

IJM's Program to Combat Property Grabbing in Mukono County, Uganda

End of Program Evaluation

FINAL

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IJM's Program to Combat Property Grabbing in Mukono County, Uganda

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List of abbreviations

ADR	Alternative Dispute Resolution
CCAS	Court Case Administration System
CD	Community Dialogues
DCC	District Chain Linked Committees
DPP	Directorate of Public Prosecutions
EOP	End of Program
FGD	Focus Group Discussion
HQ	Headquarters
IJM	International Justice Mission
KII	Key Informant Interview
LC	Local Council
LEP	Legal Education Program
LG	Local Government
M&E	Monitoring and Evaluation
MFM	Monitoring Framework Matrix
MOU	Memorandum of Understanding
OECD	Organization for Economic Cooperation and Development
PG	Property Grabbing
PGP desks	Property Grabbing Police desks
PJS	Public Justice System
RDC	Resident District Commissioner

Executive Summary

Introduction and methodology

This report presents the findings from the End of Program evaluation of the first and second phases of International Justice Mission's (IJM) Program to Combat Property Grabbing in Mukono County, Uganda. The report has been developed by independent consultants from Aidenvironment, based in Amsterdam. The period under evaluation covers two phases of IJM's program from 2008 to 2017. A third phase has been foreseen, called the Sustaining Gains Phase. The emphasis of the evaluation has been on the second phase, running from 2012 to 2017, as by far most information was available from that period.

The main purpose of the assignment was a summative (end-term) evaluation, while using the data and results from the baseline and endline evaluations carried out by the program. The evaluation was guided by a series of research questions which were part of the Terms of Reference. This summative evaluation was based on three sources of information:

1. The project research, progress, and monitoring reports, mainly available for Phase II (2012–2017)
2. The baseline (2012) and endline (2017) studies and the comparison of data in the endline report
3. Primary data collected during a field study in Uganda, conducted in February–March 2018, including a total of 69 key informant interviews, 12 surveys, and 12 focus group discussions at the community level, for a selection of stakeholders from different categories: IJM staff, IJM partner organizations, communities, local leaders, police, and other key actors from the public justice system (PJS).

To draw conclusions on the relevance, effectiveness, impacts, and sustainability of the program, the following methodological principles have guided this evaluation:

- Use of a mix of qualitative and quantitative data, including quantitative survey data and qualitative information emerging from interviews and focus group discussion
- Sampling design including communities with and without community dialogue and communities without any IJM interventions for comparison purposes but not using a statistical design
- Focus on outcome and impact levels, with defined outcome indicators that capture for key actors identified the changes in terms of improved understanding, attitudes, and behaviors
- Determining the contribution by the IJM program as compared to other influencing factors within the program context, using principles of contribution analysis
- Analysis of data including triangulation of responses from different respondents
- Evaluating sustainability from different angles, including institutional aspects and capacities
- Evaluating to what extent there have been system changes within the public justice system.

The results of this summative evaluation were influenced by the very late accessibility of the endline evaluation, which was supposed to have formed the basis for the design of this summative evaluation, in order to validate key findings and insights.

As part of the context analysis, particular attention was given to the dynamics of (large-scale) land grabbing as differentiated from property grabbing, the nature of legal pluralism relevant to property grabbing including both formal and informal justice system approaches and practices, and the predominant responses to property grabbing by relevant institutions and PJS key actors.

Main conclusions structured by evaluation criteria

Relevance

- The focus on property grabbing and on Mukono County are both relevant. The focus on the formal public justice system is aligned with IJM's expertise and experiences. This might explain why social

norms and attitudes, identified as relevant during early stages of the program, were not further explored and not considered critical to the theory of change of the program.

- IJM's program was relevant to the Ugandan government, being focused on the public/formal justice system. There are good arguments to look at the justice sector in a more pluralistic or holistic way, including both formal and informal systems. The evaluation uncovered opinions and preferences for a combination of formal and informal approaches to property grabbing, instead of focusing only on formal approaches.
- The program has a clear focus and theory of change and activities and outputs consistent with the intended outcomes and impact. At outcome level, the theory of change did not integrate changes on social norms relevant to property grabbing. As a result, activities oriented at this social angle were not integrated in the workstream from the beginning, for instance with regards to attention for men (not only women), community leaders, and the community as a whole.
- The program could have been more responsive to the limited human resources available within the PJS and the absorption capacity of the PJS, especially within the context of an overall backlog of criminal cases and the increased incidence of large-scale (corporate) land grabbing.

Effectiveness

- Understanding the criminal nature of property grabbing has improved among most relevant actors, with evidence for a substantial contribution by IJM. However, the change in behavior among key actors as expected by IJM's theory of change has been variable. Changes in behavior are influenced by the ability to effectively treat property grabbing as a crime, but there are several remaining constraints to do so effectively. Most important are existing cultural and gender norms and inequalities in power, for instance, between men and women or widows and the police or local leaders, which have remained largely unchanged. At the same time, all PJS actors remain open to treating PG through a mixed approach, including formal and informal justice practices. This can be partly explained by the increase of workload and an overall backlog of criminal cases.
- There are achievements in terms of improved knowledge and capacities within the PJS and at the community level, with a substantial contribution by IJM. It is plausible that more and more sustainable results would have been achieved if these two workstreams had been better integrated earlier in the program. The community dialogues have had a clear added value, especially by bringing together different stakeholders and allowing them to exchange their views.
- While the program has a well-defined theory of change and rigorous monitoring framework, and both have been intensively used and adapted, we observe three remaining gaps: the integration of community engagement, pathways to understand change of behavior, and insight in key assumptions.

Impact

- There is evidence from different sources that prevalence of property grabbing has decreased in Mukono County over the last five years. Also, the incidence of violence has declined but the incidence of fraud has increased.
- The performance and functionality of property grabbing by the relevant PJS actors has improved. These improvements are largely due to the logistical and capacity building support by IJM. However, although the program managed to halt a certain practice of PG impunity in Mukono County, the number of property grabbing cases that were successfully prosecuted remains rather low. Also, there are remaining constraints for widows to address property grabbing as a crime through the formal PJS system, of which most important are: distrust of the police and local leaders, remaining incidence of corruption, long time taken for a case to be presented at a court and finalized, high complexity of remaining PG cases, uncertainty of perpetrator being penalized, and limited capacity of the public justice system.
- The working relationship and coordination of the PJS in Mukono County has improved, as justified by the fact that several interviewed key actors consider it as an example to be replicated in the country.

- Widows' lives have improved in terms of understanding their own rights in relation to PG, but widows remain vulnerable after reporting PG. Potential repercussions after reporting might be perceived as constraints to addressing PG and influence widows' perceptions on their capacity to do so.

Sustainability

- However, there are a number of concerns regarding the sustainability of the achieved results: capacity constraints among public justice system actors, limited sense of ownership, level of dependency on IJM to support some recurrent costs, no negotiated exit strategy, limitations in building up capacities among partners.

Main recommendations

1. There is need for IJM to take a more integrated (hybrid, holistic) approach to finding effective solutions by adopting a strategy that considers different pathways of justice including formal and informal justice approaches.
2. Within the context of this more integrated approach, IJM can keep its focus on the formal justice system approaches and underlying institutions, while playing a coordinating and integrating role, for instance in the development of different justice pathways and defining under what conditions each of these pathways is most appropriate.
3. Engagement with informal justice systems may have limited impact unless it is part of broader efforts to build dialogue on socio-cultural norms and address inequalities in power. This should be integrated into the program strategy as a component dealing with this issue right from the beginning.
4. As part of IJM's strategic and coordinating role, it would be useful to define how the improved effectiveness of formal approaches, to be supported by IJM, can constitute a sufficiently strong basis for more informal approaches to have a strong deterrent effect.
5. The insights emerging from this program may lead to an adjustment of the basic intervention model of IJM in order to have a transformational effect. It is our opinion that in every situation, whether child and sex trafficking or property grabbing, there is an important dimension of cultural and social norms entrenched in society.

Detailed recommendations

Program design

1. The baseline study of new programs should pay more attention to informal justice systems and practices and the relevant socio-cultural causes influencing their (in)effectiveness.
2. There is need to develop (i) a more integrated approach including recognition of formal and informal justice system approaches, and (ii) an action plan on community engagement based on local experiences and lessons learned, being developed in collaboration with relevant partners.
3. Proper sequencing of workstreams oriented at the PJS sector and at the community level is essential.
4. It is useful to demonstrate the potential effectiveness of a formal approach to treating property grabbing as a crime, but in doing so much restraint should be taken to provide material support.
5. The program level theory of change should include at outcome level the two components of community engagement and dialogue and strengthening of the PJS, showing how these are expected to operate in synergy to achieve desirable impact.

Monitoring, evaluation, and evaluative learning

6. The M&E system should focus on indicators to validate pathways of change, leading to behavioral changes and benefits for different actors.
7. Aftercare is important and should include attention to better understand the consequences of changes for victims, family members, and perpetrators and the influence of community dynamics and power relations (e.g., through longitudinal studies and storytelling).
8. The program is advised to improve their evaluative learning approach.

9. It is useful to pay more attention to monitoring relevant contextual changes, such as the rapidly increasing incidence of land grabbing in Mukono County.
10. It may be useful to pay more attention to human resources and workload of key actors within the public justice system institutions.

Partnerships

11. It is recommended that IJM from the onset of the program works in partnership with local and international organizations to enable a broader reach, complementarity in formal and informal approaches toward property grabbing, and to increase local ownership and sustainability of the program.
12. Partnership with lawyer collectives, legal aid clinics, and law universities would enable victims of property grabbing to have enduring access to legal assistance, beyond the project's lifetime.

Exit strategy and sustainability

13. For any new program, there is need to develop an exit strategy well in advance of the program's termination and to do so in collaboration with partners and key stakeholders.
14. To sustain the gains of this program, it is advised to continue working in a light (limited staff) and participatory approach with PJS actors and key stakeholders on a national scale.
15. To sustain the gains of this program, it is advised to take into account culturally compatible justice responses based on an integrated justice approach as introduced above.
16. It should be acknowledged that achieving a change of social or cultural norms will take more time than a few years. IJM could support local organizations to continue community dialogues.

1. Introduction

This report presents the findings from the End of Program evaluation of the first and second phases of International Justice Mission's (IJM) Program to Combat Property Grabbing in Mukono County, Uganda. The report has been developed by consultants from Aidenvironment who were commissioned to carry out this evaluation.

The period under evaluation runs from the program's start in 2008 until 2017, covering two phases of IJM's program to combat property grabbing in Mukono County, Uganda (Phase I 2008–2012, Phase II 2012–2017). A third phase has been foreseen (see below). The program's three phases are: (I) the Collaborative Casework Phase, (II) the System Reform Phase, and (III) the Sustaining Gains Phase. The evaluation team noted that the emphasis of the evaluation was primarily on the second phase, running from 2012 to 2017, as by far the most information was available from that period, due to the introduction of the monitoring and evaluation system on the part of IJM during that time.

The main purpose of the assignment was a summative (end-term) evaluation, while using the data and results from the baseline and endline evaluations carried out by the program. The central research questions of this summative evaluation were the following:

1. To which extent has the strategy of collaborative casework and public justice reform succeeded in changing the prevalence, incidence, and deterrence of property grabbing? And what has been the contribution of the program to these changes?
2. Have the perception, practices, and behavior surrounding property grabbing changed, and which of these changes can be attributed to what parts and activities of the program?
3. Did this program result in changes with regards to the rule of law, access to justice, performance of the public justice system, and, as such, reducing crime, conflict, and victimization of women?

The evaluation's lessons will be used for the following aims and audiences: (1) to guide and sharpen the final (third) phase of the program, Sustaining Gains, as well as a new national program designed to combat gender-based violence, (2) IJM leadership to inform new justice system transformation programs, and (3) stakeholders in Uganda and other governments and organizations to guide justice reform programs elsewhere.

