigeria, Mali, Tunisia, Ukraine, Kenya, Bangladesh, Fiji and Ethiopia. Our target countries for 2020 are Ethiopia, Burkina Faso and the United States of America.

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

### THE AUTHORS

#### **Rodrigo Núñez**

Justice sector advisor  
[rodrigo.nunez@hiil.org](mailto:rodrigo.nunez@hiil.org)

#### **Armi Korhonen**

Justice sector advisor  
[armi.korhonen@hiil.org](mailto:armi.korhonen@hiil.org)

#### **Martin Gramatikov**

Senior justice sector advisor  
[martin.gramatikov@hiil.org](mailto:martin.gramatikov@hiil.org)

#### **Kavita Ziemann**

Senior justice sector advisor  
[Kavita.ziemann@hiil.org](mailto:Kavita.ziemann@hiil.org)

#### **Rupinder Kaur**

Quantitative data analyst  
[rupinder.kaur@hiil.org](mailto:rupinder.kaur@hiil.org)

#### **Gijs Verbossen**

Senior researcher  
[gijs.verbossen@hiil.org](mailto:gijs.verbossen@hiil.org)

With the collaboration of **Rachael Ampaire Mishambi**

### DESIGN

**Dikla Cohen**





The Hague Institute for Innovation of Law  
Fluwelen Burgwal 58, 2511 CJ The Hague  
P.O. Box 93033, 2509 AA The Hague  
The Netherlands  
Tel: +31 70 762 0700  
E-mail: [info@hiil.org](mailto:info@hiil.org)  
[www.hiil.org](http://www.hiil.org)