The analysis and findings presented in this report have been informed by the following activities:

- Kick-off meeting and receipt of documentation
- Study of program documentation
- Several Skype meetings and interviews with IJM HQ and Uganda office staff
- Analysis of the (preliminary) findings of the endline evaluation and its comparison with the baseline
- Fieldwork in Kampala and Mukono County, including interviews and FGDs with a range of program stakeholders: PJS actors, community beneficiaries, and IJM staff at the Uganda office
- Workshop at the IJM office in Kampala to present, discuss, and validate preliminary findings
- Literature review to provide additional contextual and thematic information
- Review and feedback on draft versions of this report from IJM HQ.

This report starts out with the methodology (section 2) and next presents the context of property grabbing in Uganda (section 3). The main findings which emerge from the different sources of data reviewed are presented in section 4. The last section is on main conclusions and recommendations (section 5).

2. Methodology

2.1 Introduction

The evaluation process was structured by three different phases:

1. The inception phase, which ran from November 2017 to January 2018 and included receipt and study of available documentation, exchange sessions with staff from IJM Headquarters and the Uganda team to discuss preliminary insights and plan the next phase, and planning of the fieldwork. Unfortunately, the endline evaluation findings were not yet fully available.
2. The primary data collection phase, including the field study in Uganda, primarily ran from February 19 to March 2, 2018, but included some delayed meetings with stakeholders through the week of March 19. The full findings of the fieldwork, including documented interviews and FGDs, were available by the end of March.
3. The analysis and reporting phase. The analysis of the available documentation and study findings ran from March to April 2018. The draft report was made available June 14 and feedback was received from IJM HQ and Uganda office, with a final version in July 2018.

In the next sections, the methodology for data collection and analysis is presented, from our analytical framework to detailed tools, and ends with the limitations and reflection on our approach.

2.2 Analytical framework and evaluation principles

Strategic focus

For this summative evaluation, we made use of primarily three sources of information:

1. The project reporting and available secondary data, especially summary documents of the project pillars, the M&E system (MFM and resulting data on project progress and the Evaluation, Learning, and Use Plan), and various more in-depth research documents, such as the reports by Three Stones. This documentation is mainly available for Phase II (2012–2017) of the project.
2. The baseline-endline studies, especially including the comparison of the baseline and endline data as included in the endline reporting. Draft versions of the endline report were made available to the evaluation team, but at the writing of this draft report the final version was not yet available.
3. Our own primary data, being mainly qualitative information obtained from interviews and FGDs undertaken during the fieldwork period in Uganda and including a one-day validation and learning workshop. Also included is information regarding relevant contextual factors.

The aim of this summative evaluation is to contribute to accountability and evaluative learning within the IJM organization and contribute to recommendations for the next phase, focusing on the following aspects:

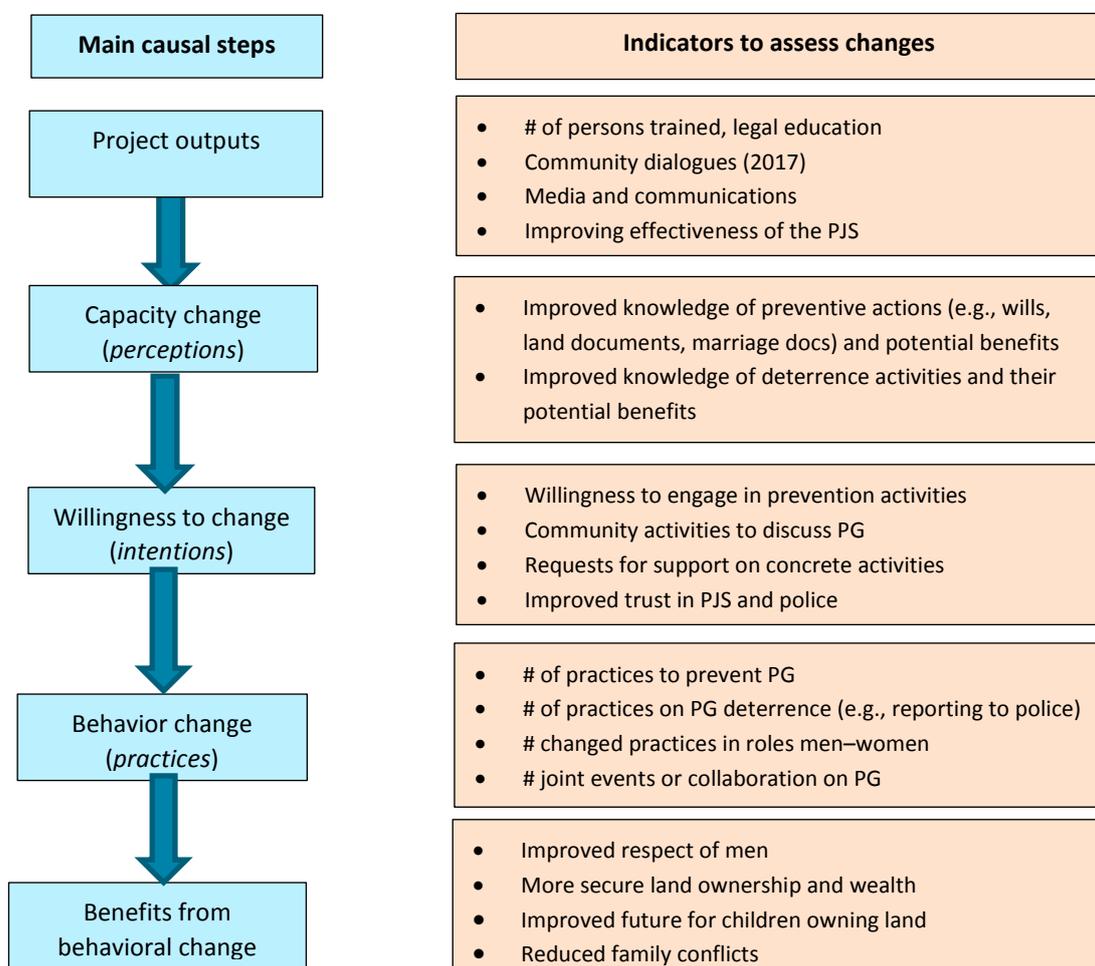
- Assessment of relevant changes in Mukono County and within the PJS
- Analysis of the contribution to these changes by IJM and the relative influence of contextual factors and changes
- Conclusions on activities undertaken by IJM that have been most (and least) successful and the sequence or combination of activities leading to desirable outcomes.

Main methodological principles

In line with the ToR and our inception report, the following main evaluation principles have guided our evaluation.

1. *Focus on outcome and impact levels, especially change of attitudes, behaviors/practices, and norms of key actors.* We observed that many surveys have already been done by IJM to assess increased knowledge, following training activities and transfer of knowledge, while less information is available on behavior change (making use of new knowledge) or adoption of new practices by key actors. Key actors are found within the PJS (judiciary, local government, police, and prosecutors) and at the community level (widows, community members, and community leaders). A specific nested theory of change model was developed to better understand the causal chain leading to behavioral change (Figure 1).

Figure 1: Nested theory of change (impact pathway) with main causal steps and examples of indicators to assess change, for community-based stakeholders (“nested” meaning that it is a sub-component of the overall IJM theory of change)



2. *Evaluating the effectiveness of the program strategies.* During the entire program, including Phase I and Phase II, different strategies have been adopted. One has been the focus from alternative dispute resolution toward criminal prosecution (coinciding with the start of Phase II). Another has been the addition of the community dialogue approach during Phase II. The aim is to evaluate the effectiveness and added value of the different strategies, how these have been complementary to realize the overall effects, and what can be concluded about a proper sequence of strategies.

3. *Contribution by IJM as compared to other contextual changes during the same period.* We aim to understand the main contextual changes during the project lifetime that could also have played a role in influencing the various outputs and outcomes. This should allow us to draw conclusions on the plausible contribution by IJM to the changes that occurred during the program period. This will also allow us to draw conclusions on the applicability of the IJM approach to other regions within Uganda, depending upon the contextual factors.
4. *Indications of sustainability of the different measures implemented by IJM and its results.* We will investigate to what extent the results achieved can be expected to sustain. This will be based on the OECD definition of *sustainability*, including financial sustainability (Will resources be available to sustain the results?), institutional sustainability (Are the results embedded in institutional systems?), and socio-cultural sustainability (Are the changes rooted in social and cultural norms?).
5. *Indirect effects on policies and institutions.* We will investigate to what extent IJM has also contributed to changes within policies or institutions, which could be characterized as “systemic changes” and which could be expected to sustain over a longer period.
6. *Identification of lessons learned for wider application.* We will identify lessons learned from the existing documentation (IJM has already drawn many useful lessons) as well as from our own studies.
7. *Use of mixed methods.* The evaluation team has used a mix of qualitative and quantitative methods for data collection. Qualitative methods were mainly interviews and FGDs. We adapted approaches and questions according to the different categories of stakeholders that we approached for the evaluation. For details on the qualitative and quantitative tools used, see next section.

2.3 Data collection tools

The data collection tools that were used during the fieldwork phase consisted of a mix of qualitative and quantitative methods that were complementary to each other. These tools were the following:

1. Desk study

The desk study of all available program documentation has informed our evaluation approach toward focusing on practice changes, the selection of fieldwork sites to be visited and the guiding questions for KIIs and FGDs. We have used our desk review of program documentation for the quantitative assessment of outcomes on the basis of indicators provided in various reports from IJM. Furthermore, the qualitative data in the program documentation helped to trace the changes in program strategy and design from the start, as well as the rationale behind these changes. For this report, we highlight the main findings from the desk review analysis, complemented by literature sources where relevant to the themes identified in the evaluation, such as property grabbing and land grabbing in the Ugandan context, social and cultural norms, behavioral change, and gender. Additional literature was used to analyze the relevant contextual changes during the program duration. This enabled us to draw conclusions on the relative contribution of the project to the observed changes.

2. Qualitative tools

2.1 Key Informant Interviews (KIIs)

Primary data was obtained from key informant interviews. These were semi-structured, meaning that a checklist with questions was developed as general guidance to each interview.

2.2. Focus Group Discussions (FGD)

Primary data was obtained from focus group discussions. These were conducted based on a set of guiding questions per stakeholder category. These stakeholder categories were: community members, widow support groups, and local leaders. Local leaders include local councils, parish chiefs, Land Area

Committee members, and clan leaders. The group size varied but usually included around 10 participants.

2.3 Qualitative data from baseline-endline studies.

Use was made of the qualitative results from the qualitative tools and assessments made in the baseline-endline studies.

3. Quantitative tools

3.1 Quantitative data from MFM and baseline-endline studies

Quantitative data were derived from the baseline-endline comparison, as well as the MFM of the project.

3.2 Perception surveys communities

We supplemented the FGDs at the community level with brief individual perception surveys to support qualitative insights with a semi-quantitative overview of opinions and actual practices. Following each community or widow support group FGD, we conducted the perception survey on an individual basis with each of the FGD participants. These surveys helped us to gain insights into behavioral change on the community level. It also allowed us to test some of their stated perceptions and attitudes that were expressed in a group setting through their very concrete individual and anonymous answers in a survey.

4. Validation and evaluative learning workshop

During the fieldwork period in Uganda, a workshop was held with IJM staff. The main purpose of this workshop was to present and validate the preliminary findings/insights from the fieldwork and to have the opportunity to receive initial feedback and probe deeper. Additionally, we wanted to use this workshop as space for organizational learning, to reflect on the program process, lessons learned, and best practices. In separate break-out groups, we discussed ideas on how to sustain the gains of this program and views on the Mukono County program as a model for future programs.

2.4 Fieldwork and data collection

Overview

The following Table 1 provides an overview of the data collection period and stakeholders engaged. It shows the total amount of interviews held per stakeholder category, the locations, and time period. The number of respondents reflects the total number of interview and FGD participants.

Table 1: Overview of stakeholder categories engaged with during fieldwork

Stakeholder categories	When	Where	Number of respondents
<i>IJM staff</i>			
• IJM Headquarter staff	February 12–23, 2018	Virtual interviews	5
• IJM Uganda program staff	February 19 –March 7, 2018	Kampala	15
<i>IJM partner organizations</i>	February 12–23, 2018	Kampala/Mukono/Virtual	6
<i>Police</i>			
• Police national level	February 20–23, 2018	Kampala	3
• Police local level	February 21–March 7, 2018	Kampala/Mukono/Lugazi	5
<i>PJS national level</i>			
• Administrator general	February 21, 2018	Kampala	1
• Public Prosecutor's office	February 26–28, 2018	Kampala	2
• Judges/courts	February 20–28, 2018	Kampala/Mukono	5
<i>PJS Mukono level</i>			
• Judiciary officers local level	February 20–March 1, 2018	Mukono	7
• Local judiciary and advocates	February 27, 2018	Mukono	1
• Local DPP	February 27, 2018	Mukono	1
<i>Local government</i>			
• Sub-county chiefs	March 20, 2018	Mukono	1
• Department officers	February 22, 2018	Mukono	5
• Parish chiefs/CD facilitators	February 21–March 6, 2018	Mukono	5
<i>Community level</i>			
• Local/traditional leaders	February 21–March 6, 2018	Mukono	12
• Widow support groups	February 21–March 20, 2018	Mukono	33
• Community members	February 21–March 5, 2018	Mukono	109
• Churches	February 23–March 7, 2018	Mukono	3

NGOs	February 20–March 7, 2018	Kampala/Mukono	2
Universities/research institutes	February 12–March 23, 2018	Kampala/Mukono	3
Total			224

Selection and sampling strategy

The selection of locations for the evaluation activities (KIIs, FGDs, and perception survey) at the community level and the selection of the categories of key actors for behavioral change were based on purposive sampling. Below are the details for both components.

1. Community level sampling for fieldwork

At the community level, relevant sub-categories of stakeholders were:

- Community members, involving both men and women
- Widows/victims groups and individuals
- Community chiefs and religious leaders

The sampling of community level fieldwork was aimed at three categories in order to be able to make a comparison between locations with and without any IJM interventions, and between locations with and without a specific community dialogue approach. This would allow us to draw conclusions as to the added value of the IJM approach in general, as well as the community dialogue approach specifically (Table 2). The selection of samples was done based on the Community Activity Matrix and in close collaboration with the IJM Uganda office. There are two sub-counties where IJM did not undertake any community activities, these were selected as comparison without IJM interventions. In the other nine sub-counties, we selected parishes with and without community dialogue activities. Communities where community dialogues were held have been identified by IJM as those with highest prevalence of property grabbing and level of reporting (as derived from IJM records [CTMS and the POPER scorecard], as well as the 2016 Village Assessment).¹ Table 3 provides a list of the selected locations (full details were provided in the inception report).² However, based on the above selection criteria for locations where community dialogues were held, it should be noted that the category A locations (where the community dialogues were held) are different from categories B and C, being characterized by high prevalence of property grabbing.

Apart from locations where community dialogues were implemented (category A), category B locations particularly included those with PGP desks, Legal Aid Clinics, and Regional Coordination Committees. The Legal Aid Clinics were implemented on sub-county level in Nama, Kyampisi, Nakisunga, and Ntenjeru, which were all included in our sample.

Table 2: Projected community level sampling categories and purpose

Category	Location	Purpose
A. Communities with general IJM approach and community dialogue	Sub-county + parish where community dialogue took place	To draw conclusions on added value of community dialogues

¹ Personal communication from IJM and 14.08.01 Three Stones Consultancy Inception report, p. 8

² 12. Community Activity Matrix

B. Communities with general IJM approach only, but no community dialogue	In same sub-county as A., but another parish (where no community dialogue took place)	To draw conclusions on IJM general approach and compare with community dialogues (compare with A)
C. Communities with no general IJM approach and no community dialogue ³	In different sub-county as A and B, where IJM has not intervened but with comparable conditions	As a comparison for IJM general approach (compare with A+B)

The realized FGDs and KIIs per category of communities are presented in Table 3. In contrast to the sampling design, we were not able to have a FGD with community members from Nyenje in Goma sub-county (category C), due to the fact that the FGD participants in the community had not been mobilized for our visit. Alternatively, we did have a FGD with a widow support group in central Mukono County, which had not been foreseen. After each FGD at community level, a perception survey was conducted with each individual FGD participant.

Table 3: Realized FGDs and KII at community level per sampling category

Category	Location (sub-county)	FGDs and KII per parish
A.	1) Kyabakadde (Kyampisi) 2) Katente (Nakisunga) 3) Kasenge (Nama) 4) Namawojjolo (Nama) 5) Nsanja (Ntenjeru) 6) Mukono (Mukono TC)	1) 1 community FGD (18 people, 10M/8F), 1 FGD widows (9 people), 3 KIIs local leaders 2) 1 community FGD (10 people, 5M/5F), 4 KIIs local leaders 3) 1 community FGD (11 people, 4M/7F), 3 KIIs local leaders 4) 1 community FGD (12 people, 6M/6F) 5) 1 community FGD (10 people, 5M/5F), 1 KII widow group chair person, 1 KII local leader 6) 1 FGD widows (13 people)
B.	1) Seeta (Goma) 2) Mpatta (Mpatta) 3) Ttaba (Mpatta) 4) Lulagwe (Mpunge)	1) 1 community FGD (10 people, 5M/5F), 1 FGD widows (2 people) 2) 1 community FGD (7 people, 3M/4F) 3) 1 community FGD (8 people, 6M/2F) 4) 1 community FGD (11 people, 8M/3F), 1 KII local leader
C.	1) Ngombere (Mpunge) 2) Nyenje (Goma)	1) 1 community FGD (12 people, 7M/5F), 1 FGD widows (8 people), 2 KII local leaders 2) 2 KIIs with local leaders

The community level FGDs were disaggregated by gender. Furthermore, we ensured representation of young men and women in the FGDs, in order to assess perception and practice changes across various age categories. This was included specifically after learning that recent property grabbing cases were instigated by young men due to increased economic dynamics and pressures on this particular population group.

2. Public Justice System key actors interviews (see for realized interviews Table 1)

As regards the Public Justice System (PJS), relevant sub-categories of key actors are:

- Local government:
 - Sub-county chiefs
 - Department officers
 - Local council leaders/parish chiefs
- Police system

³ In category C communities, no interventions took place on community level, only local government in the case of the Nyenje. Source: Community Activity matrix

- Legal system:
 - Magistrates and judges
 - Administrator General
 - Office of the Director of Public Prosecutions

For the category of police, we developed a more intense evaluation approach, in order to draw firmer conclusions about the contribution of the program to behavioral changes and to identify the activities that were the most successful. We based the sampling of police officers on the following four categories in order to draw relevant conclusions (Table 4).

Table 4: Sampling of interviews for police, with realized KIIs to assess behavior change

Category	Location	Purpose	Intended and realized number of KII
A. Those trained and still in Mukono County	Mukono County	Draw conclusions on added value police training	Intended: 2 Realized: 1
B. Those trained and relocated	To be located, could be far away	Draw conclusions on sustainability of police training	Intended: 2 Realized: 2
C. Those who were new in Mukono County	Mukono County	Comparison and conclusions on spill-over effects of police training	Intended: 2 Realized: 0
D. Those in surrounding counties /sub-counties	Neighboring county to Mukono (e.g., Nakifuma County)	Comparison on IJM added value police training (compare with A, B, C)	Intended: 2 Realized: 2

2.5 Impact and outcome level indicators

In order to assess impact and outcomes of the program, we selected a number of both qualitative and quantitative indicators for the most relevant areas of potential and intended change of the program. We analyzed these indicators on the basis of a number of different information sources, to provide insight into IJMs contribution to changes on these issues.

As part of this evaluation of the IJM program in Mukono County, and in line with the IJM theory of change and the evaluators' review (section 4.1), we formulated one impact indicator and three final outcome indicators, as follows.

- Impact indicator: The prevalence of property grabbing in Mukono County
- Final outcome indicator 1: Effective estate administration support to widows in Mukono County ("prevention")
- Final outcome indicator 2: Effective handling of PG cases by the PJS in Mukono County ("deterrence")
- Final outcome indicator 3: Effective measures at the community level to prevent and report PG cases in Mukono County.

The final outcome indicators will be used as composite indicators (i.e., will be assessed on the basis of the results on a number of selected outcome indicators, see below) that best contribute to the overall finding and quality of this final outcome.

The outcome indicators (Table 5) were oriented at capturing behavioral change and were thus selected on the basis of changes we would expect from our nested Theory of Change (see Figure 1), combined

with some of the outcomes as formulated by IJM in its MFM. These outcome indicators apply to IJM's program work on the community level, the police, and the public justice reform segments.

Table 5: Outcome indicators used in this final evaluation

Outcome indicators	Data sources
<p><i>1. Changes in capacities and attitudes—community level</i></p> <p>1.1 Opinions on property grabbing as a crime</p> <p>1.2 Opinions about capacities to address property grabbing</p> <p>1.3 Opinions about what is effective handling of PG cases</p> <p>1.4 Level of trust in police and the PJS</p>	<ul style="list-style-type: none"> • FGDs and KIIs with community members, widows • Baseline-endline comparison • MFM • Perception survey communities
<p><i>2. Changes in capacities and attitudes—local leaders</i></p> <p>2.1 Opinions on property grabbing as a crime</p> <p>2.2 Opinions about effective handling of PG cases</p>	<ul style="list-style-type: none"> • KIIs with LC and local leaders • Baseline-endline comparison • MFM
<p><i>3. Changes in capacities and attitudes—police and PJS</i></p> <p>3.1 Opinions on property grabbing as a crime</p> <p>3.2 Opinions about the role of actors to deal with PG</p> <p>3.3 Opinions about capacities for the police and PJS to take adequate measures to address property grabbing</p> <p>3.4 Opinions that criminal prosecution is the best answer to PG</p>	<ul style="list-style-type: none"> • KIIs with police and PJS actors • Baseline-endline comparison • MFM
<p><i>4. Changes in behavior related to prevention and/or deterrence of property grabbing—community level</i></p> <p>4.1 Reporting of PG cases, to police, LCs, or others</p> <p>4.2 Incidence of will writing and of formalization of marriages</p> <p>4.3 Community actions to confront property grabbing</p> <p>4.4 Widow support groups and their functionality</p>	<ul style="list-style-type: none"> • FGDs and KIIs with community members, widows • Baseline-endline comparison • MFM • Perception survey communities
<p><i>5. Changes in willingness and practices to prosecute property grabbing cases—local leaders</i></p> <p>5.1 Advising community and widows to take legal steps</p> <p>5.2 Opinions about alternative measures (e.g., mediation)</p>	<ul style="list-style-type: none"> • KIIs with LC and local leaders • Baseline-endline comparison • MFM
<p><i>6. Changes in willingness and practices to prosecute property grabbing cases—Police</i></p> <p>6.1 Better PG case file management and record keeping</p> <p>6.2 Proper identification of PG cases</p> <p>6.3 Proper investigation of PG cases</p> <p>6.4 Investigated cases that result in effective arrest</p>	<ul style="list-style-type: none"> • KIIs with police actors • Baseline-endline comparison • MFM
<p><i>7. Changes in willingness and practices to prosecute property grabbing cases—Courts and overall PJS</i></p> <p>7.1 Better record keeping</p> <p>7.2 Less court delays</p> <p>7.3 Decreased backlog of cases</p> <p>7.4 Application of alternative approaches</p> <p>7.5 Ability by PJS to sustain and scale IJM's PG program results</p>	<ul style="list-style-type: none"> • Interviews with PJS actors • Baseline-endline comparison • MFM

2.6 Methodology of data analysis

The data analysis has been conducted by combining the different sources of information collected through our fieldwork, program documentation provided to us by IJM, and secondary sources that added understanding to contextual issues. This is a challenge because of the wealth of information available and different ways by which the available information can be combined. Although the perception survey adds quantitative insights to these data sources, no statistical analysis was performed due to the relatively small sample of the survey. Please find the data overview for analysis in Annex 1.

The sources of information combined allowed us to analyze all relevant data and reach conclusions by adopting the following sequence of steps:

1. Identify main themes and hypotheses on causal pathways through which IJM aimed to realize its impact, including the defined main impact and outcome indicators—this was mainly done on the basis of the findings from our qualitative fieldwork and interviews.
2. Draw conclusions on effectiveness in realizing impact and outcomes by finding supportive evidence, both quantitative and qualitative.
3. Validate the identified causal pathways, identify the contribution by IJM, and identify alternative causal pathways if the IJM causal pathway could not be validated.
4. Identify the main activities of the IJM program that have contributed to the realized results, other influencing factors, and contextual factors that influence the causal pathways of the program.

2.7 Limitations of the study and reflection on methodology used

Biased or desirable responses

There was a risk of respondents providing desirable and biased answers in order to satisfy IJM and expect further support. We have tried to reduce this risk by starting out with open questions, and only later focusing at possible contributions by the IJM project. However, also due to the mobilization of FGDs and other stakeholders having been prepared through IJM, it was inevitable that this created certain expectations on the side of respondents. In locations where IJM's presence had been strong, the evaluation team met with various stakeholders that either strongly identified us as IJM staff or were identifying themselves as working for IJM (including wearing T-shirts that had been handed out by IJM). Thus, we have not been able to avoid receiving biased responses.

Sampling for purposes of comparison

In the sampling strategy at the community level we included a selection of widows for FGDs in category C, meaning at locations where IJM interventions had not taken place. For the sampling of police officers at the community level, we included categories C and D, in order to include police officers that were new to Mukono County or police officers working outside of Mukono County with no prior IJM training. Prior to the fieldwork, we acknowledged that it could be complicated to identify respondents from these comparison categories, since they lacked the support and mobilization by IJM. We tried to identify respondents from these categories through snowball sampling while in the field. For widow support groups in category C, we managed to conduct one FGD. For police officers, we held two KIIs with respondents from category D, but no KIIs with respondents from category C. In addition, the comparison with communities in category A where community dialogues were held is complex, as category A communities are not representative because they were selected for having the highest prevalence of property grabbing.

Lack of program data

IJM Uganda's M&E system was introduced in 2015, while the program began in 2008. Therefore, the lack of program monitoring data, especially for the first phase of the program from 2008–2012, influences the level of attention and detail we could give to this first phase throughout the evaluation.

Lack of access to final endline data

The endline was not finalized at the time of our fieldwork and data analysis. This has made it impossible to design data collection in a way to build on or validate findings from the endline, as was the initial intention.

3. Context of property grabbing in Uganda

3.1 Property grabbing of widows and orphans in the Ugandan context

Defining property grabbing and land grabbing

In accordance with IJM, land grabbing is defined as “the unlawful and coercive eviction of lawful landowners through the use of physical force, forgery, fraud, threats, intimidation, property destruction and/or collective pressures.”⁴ Land grabbing is more commonly understood as large-scale land appropriation by powerful elites and often involving multiple household properties. IJM’s property grabbing program has focused on smaller-scale land grabs and has focused on the vulnerable group of widows and orphans. Property grabbing is defined by IJM as a set of crimes “through which vulnerable people are driven from, or otherwise lose access to, their rightful land through physical force, forgery, fraud, threats, intimidation, property destruction and/or collective pressures.”⁵ There is, however, an interplay between the two types of land grabbing, since pressure on land by large-scale acquisitions also drives the smaller property grabbing instances. In this report we differentiate between land grabbing as the large-scale land appropriation practices, often by powerful elites beyond the community, from smaller-scale property grabbing which affects vulnerable individuals such as widows and orphans and which is generally driven by family or community members. It is important to make this distinction, because, as will be highlighted in this report, while the prevalence of property grabbing has declined the occurrence of land grabbing has increased over the same period.

Property grabbing in practice

Land insecurity in Uganda has risen dramatically: In 2008, 35% of Ugandan households reported land conflicts at the household level. Especially widows and orphans are vulnerable to the small-scale property grabbing practices. Widows often have limited financial resources, lack the support from family, and have limited access to authorities. Property grabbing of widows and orphans most often occurs within families, instead of by outside elites or businessmen as in the case with land grabbing.⁶ It often involves threats and intimidation to take the entire land or parts of the property, after the death of the male household head. Generally, mediation by local leaders is proposed as a solution to the dispute. This often results in a solution in which both parties receive part of the property, which creates an incentive for future property grabbing by perpetrators.⁷ In Mukono County, in 2014 nearly 40% of all

⁴ Rudy, J. E. Kadi, K. Singleton, P. Langford, and A. Cooper Parks. 2014. Strengthening the Performance of the Ugandan Justice System: a Model to Secure and Protect Widow and Orphan Land Rights.

⁵ IJM Kampala Program. 08.01 – Ugandan Laws Related to Property Grabbing (Summary of the Law).

⁶ van Leeuwen, M., I. Zeemeijer, D. Kobusingye, C. Muchunguzi, L. Haartsen, and C. Piacenza. 2014. The Continuities in Contested Land Acquisitions in Uganda. In A. Ansoms and T. Hilhorst (eds.) *Losing your Land: Dispossession in the Great Lakes*.

⁷ 14.02.2014 Baseline Study, p. 18

widows and orphans had experienced successful or unsuccessful property grabbing attempts in their lifetime.⁸

Social and cultural factors to property grabbing

Among local clan leaders, there is fear that women will sell property to people outside of the predominant clan and are motivated to prevent this from happening.⁹ This was confirmed in EOP interviews, with one respondent stating “because daughters marry into other clans, the family will not allow land to go to other clans than the father’s clan.” Women and daughters are often kept out of wills altogether, and young boys are pushed by their family and community members to claim ownership instead. Strong social and cultural norms and beliefs hamper the resolution of property grabbing disputes via the legal routes. Witchcraft is also involved: People may resolve conflicts via witchcraft and witch doctors who are greatly feared.¹⁰

HIV prevalence is another factor that plays a role in incidence and vulnerability to property grabbing. Uganda’s HIV prevalence rate is 6.5%, while about 50% of the widowed clients that IJM assists are HIV-positive.¹¹ There is evidence that when a family suspects that AIDS is a cause of death, they apply for letters of administration to prevent the widow from using the property to finance her medical bills. This extends to lawyers not naming widows as administrator of estate if there is suspicion of her being HIV-positive.¹²

3.2 Mukono County geographical and socio-economic context

Geography and socio-economic characteristics

Mukono County is located next to Uganda’s capital, Kampala, and in the Central region. Mukono’s Central Division is situated 21 kilometers east of Kampala and serves as the administrative center, where government and courts are located. Mukono County has 13 sub-counties. The 2014 census showed that Mukono District has a population of 596,804, making it the seventh most populated district in Uganda out of 112 districts in total.¹³

The south of the county borders Lake Victoria, and the area is a source of fish for domestic markets and export. Other main economic activities are agriculture, mining, industry, and tourism. Its close location to Kampala has ensured rapid urbanization and increased population growth, and it had a population growth rate of 10.4% between 2002 and 2014.¹⁴ At the same time, there is high unemployment, especially among younger generations, with 12.8% of youths (persons between 18 and 30) not working nor attending school.¹⁵

Land grabbing dynamics in the region

⁸ 14.02.2014 Baseline Study, p. 89

⁹ Bazaara N, 2002. Politics, Legal Land Reform and Resource Rights in Uganda, Center

¹⁰ 09.04.05.2017 Community Engagement Key Learnings, p. 1

¹¹ 05.01.06.2012 Uganda Field Office Project Summary, p. 3

¹² L.S. Khadiagala (2001) The Failure of Popular Justice in Uganda: Local Councils and Women’s Property Right. In Development and Change Vol 32: 55–76

¹³ Uganda Bureau of Statistics 2017, The National Population and Housing Census 2014 – Area Specific Profile Series, Kampala, Uganda.

¹⁴ Uganda Bureau of Statistics 2014, National Population and Housing Census 2014, Provisional Results.

¹⁵ Uganda Bureau of Statistics 2017, The National Population and Housing Census 2014 – Area Specific Profile Series, Kampala, Uganda.

As the pressure on land is high, the district of Mukono is regularly mentioned in media reports of property grabbing and land grabbing cases. A recent study from FIAN and TNI (2017) in Mukono District showed that the region is confronted with large land acquisitions driven by foreign direct investments. These land grabs occurred in the area that borders Lake Victoria, for land that was used for sand mining. The land acquisitions were associated with forced evictions, displacement of the population, loss of livelihoods, and overall ignorance of existing laws concerning land ownership and relocations.¹⁶ The FGD with community members from Lulagwe made note of land grabbing as frequent occurrences in their direct area, due to their strategic location close to Lake Victoria. They made specific reference to the dubious role of lawyers in these land grabbing processes, as they facilitate businessmen and investors to acquire community land for inadequate prices.

Due to increased urbanization and its vicinity to Kampala, the value of land in Mukono County is also increasing. This provides an additional pressure or incentive for property and land grabbing to take place. There is no reliable database on land prices in Mukono County. Based on the EOP interviews, acre prices in Mukono County increased from 500k to 1 million UGX in 2005, to various millions in 2010, up to current levels of 20 million per acre. There is even reference to land in Mukono County being sold for over 100 million per acre, such as near the new soft drink factory.¹⁷ As a result of the rapidly rising land prices, several interviewees referred to a “land bubble” in order to give economic context to property grabbing and land grabbing.

3.3 Legal frameworks relevant to property grabbing in Uganda

Property Grabbing in a Context of Legal Pluralism

Property grabbing in Uganda occurs in a context of legal pluralism, which refers “to the idea that in any one geographical space defined by the conventional boundaries of a nation state, there is more than one law or legal system.”¹⁸ In the case of property grabbing in Uganda, both (unwritten) customary laws and statutory laws are relevant. In the case of statutory law, land issues such as property grabbing can have civil law and/or criminal law aspects.

Customary law—land and women

Uganda has four types of land tenure recognized by the Constitution of Uganda: freehold, leasehold, customary, and Mailo.¹⁹ Mukono County, in Central Uganda (Buganda Kingdom), is known for having much Mailo land, which is relatively easy to change ownership. Also, the advantage of Mailo is that one can own the land forever. No more new titles of Mailo tenure are being issued, as all titles were issued before 1928. The Mailo tenure system sees two types of ownership: titled and Kibanja ownership. This latter type of ownership is considered an occupancy right, and Kibanja holders are described as “tenants” as opposed to landowners. Kibanja holders have a significant vulnerability risk to property grabbing due to the perceived uncertainty related to this tenure system, even though the Ugandan government recognizes Kibanja as a form of land ownership. In its 2014 baseline study, IJM considered Kibanja ownership as one of four statistically significant risk factors for the prevalence of property grabbing.²⁰

¹⁶ Margaret, N. Bavuma, N. and Namugga, V, 2017. Bottom-up Accountability Initiatives to Claim Tenure Rights in Sub-Saharan Africa: *Collaborative action research on the rush for land and water in Uganda, Mukono District*.

¹⁷ Uganda Property Agents online. Commercial properties in Mukono County, Uganda.

¹⁸ Margaret Davies (2010), Legal Pluralism in: *The Oxford Handbook of Empirical Legal Research*, ed. by Peter Cane and Herbert M. Kritzer, Oxford: Oxford University Press, DOI: 10.1093/oxfordhb/9780199542475.013.0034

¹⁹ Habitat for Humanity Uganda (2013) *Uganda housing Market Mapping and Value Chain Analysis*.

²⁰ 14.02.2014 Baseline Study, p. 62

In Uganda, inheritance of land was governed by patriarchal customs whereby land transfers to an individual take place through a male relative. Even in cases when the natal family gave land to a woman, she was not allowed to sell it off to an outsider, except to the male clan leader. As a result, it was impossible for many women to inherit or own land from their natal families or marital families because of this patriarchal custom. Thus, in most cases women only had user rights to land.²¹ The colonial administrators did not change patriarchal customs, and introduced new property ownership laws where an individual had the right to own land either by freehold or leasehold. The customary practice of giving land to a male heir was extended to these new forms of ownership. When a man died, his sons inherited the home. In this system, women did not have legal ownership rights. The commodification of land actually weakened women's user rights, because men now had title deeds, which they could use to receive loans without consulting the women.²² Significantly, one of the interviewees who teaches at a prominent Ugandan university stated that most first-year law students who enter university actually believe that women cannot own property. It is only after they take classes on land and succession rights that they realize that Ugandan law is different.

Uganda Constitution of 1995 and Succession Act

The Ugandan Constitution of 1995 is clear about property rights in the case of marriage. Married couples are entitled to equal rights during marriage, at dissolution of marriage, and at death. Such rights extend to matrimonial property. Under the Succession Act, a will must provide reasonable support for the spouse(s) and children of the deceased. In 2004, the Uganda Supreme Court declared section 27 of the Succession Act unconstitutional.²³ Following the 2004 constitutional court decision, the procedure now is to mediate portions among the surviving relatives.

Civil Law

Property grabbing is often perceived as a civil law issue as land issues and land disputes can include elements of a civil dispute. From IJM's *Prosecutor's Handbook on Property Grabbing Crimes* and also from interviews, it appears that there is often confusion and discussion over the distinction between civil and criminal wrongs, particularly in matters involving land disputes. It happened that courts dismissed cases or gave adverse rulings to the State because the court did not think a crime had occurred.²⁴ Some acts, like assault, can be both a civil wrong and a crime at the same time. In civil matters, the defendant can be ordered to pay for loss or damage he has caused. Furthermore, in civil cases it is the injured party who institutes proceedings and who may discontinue the proceedings.²⁵

Criminal Law

Ugandan penal code and other statutes do not include a specific offense that is called "property grabbing." However, the act of property grabbing involves violations of various penal provisions in various statutes. An overview can be found in IJM's *Prosecutor's Handbook on Property Grabbing Crimes*

²¹ Florence Asimwe & Owen Crankshaw (2011). The Impact of Customary Laws on Inheritance: A case study of widows in urban Uganda. *Journal of Law and Conflict Resolution*. 3. 7-13. 10.5897/JLCR.

²² Florence Asimwe & Owen Crankshaw (2011). The Impact of Customary Laws on Inheritance: A case study of widows in urban Uganda. *Journal of Law and Conflict Resolution*. 3. 7-13, p. 8. 10.5897/JLCR

²³ Prior to this judgment, if a male person died intestate (without a will), the widow would be entitled to 15% of the estate and the matrimonial home, provided she did not remarry. The other surviving relatives would receive portions of the residual 75%, depending on their relationship and level of dependence to the deceased. See: *Uganda Association of Women Lawyers and Others v Attorney General*, (Constitutional Petition No. 2 of 2003), [2004] UGCC 1 (10 March 2004).

²⁴ See also IJM, *Prosecutor's Handbook on Property Grabbing Crimes*, p. 58, Kampala, Uganda: IJM; International Justice Mission, *Police Instructor's Manual On Succession-Related Property Grabbing Offences*, p. 58.

²⁵ IJM, *Prosecutor's Handbook on Property Grabbing Crimes*, p. 58.

(2016), as well as in the *Police Handbook*.²⁶ These offenses can be divided into three categories (see for more details Table 1 in Annex 2)²⁷:

1. Offenses against *the person*: physical assault, domestic violence, unlawful eviction, and threats of violence
2. Offenses directed to the person's *land*: destruction of property, trespass, occupying land belonging to another, removal of boundary marks, intermeddling, etc.
3. Offenses directed against the person's *documentation* that establishes the person's equitable *ownership rights*: obtaining registration by false pretense, fraudulent disposal of trust property, forgery and destruction, concealment or theft of a will.

In criminal matters, the defendant can be ordered to a custodial sentence. Moreover, it is the State who institutes proceedings in criminal cases, and the proceedings can continue regardless of the victim's wishes or receipt of compensation.²⁸

Public Justice System (PJS)

Uganda's PJS is the legitimate government-instituted and controlled use of force and authority to promote public safety, protect citizens from the use of force not authorized by law, and provide equal access to rights and due process. The PJS is comprised of law enforcement; prosecutorial, judicial, and administrative bodies; local governments; and social service systems.²⁹

With regard to property grabbing, the four most relevant state institutions are the following:

- The Administrator General's Department, headed by the Administrator General, is a department under the Ministry of Justice and Constitutional Affairs. It was established (in 1933) to provide efficient, fair, and expeditious machinery for the administration of estates of deceased persons.³⁰
- The Uganda Police Force, headed by the Inspector General of Police (IGP).³¹ Its tasks are as follows: (a) to protect the life, property, and other rights of the individual; (b) to maintain security within Uganda; (c) to enforce the laws of Uganda; (d) to ensure public safety and order; (e) to prevent and detect crime in the society.³²
- The Office of the Director of Public Prosecutions, directed by the DPP (Director of Public Prosecutions). Its main tasks are to direct police to investigate any information of a criminal nature, as well as to take over and continue—or discontinue—any criminal proceedings instituted by any person or authority.³³
- The judiciary, directed by the Chief of Justice, is the third arm of government, under the doctrine of separation of powers.³⁴ It is formed by the various courts of judicature, which are independent of the other arms of government. The superior courts of Uganda are the Supreme Court, Court of Appeal,

²⁶ IJM, *Prosecutor's Handbook on Property Grabbing Crimes*, Kampala, Uganda: IJM; International Justice Mission, *Police Instructor's Manual On Succession-Related Property Grabbing Offences*.

²⁷ IJM Kampala Program. 08.01—Ugandan Laws Related to Property Grabbing (Summary of the Law).

²⁸ IJM, *Prosecutor's Handbook on Property Grabbing Crimes*, p. 59.

²⁹ International Justice Mission (2014) *Property Grabbing from Ugandan Widows and the Justice System*, p. 9.

³⁰ Ministry of Justice and Constitutional Affairs, Uganda. Online.

³¹ Uganda Police Force. Online.

³² Uganda Police Force. Legal Mandate Online.

³³ As laid down in article A.120 (3) of the Constitution. (consulted 22 May 2018).

³⁴ The mandate of the judiciary is enshrined in Article 126(1) of the Constitution. Article 128(1) furthermore states, "In the exercise of judicial power, the courts shall be independent and shall not be subject to the control or direction of any person or authority."

and the High Court. The judiciary summarizes its mission as an “independent, competent, trusted and accountable Judiciary that administers justice to all.”³⁵

With regard to the tribunals where property grabbing should be tried, there is a difference between small and large estates. The Magistrate Court serves as a court of first instance for the administration of small estates and the prosecution of non-capital offenses. The High Court serves as a court for the administration of large estates and all offenses, as well as an appellate court charged with reviewing decisions arising from the Magistrate Court.³⁶

3.4 General insights on formal and informal justice systems

There is need for some more general background to formal and informal justice systems relevant to the subject of this evaluation. The following overview is mainly drawn from international literature.

In all countries, the justice sector is pluralistic, including formal and informal systems. Formal systems are sanctioned on the basis of statutory law and within the power of the State. Informal systems are beyond the control of the State, such as community-based case resolution practices.³⁷ In general, supporting the formal justice system materially and supplying it with knowledge (training) is valuable and can be considered an effective long-term investment. However, globally there is increasing recognition of the importance of the informal justice system, as it may be more accessible than formal mechanisms and may have the potential to provide quick, relatively inexpensive, and culturally relevant remedies. Especially in situations where the formal justice system has limited capacity, a stronger focus on the informal justice system is seen as critical. There are also discussions on how formal and informal justice systems can be merged.³⁸ In a general sense, cases considered as being criminal tend to make more use of formal justice systems, while cases considered as being civil tend to make more use of informal justice systems.³⁹

An international study by UNDP, UNICEF, and UN Women defines the informal justice system as “the resolution of disputes and the regulation of conduct by adjudication or the assistance of a neutral third party that is not a part of the judiciary as established by law and/or whose substantive, procedural or structural foundation is not primarily based on statutory law.” Informal justice systems are generally more accessible than formal justice systems and adapted to socio-economic, cultural, and political contexts in which they operate. Custom-based mechanisms are considered to be more sustainable and have greater legitimacy, although limited in reach. In most countries, there are functional linkages between the informal and formal justice system. Interventions and programs that target informal justice systems need to take this context and the way the two systems interact into account. A distinction can be made among informal justice mechanisms anchored in (i) customary and tribal/clan social structures, (ii) religious authorities, (iii) local administrative authorities, (iv) specially constituted state

³⁵ H.P. Adonyo (2012), *Structure and Functions of the Judiciary of Uganda*, A paper presented during the introduction of the new Magistrates Grade One, Ridar Hotel, Seeta, Mukono, 24 September 2012, p. 5. Online.

³⁶ International Justice Mission (2014), *Property Grabbing from Ugandan Widows and the Justice System. A mixed-methods assessment in Mukono County, Uganda*, p. 37.

³⁷ The Advocates for Human Rights (2011) *Working with the Justice Sector to End Violence against Women and Girls*, Justice Sector Module (December 2011), p. 8.

³⁸ UNDP, UNICEF & UN Women (2012) *Informal Justice Systems. Charting a course for human right-based engagement*, p. 344.

³⁹ FindLaw Online Key Differences. Civil Cases vs. Criminal Cases. Online.

customary courts, and (v) community forums specially trained in conflict resolution. Types (iii) and (iv) often present a hybrid model where officials of a state system apply customary norms.⁴⁰

Hybrid forms of formal justice systems and informal justice systems exist in many countries—Western and non-Western. State law may define such linkages and provide for official forms of collaboration, but even where this is not the case, there are often various forms of unofficial collaboration. There may also be the possibility of appeal to a court in the formal system and, in some circumstances, this could be precisely what renders it possible for people to trust informal mechanisms of justice. Thus, the formal system can exert influence even where its mechanisms are not directly invoked.

The following are factors identified as influencing people's choices and uses of informal justice systems:⁴¹

1. In/effectiveness and popular illegitimacy of the formal justice system
2. Informal justice system case settlement procedures and outcomes
3. Economic concerns
4. Cultural, religious and/or customary beliefs and practices
5. Habits or routines
6. Power relations and social pressure
7. Legitimacy and authority of informal justice system providers.

Some insights on the combination of formal and informal justice systems relevant for this study are the following:

1. Many of the hindrances to women's access to formal justice systems also apply to informal justice systems, such as the lack of access to economic and other resources, persistent fear of intimidation, and victimization by officials such as members of the IJS or community members.
2. In many contexts, both formal and informal justice systems fail to protect women from discrimination in regard to property rights. While custom may not be in favor of practices such as property grabbing (often committed against widows), informal justice systems in many contexts have not been able to protect vulnerable women against such practices.
3. Although informal justice systems do not fully respect and protect women's rights in many contexts, women creatively seek a just resolution and the protection of their rights. They often seek to change informal justice structures from the inside rather than to discard them outright.
4. Engagement with informal justice systems may have limited impact unless it is part of broader efforts to build dialogue on values and beliefs, for example acceptance of the right of women to own land. Thus, the holistic thinking behind sector approaches to formal justice systems needs to involve players in the provision of primary justice.
5. The consideration of whether to engage in the formal or informal justice system should be based on an understanding of why people do not choose the formal system in the first place, and secondly, what are the barriers in making use of informal justice systems.
6. Baseline studies should adopt a holistic approach by analyzing both formal and informal justice systems and the respective barriers for women in particular.

Restorative justice is an approach that can be applied in both the formal and informal justice systems and can be combined with more punitive criminal justice interventions. It is defined as "a theory of justice that emphasizes repairing the harm caused by criminal behavior. It is best accomplished through cooperative processes that allow all willing stakeholders to meet, although other approaches are available when that is impossible. This can lead to transformation of people, relationships and communities."⁴² Various countries apply restorative justice interventions, including repair, to cases of

⁴⁰ UNDP, UNICEF & UN Women (2012) *Informal Justice Systems. Charting a course for human right-based engagement.*

⁴¹ UNDP, UNICEF & UN Women (2012) *Informal Justice Systems. Charting a course for right-based engagement.*

⁴² Centre for Justice & Reconciliation Online. Lesson 1: *What is Restorative Justice?*

violent crime against women and children.⁴³ It is a misperception that restorative justice, focused on repairing social harm, is a “soft” response to crime as compared to harsher and more punitive criminal justice responses, focused on punishment. Simon Robins, in his overview on restorative justice in Uganda, distinguished three types of primary restorative processes: mediation, restorative circles, and restorative conferencing.⁴⁴ In the case of Uganda, Robins discussed two types of restorative approaches: the “top-down,” based on Western models, and the “bottom-up,” based on customary process and rooted in the informal justice system, the local council courts. Robins also discusses Uganda’s successful system of “court-based alternative dispute resolution” (ADR), where a settlement is reached with the aid of a trained mediator.⁴⁵

3.5 Policies and institutional responses to property grabbing

Community level—practice based on customary law

At the community level, practices regarding property are based on customs and customary law. Since customary law is unwritten, custodians of the law, who are mainly male, tend to apply the law as it suits them. In so doing, they deny women their inheritance rights. This also means that if a married woman dies, property is not distributed because the property is culturally assumed to belong to her husband.⁴⁶

Responses by local authorities—focus on civil responses

Local authorities traditionally focus on providing mediation in cases of property disputes. However, the role of state and customary institutions in this regard is fraught with distrust and tension. This distrust is fueled by local government appropriating land themselves and past failures to address contested land acquisitions in which local elites have taken advantage of weak local institutions.⁴⁷

Responses by NGOs and churches—focus on civil responses

In Uganda, there are several CSO and (I)NGO organizations that work in the field of women and land rights. One interviewed NGO staff member referred to their organization’s focus on alternative dispute resolution for property grabbing victims and shared doubts about the effects of the legal approach taken by IJM on family and community relationships. However, the prospect of achieving a more just outcome for victims through judicial action was positively acknowledged. In spite of these different opinions, there is interest by NGOs in pursuing partnerships with IJM to find complementarity in their approaches.

IJM has not entered into many formal partnerships with NGOs, except for a few to broaden their reach and support their community work. IJM partnered with the NGO Bead for Life, which enabled an extended outreach and a platform for community sensitization on PG issues in Mukono County. Bead for Life would, in turn, refer some of its clients to IJM for assistance with their pending property grabbing cases. A similar partnership was established with Reach One Touch One Ministries.

⁴³ See: The Advocates for Human Rights (2011) *Working with the Justice Sector to End Violence against Women and Girls*, Justice Sector Module (December 2011), p. 12.

⁴⁴ Simon Robins (2015) *Restorative approaches to Criminal Justice in Africa: The case of Uganda. The Theory and Practice of Criminal Justice in Africa*. Pretoria: Institute for Security Studies, p. 63.

⁴⁵ Simon Robins (2015) *Restorative approaches to Criminal Justice in Africa: The case of Uganda. The Theory and Practice of Criminal Justice in Africa*. Pretoria: Institute for Security Studies, p. 66.

⁴⁶ Florence Asimwe & Owen Crankshaw (2011). The Impact of Customary Laws on Inheritance: A case study of widows in urban Uganda. *Journal of Law and Conflict Resolution*. 3, pp. 8–9. 10.5897/JLCR.

⁴⁷ van Leeuwen, M., I. Zeemeijer, D. Kobusingye, C. Muchunguzi, L. Haartsen and C. Piacenza. 2014. The Continuities in Contested Land Acquisitions in Uganda. In A. Ansoms and T. Hilhorst (eds.) *Losing your Land: Dispossession in the Great Lakes*.

Like NGOs, churches mainly supported the civil and local conflict resolution approach to solving property grabbing cases. Churches have been partners for IJM in Mukono County, and they have provided spaces and platforms for community mobilization and sensitization.

Alternative Dispute Resolution for civil law cases

The Justice Law & Order Sector (JLOS) of Uganda is stimulating Alternative Dispute Resolution (ADR) as a general strategy for civil cases. With support of the Austrian Development Cooperation, there has been a project around ADR, which is also used to further implement Judicature (Mediation) Rules of 2013, which made mediation mandatory in all civil matters including land, family, and main civil law.⁴⁸ The Mediation Act describes a mediation as follows: “The process by which a neutral third person facilitates communication between parties to a dispute and assists them in reaching a mutually agreed resolution of the dispute.” The mediator is a person eligible to conduct mediation under these rules.⁴⁹

Policies with regard to women and children in relation to land rights and property grabbing

In 2013, the Uganda National Land Policy was approved by Cabinet. In section 4.10 it acknowledged that “women are generally unable to own or inherit land due to restrictive practices under customary law and they are not economically endowed to purchase land rights in the market.” In general, customary practices “continue to override statutory law in recognition and enforcement of women’s land rights, abating unnoticed land grabbing at family level.” Attempts to “redress this situation by outlawing discriminatory cultures, customs and practices in land ownership, occupation and use, and requiring spousal consent to transactions involving family land in the 1995 Constitution and Land Act Cap 227 have not been effective due to failure in implementation and enforcement.” Even though improvements were mentioned, such as strategic litigation in respect of the Divorce Act and Succession Act, “the gap between what is in law and what is in practice is clearly distinct.”⁵⁰

The following policy statements were formulated with regard to women and children:

- (a) Government shall, by legislation, protect the rights of inheritance and ownership of land for women and children.
- (b) Government shall ensure that both men and women enjoy equal rights to land before marriage, in marriage, after marriage, and at succession without discrimination.⁵¹

In section 4.12 the land rights of vulnerable groups are addressed (such as people infected by HIV/AIDS or other diseases or disabilities, internally displaced people) who are “prone to loss of land rights and are threatened by landlessness due to poverty-induced asset transfers, distress land sales, evictions, land grabbing and abuse of land inheritance procedures.”⁵² With regard to these vulnerable groups, two policy statements were formulated:

- (a) Legislation and management practices shall accord all vulnerable equal rights in acquisition, transmission, and use of land.
- (b) The State shall regulate land markets to curtail distress land sales and ensure that the land rights of the vulnerable groups are protected.⁵³

⁴⁸ The Judicature (Mediation) Rules, 2013. Statutory Instruments 2013 No. 10, Statutory Instruments Supplement No. 6, Statutory Instruments Supplement to the *Uganda Gazette No. 13 Volume CVI dated 15th March, 2013*, pp. 499–516.

⁴⁹ The Judicature (Mediation) Rules, 2013. Statutory Instruments 2013 No. 10, Statutory Instruments Supplement No. 6, Statutory Instruments Supplement to the *Uganda Gazette No. 13 Volume CVI dated 15th March, 2013*, p. 502.

⁵⁰ Ministry of Lands, Housing and Urban Development (2012) *The Uganda National Land Policy*, p. 25.

⁵¹ Ministry of Lands, Housing and Urban Development (2012) *The Uganda National Land Policy*, p. 25.

⁵² Ministry of Lands, Housing and Urban Development (2012) *The Uganda National Land Policy*, p. 26.

⁵³ Ministry of Lands, Housing and Urban Development (2012) *The Uganda National Land Policy*, p. 27.

In more general terms, the Uganda National Land Policy clearly promotes land rights, such as by improving the administration framework. In order to address land disputes, Administrative Land Tribunals are being announced and “land dispute resolution mechanism will be reformed to facilitate speedy and affordable resolution of land disputes.”⁵⁴

In March 2015, the Ministry of Lands, Housing and Urban Development issued the Uganda National Land Policy Implementation Action Plan of 2015/16–2018/19. Widows and orphans are not mentioned in the report, but the 2015 Action Plan did announce “Measures to Protect and Improve Women’s Rights and Access to Land” (4.2.3.). The Action Plan mentioned 13 different “set of actions” that would be implemented under this program area. The first four of these 13 actions are the following:⁵⁵

- Ensure that neither formal nor customary rules and procedures impede the transfer of land to women and children
- Educate and sensitize the public on land-related gender discrimination
- Review and regulate implementation of customary rules to ensure that women’s rights to family land are protected
- Build capacity and support the legitimate authority of customary leaders in upholding customary rules and respecting and strengthening the rights of women, children, and other vulnerable groups.

With regard to land disputes and land conflicts, the Action Plan announced a Lands Disputes and Land Conflicts Resolution Program. “A variety of formal and traditional approaches will likely provide the most immediate and sustainable mechanisms; these services must be available to all.”⁵⁶

Property grabbing and the victimization of widows and orphans are not explicitly addressed in the Uganda National Land Policy Implementation Action Plan of 2015/16–2018/19 (issued in March 2015). However, later in 2015 property grabbing crimes are mentioned in the *Prosecutor’s Handbook on Property Grabbing*, which IJM compiled. The handbook contained a foreword by Mike Chibita, Director of Public Prosecutions, who signals the recognition and incorporation of property grabbing crimes as a problem by a PJS institution. In 2018, the *Police Instructor’s Manual on Succession-Related Property Grabbing Offences* was formally incorporated into police trainings.

4. Main findings

4.1 Theory of change and consequences for monitoring and evaluation

4.1.1 Reconstruction of the theory of change

IJM Uganda combats property grabbing from widows and orphans through individual casework and targeted PJS reform projects. The intended impact of the program is to achieve a reduction in the prevalence of property grabbing from widows and orphans, arising out of community-based interventions and a strengthened and effective PJS. The program is based on the assumption that a responsive PJS contributes to a lower prevalence of the targeted abuse against poor people and potential victims. IJM believes that an effective and consistent response from the PJS establishes a solid

⁵⁴ Ministry of Lands, Housing and Urban Development (2012) *The Uganda National Land Policy*, p. 37.

⁵⁵ Ministry of Lands, Housing and Urban Development (2015), *The Uganda National Land Policy Implementation Action Plan of 2015/16-2018/19*, pp. 15–16.

⁵⁶ Ministry of Lands, Housing and Urban Development (2015), *The Uganda National Land Policy Implementation Action Plan of 2015/16-2018/19*, p. 8.

foundation upon which other interventions aimed at preventing violence can be most effective. Greatest impact is expected when both prevention and response strategies are effectively employed. A strong deterrent effect coupled with community engagement is expected to contribute to an overall reduction in the prevalence of a targeted crime, in this case property grabbing.

Specifically, the program aims to ensure that:

- (i) Property grabbing in Mukono County is deterred through consistent, effective, and independent criminal prosecution of property grabbers who victimize widows and orphans.
- (ii) Property grabbing in Mukono County is prevented through consistent documentation of marriage, land ownership, testamentary intent, and estate administration.

We acknowledge the IJM theory of change and the adjustments that were made during the course of the Phase II program. The first version is from 2012, and subsequently changes have been made and have been clearly documented in versions from 2013 and 2014. The current version was last modified in 2014 (Figure 2).

The levels of impact and final outcomes have remained unchanged in the different TOC versions, as follows:

- Impact: The public justice system reduces the victimization of and vulnerability to property grabbing among widows and orphans in Mukono County through effective prevention and deterrence.
- Outcome 1: The Mukono PJS provides accessible, reliable, and efficient estate administration support to widows and orphans (presumably reflecting the “prevention” objective).
- Outcome 2: The Mukono PJS provides reliable, effective, and independent intervention on behalf of widows and orphans in cases of property grabbing (presumably reflecting the “deterrence” objective).

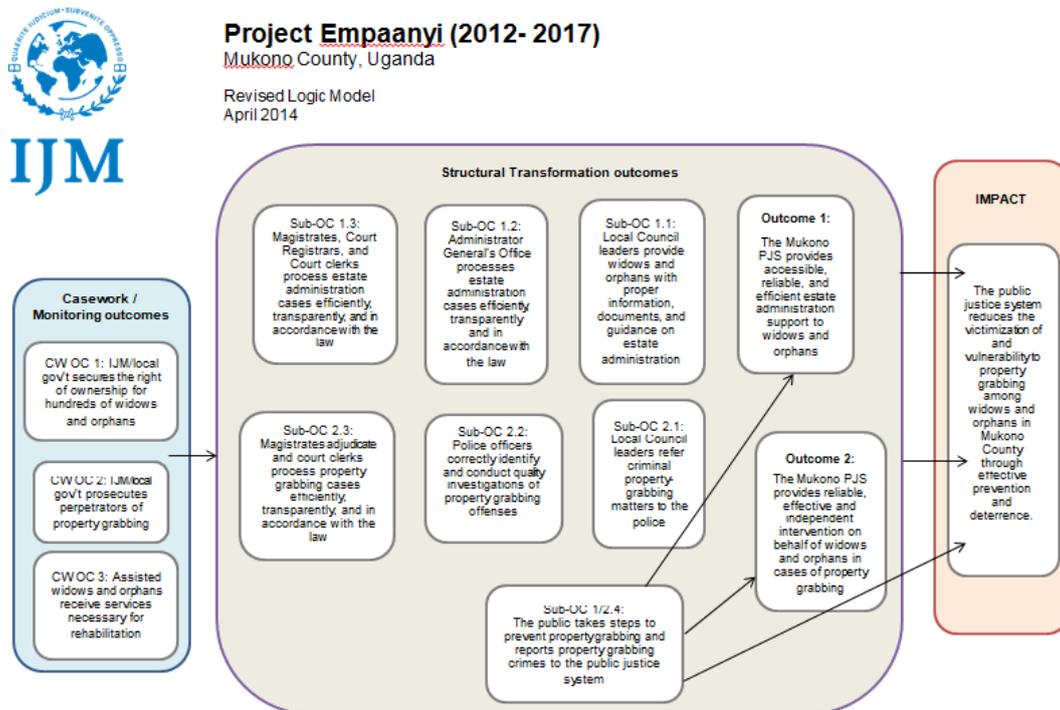


Figure 2: Theory of change of the IJM program—version 2014 (final version)

4.1.2 Observations on the theory of change

Based on the reconstruction of the theory of change and our understanding of the program and its implementation, we have three observations:

- First, the position of the work at the community level is not properly integrated, whereas this component is critical for addressing the issue of socio-cultural norms, which has been found to be an important root cause of the occurrence of property grabbing.
- Second, the theory of change does not follow the logic of steps leading to a desirable change of behavior. This has been observed earlier on by the Three Stones Consultancy. All sub-outcomes include a mix of responsible actors and do not differentiate between different steps of a pathway of change that runs from “improved knowledge” to “change of attitudes” and “change in practices.” This sequence of steps will be different for each actor and is important to specify, because improving knowledge does not by itself lead to change in behavior. For instance, IJM reported in 2016, “According to a media poll, the Legal Education Program (LEP) participants reported increased awareness about PG, but their attitudes towards it remained largely unchanged.”⁵⁷ The Three Stones report has indicated that giving people knowledge on the law and their rights is not sufficient to change their behavior.⁵⁸ The theory of change does not sufficiently capture these complexities, which is the reason why the evaluation team defined its own “nested” theory of change to better reflect the expected behavioral change (see methodology).
- Third, assumptions (and external factors influencing the outcomes) are not included. Our evaluation shows these are critical for understanding why change has been difficult to achieve.

4.1.3 Monitoring and evaluation system

Based on the theory of change, the program has developed a rigorous monitoring system with data being collected in the Monitoring Framework Matrix (MFM), which according to the M&E specialist was the first in its kind for such an IJM program. Also, an extensive baseline and endline study have been carried out. Our observations on the MFM are in line with the above observations on the theory of change. Whereas there is a clear differentiation between different actors, no clear distinction is made between knowledge, attitudes, and practices. This makes it difficult to draw conclusions from the data in terms of the realized results in relation to the expected pathways of change. In spite of this weakness, there is a multiplicity of indicators, which does not make the system “lean and mean.”

The evaluation team is impressed by the rigorous documentation of the insights that have been at the basis of changes made in the theory of change and the results of the monitoring. Also, we observe an openness to feedback, reflection on lessons, and willingness to pilot new approaches and learn. However, we also observe that the strategy of IJM has basically remained unchanged during the course of the project, focusing on transfer of knowledge and improving the public justice system, as compared to a mixed approach (PJS and community work) and a focus on behavioral change (i.e., understanding the constraints and assumptions related to behavioral change).

4.2 IJM’s organization and approach

4.2.1 IJM’s general approach

⁵⁷ 09.04.01.2012-2017 EOP Narratives—Community

⁵⁸ 14.7 Three Stones messaging report (2016)

IJM has worked on justice and human rights issues around the world since its founding in 1997. Its approach focuses on justice system transformation while simultaneously assisting victims in achieving justice on a case-by-case basis. It currently has 17 field offices spread out in Africa, Latin America, South Asia, and Southeast Asia. Through its country programs, it aims to respond to cases of child sexual abuse, sex trafficking, forced labor, police abuse, and land theft. It does so with teams of lawyers, investigators, social workers, and community activists.

4.2.2 History of IJM's property grabbing program in Mukono County

In 2004, IJM opened its field office in Kampala and began its Empaanyi program to combat property grabbing of widows and orphans in Mukono County in 2008. The Empaanyi project was named after a leafy plant that has traditionally been used throughout Central Uganda to mark property boundaries.⁵⁹ The program has seen three phases since its start (Figure 3).

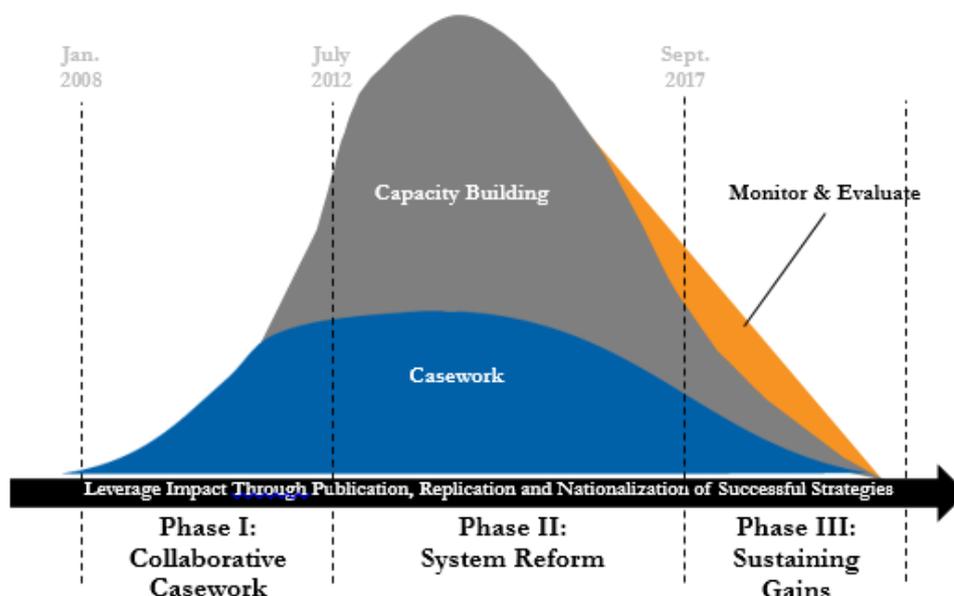


Figure 3: Visualization of the three-phased approach of the program⁶⁰

Phase I: Collaborative Casework

The program started with an approach called “Collaborative Casework.” This phase was characterized by a direct service approach to bring relief to victims of property grabbing, while engaging with civil and public justice system actors.⁶¹ The three pillars of that approach were: (1) Community Legal Education, (2) Casework Intervention, and (3) Aftercare.

Since the M&E system was not introduced in IJM Uganda until 2015, there is little data from this phase that informed our evaluation. This was further complicated as most staff we interviewed at IJM had started during the second phase of the program.

⁵⁹ 05.01.02.2012 Program Proposal Original

⁶⁰ 3. Executive Summary, p. 2

⁶¹ 3. Executive Summary, p. 2

Phase II: Systems Reform

In 2012 IJM's follow up phase started with the anticipated cumulative cost of operations of 7.2 million USD for the period 2013–2017. In its follow-up program proposal from 2012 onwards, it was stated that the roots of the crime of property grabbing are found in the Public Justice System's failure to provide widows and orphans with the protections afforded by lawful estate administration and to pursue criminal prosecution of property grabbers.⁶² Hence, the renewed and enforced focus on the public justice system transformation approach. The new phase of the program was also started with a shift from mediation to prosecution focus.⁶³

Community Dialogues

Following the insight that the set interventions did not generate the expected changes (e.g., in terms of property grabbing occurrence), in 2016 a Village Assessment Study was conducted by IJM, which showed that "knowledge was not identified as the main problem in combatting property grabbing. The women named poverty, cultural and social norms (women's land ownership, multiple wives, etc.), power dynamics, ignorance of the law, failure of men to protect, and examples of an ineffective justice system response as the main reasons for the occurrence of property grabbing and low reporting levels."⁶⁴ This led IJM to realize that, in addition to knowledge transfer, a behavioral change component was also necessary at the community level, for which they contracted Three Stones Consultancy for an initial assessment. Following their report, IJM added a component of Community Dialogues in 2017. This was based on the realization that property grabbing incidences were heavily embedded in social/cultural norms that needed an additional approach. Their community engagement strategy was rolled out with the following goals:

1. Changing men's attitudes toward female property inheritance,
2. Reporting property grabbing crimes against widows and orphans to police,
3. Documenting land rights, and
4. Increasing community bystander response in PG cases.

Subsequently, IJM organized community dialogues in mid-2017 in the four sub-counties with highest PG rates, according to program monitoring and reporting data: Nama, Nakisunga, Ntenjeru, and Kyampisi.⁶⁵

Phase III: Sustaining Gains

The Sustaining Gains Phase, starting in 2018, focuses on enhancing the sustainability of the program. It prioritizes long-term systemic change by maintaining and supporting the reforms that have been implemented during Phase II with public justice system actors.

This evaluation occurred at the start of the Sustaining Gains Phase. During the fieldwork, it became clear that staff were in the middle of communicating this final phase internally as well as to its clients and partners. This was especially difficult for the casework team, as they were expected to communicate that from the 83 cases of widows and orphans that were being assisted by IJM, only seven would be maintained. These seven clients had cases that were expected to be resolved soon. The other remaining 76 clients were invited to the office during the week of fieldwork to be informed that IJM would be handing their cases over to other organizations.

⁶² 05.01.02.2012 Program Proposal Original, p. 2

⁶³ 4. Project Timeline

⁶⁴ 14.09.2016 PG Village Assessment Report, p. 19

⁶⁵ 09.04.01.2012–2017 EOP Narratives—Community, p. 4

4.3 Outcome level findings

In the following section, for each defined outcome level indicator (see Table 5), a summary statement is given followed by a more detailed explanation with bullets providing the main sources of evidence and key findings. Sources of evidence include:

- this EOP evaluation including the perception surveys and focus group discussions,
- the baseline-endline surveys and comparison, and
- M&E data from IJM (the MFM).

The quotes are sourced from the KIIs and FGDs recorded during the EOP fieldwork.

4.3.1 Changes in capacities and attitudes—community level

Outcome indicator 1.1: Opinions on property grabbing as a crime

There is general understanding on the community level that property grabbing is a crime, but the expressed opinion by widows seems influenced by the existing cultural and gender norms and the ability to effectively treat property grabbing as a crime. During FGDs with community members and with widows, it appears that the knowledge of what is supposed to happen, according to the law and the education by IJM, is nuanced and replaced by their experiential and socio-cultural lens, also depending upon the nature of the property grabbing event and the ability of widows and community members to do something about it. This may explain why IJM's monitoring and endline survey results among widows give mixed results, including some declining perceptions of considering property grabbing as a crime.

- From EOP community level and widow group FGDs and the EOP perception survey, there is general agreement that PG is a crime. The perception survey shows a 100% agreement on this statement, which is not different in communities where IJM's interventions have been less intensive.
- However, during the EOP FGDs, the opinions about PG being a crime were discussed and nuanced. The nuances whether PG is a crime related to the value of the property, the amount of violence associated with PG, the damage that was done to the property, the ability to mediate the dispute, the social relation with the perpetrator, and whether the perpetrator returned the property.
- IJM's media poll from 2015 showed that nearly half of community members believed that PG is a negative thing, with one-third describing it as a crime. However, nearly one-third also believe that witchcraft is often involved in property grabbing.
- At the community level, knowledge of PG as a crime has improved over time, as a result of IJM's interventions and campaigns. There is general understanding on the community level in Mukono County that property grabbing is a crime, both among men and women in general, as based on FGDs. Based in the FGDs, the endline survey concludes that the level of understanding is less specific and comprehensive outside Mukono County.
- For widows only, the MFM data and the endline research data show mixed results on the understanding of the criminal nature of PG by widows. This apparent contradiction in understanding between community members and widows may be explained because there are socio-cultural norms that have remained unchanged and experiences of constraints on the ability to translate knowledge on PG into concrete practices. Both the socio-cultural and the justice system context play an important role. Failing to take action in line with the perception of PG being a crime, widows may adjust their opinion to be better aligned with their real experiences and their socio-cultural norms.
"If someone has used violence they should not be handled kindly. They must be punished to teach him and those who are left behind."

"It depends. If the grabber returns the property, they can mediate the dispute."

“The person should be taken to court and given a chance to return the things. He should be allowed to go free because these people are often close relatives.”

Outcome indicator 1.2: Opinions about capacities to address property grabbing

Community members feel more empowered in their capacity to address property grabbing, but also more widows now experience the constraints to implementing their capacities. IJM training and media activities have given community members confidence in discussing property grabbing more openly and capacities to challenge property grabbing when it occurs. But several constraints remain, such as unequal power relations and corruption, to successfully challenge property grabbing disputes.

- From the EOP, it appears that the capacity to address PG in their communities has increased. This increase is more significant in communities targeted by IJM interventions (category A and B), whereas in the comparison community (C category) the opinion about capacities to address PG was noticeably less strong, with the role of LCs, the necessity of will writing, and women’s right to owning property still under discussion among community members themselves. This is evidence for the contribution to the change by IJM and the community dialogues.
- The data from IJM’s media poll of 2015 revealed that there was low confidence (between 18.1% to 34.8%) in the effectiveness of measures to address/prevent PG, such as will writing, land documentation, and legalizing marriage.
- The endline survey shows trends of declining confidence by widows in local leaders but an increase in confidence in the police. This is plausibly so because widows have a low confidence in local leaders due to issues of corruption, mainly. On the other hand, policemen, who have been trained by IJM, show improved performance and can be better trusted.

“I was involved in dividing property. I had only ever read the IJM booklet. I had no training, but I thought the best thing to do was to discuss sharing equitably. But later when the heir had sold his part, he returned and said that as heir, he was entitled to more than that.”

“Before we got training, we didn’t really mind about our neighbors, and even our wives as stakeholders in our property. I had even bought a plot and had never checked to see whether the agreement had been signed. After the training, I checked and found that in fact we hadn’t followed the right procedure of signing and witnessing the document. I then corrected this.”

Outcome indicator 1.3: Opinions about the effective handling of PG cases

Opinions on the most effective handling of property grabbing in communities show large variation, including both formal and informal approaches. Both mediation at the family and the community level as well as prosecution through courts are mentioned as routes to take, with most respondents indicating that property grabbing cases should first be solved within families before reporting to police and going to courts.

- The EOP perception survey shows that 100% of respondents indicate that PG should be prosecuted, but at the same time 47.6% of women and 29.5% of men respondents agree that PG should be solved by mediation. During the EOP FGDs this opinion was strongly supported, with consensus that at least clan leaders and LCs should be involved at early stages. It appears that young people (age category 20–29) have more confidence in the judicial route.
- There is evidence that in communities with IJM community dialogues (category A) more people have confidence in taking the route through police and courts, while in communities without community dialogue or no IJM interventions (categories B and C) community members are less certain of that route and even fearful of police (especially in the case of category C).

- The data from IJM’s media poll of 2015 reveals that the majority of respondents (66.9%) believed that resolution of PG should start at family level, with only 23.3% believing that PG should always be reported to police.

“There are cases where you can resolve PG out of court (e.g., if you tell the person and they change, then that matter is resolved). In other instances, some individuals need to first go to jail to learn.”

“Property grabbing cases must be first handled at family level, especially where the deceased person left no will. Clan leaders and heads must be involved highly in resolving the conflict if it’s among family members. Where the family fails to resolve a matter between them, then such a matter must be forwarded to the local council members to mediate the matter. If they fail at this level, then the matter is forwarded to sub-county heads. At the same time, you can also report the matter to police officers nearby.”

Outcome indicator 1.4: Level of trust in police and the PJS

The level of trust in police and other PJS actors has slightly improved, but several constraints remain, especially a level of distrust toward police. This may be because police require additional resources to be able to carry out proper investigations. Especially affected widows have low levels of trust in PJS actors, which may be explained by their experiences.

- The FGDs conducted during the EOP show that most community members feel more empowered to go to the police or courts and give examples of cases where this had led to a successful outcome. Especially police officers at IJM-facilitated PGP desks are assessed more positively. However, distrust still exists toward police as being corrupt or unhelpful (siding with the perpetrator). Although there is improved insight into the role of the courts as a means to address the issue, overall the length of the process is deemed too long.
- The perception survey shows that 98.4% of respondents would report a case of PG to police or local leaders. However, 32.3% indicated that opinions of police toward prevention of PG had not changed in the last three years. This was especially the case for women, of which 39.7% saw no change.
- The EOP did not find differences in the above opinions between different categories of communities, thus no difference with communities without IJM interventions. This would suggest that either there has been spillover from IJM communities or there has been a general change due to other influences.
- The endline survey results showed that the trends of widows’ confidence in the justice system are mainly negative. The FGDs reveal that community members critique the police on the lack of sufficient resources that inhibit the police’s ability to conduct proper and timely investigations as well as active sensitization in communities. The police officers “do not rush to communities.” They ask for money and fuel for transport to come to the ground.

“The police officers at these desks are aware of these matters. Otherwise, another officer may take it lightly. First, we try to talk to the person. But if the person refuses to listen, we have to proceed to report at police and then the police has to handle the file.”

“Courts can help, but they take too long to conclude the matter. By the time the case is concluded, there could be a storeyed house built on the land. In general, courts haven’t helped us much.”

4.3.2 Changes in capacities and attitudes—Local leaders

Outcome indicator 2.1: Opinions on PG as a crime

There is general understanding among local leaders that property grabbing is a crime, although opinions vary regarding the proper way to address cases. Local leaders feel empowered and understand that property grabbing is a crime. They are able to mention some of the specific illegal aspects of the crime, such as forgery. When PG is accompanied by violence, local leaders are confident that these cases need to be brought to court; in other cases they still see mediation as an option.

- The KIIs conducted in the EOP show that all local leaders, including local councils, parish chiefs, Land Area Committee members, and clan leaders, assess PG as a crime and illegal act, while leaving space for mediation by themselves if the PG case was not accompanied by violence.
- The endline shows that LC leaders feel more knowledgeable but also have doubts on how they can address PG. They feel relatively powerless and in between two systems, stating their lack of trust in the police and that they lack real power against cultural leaders or norms.

“Property grabbing is always a crime. Sometimes the PG cases are violent and involve guns, then we advise people to go to police; otherwise first try mediation.”

“Property grabbing is a crime punishable in courts of law. It is a crime because it involves taking away property belonging to another person. It is also a crime because it involves forgery of documents such as land tiles, sale agreement, and falsifying of other related documents.”

Outcome indicator 2.2: Opinions about the effective handling of PG cases

Local leaders see mediation on the family and the community level as a first step for handling of property grabbing cases, prior to involving police and courts, which they do not trust. Most local leaders state that they will first try to resolve property grabbing cases themselves, and in case a settlement cannot be reached, refer to police and courts. Local leaders’ log books show a decrease in cases being forwarded to police or courts directly.

- In most FGDs and KIIs conducted with local leaders in the EOP, the common opinion for effective handling was to first deal with the case themselves, to try to reach a settlement within families. But if this was not successful, the matter would be forwarded to police, courts, or sub-county leaders.
- The MFM does not report on this indicator.
- The main critique highlighted in the endline report by local leaders on the police’s performance is the lack of sufficient resources, which inhibits their ability to conduct proper and timely investigations as well as conduct active sensitization in communities.

“We first sit with them (the elders, the family); we meet and discuss. If we can’t reach a common position of understanding, then we know that it is necessary to go through legal processes. Then we handle it as the crime it is.”

4.3.3 Changes in capacities and attitudes—police and other PJS actors

Outcome indicator 3.1: Opinions on PG as a crime

Police and other PJS actors show a shift toward understanding property grabbing as a crime but also point at cultural and customary roots for these cases to be treated as civil matters. Especially police officers not trained by IJM do not see property grabbing as a crime, but also among police trained by IJM the perception of property grabbing as a crime seems to decline. Police and other PJS actors continue to refer to property grabbing as a civil matter, especially when not accompanied by violence.

- The EOP KIIs with police officers show that the opinion on whether or not PG is a crime differs according to location. Police officers in Mukono County, or officers that received training by IJM in Mukono County, assess that PG is always a crime. Police officers from Lugazi, those without IJM training, consider PG cases most often civil matters, unless criminal elements such as trespassing are involved.
- The EOP KIIs with PJS actors (lawyers of the Administrator General, the Office of the DPP, and members of judiciary) reveal that all acknowledged PG to be a crime (100% of 16 interviewees of the PJS). However, many high-level actors of the PJS, especially from the judiciary, pointed out that PG also has civil aspects and is rooted in community beliefs and customary law.

- The MFM indicator on the percentage of police who believe property grabbing is a criminal matter shows a decreasing value, from 65.4% of surveyed police believing PG was a criminal matter in 2014 to 47.1% in 2016.
- The endline FGDs give a rather consistent view of improved understanding of PG as a crime. However, it seems that police mainly investigate PG cases that are characterized by violent offenses including murder, rape, and threats. This might also imply that PG cases are mainly reported to the police if violence is involved.

“Some cases that I take on board are only based on fraud (forgery of land titles), and not always associated with violence, although this could still happen at a later stage. PG is always a crime, and the best way to deal with it is go through the justice system, to resolve it once and for all. Through the justice system the decision is documented and binding.”

“There are different opinions about this, people look at it differently, when PG is a civil offense and when it is criminal case.”

Outcome indicator 3.2: Opinions about the role of actors to deal with PG

There is consensus among police and other PJS actors that effective handling of property grabbing needs to involve PJS actors but that mediation on the community level remains essential. The police and other PJS actors see a joint task for themselves to deal with property grabbing cases yet stress the importance of handling property grabbing cases on the community level in order to maintain good community relations and because PJS actors are already overburdened with cases.

- The EOP KIIs with police officers reveal that a joint effort with various actors is deemed necessary to deal with PG cases, especially PJS actors such as the Resident State Attorney, the Land Desk/Unit of police, and communities themselves. Furthermore, the facilitating role of IJM is mentioned as instrumental. The EOP KIIs with PJS actors from the Administrator General, the Office of DPP, and the Ministry of Justice, show that a substantial number of high-level actors of the PJS, particularly among the judiciary, consider that criminal law should not be the immediate response to PG, as it deteriorates community relationships. Moreover, the PJS is already overloaded, with a case backlog of several years. Solutions should also be found in the community.
- The endline FGDs give a rather consistent view of improved capacities to address PG. However, also mentioned is that resources remain limited to undertake the required investigations (police), and remaining challenges of filing systems. Importantly, mediation remains a preferred option for most PJS actors.

“Justice has to be done, of course, especially when victims and perpetrators have to live in close proximity from each other or when they are in-laws. Then it may be more effective to try to reconcile. This keeps the relationships better. On the long run this also increases the security of past victims of PG and it decreases the risk of revictimization.”

“The JLOS system and all its actors need to maintain and continue this work to keep these changes. I would like to see IJM continue to support us here. ‘PG are IJM matters,’ even police that have been trained will still say that.”

Outcome indicator 3.3: Opinions about capacities for the police and other PJS actors to take adequate measures to address property grabbing.

Capacities to take adequate measures have improved, but continued support by IJM to these capacities is deemed essential to sustain the improvements. Police and other PJS actors note improved skills and capacities to take adequate measures against property grabbing, such as better reporting, logistics, case file management and the computerized CCAS filing system. However, the PJS system is understaffed and PG cases are complex. The role of IJM in supporting PJS capacities and facilitating the “fast-tracking” of cases has been very important.

- Most EOP KIIs among police are about human and financial capacities on PG. Overall the IJM-trained police officers note improved skills on reporting, customer care, and file management. The capacity to act on these improved skills differs and, as one police officer concluded, is very much related to personal attitudes. Additionally, the logistical support by IJM (motorcycles, fuel) is instrumental for their improved response capacities and was mentioned a number of times during the KIIs. In the EOP KIIs with PJS actors, (lawyers of the Administrator General, the Office of the DPP, and members of judiciary) many interviewees state that the PJS has become better equipped in dealing with PG crime. More specifically, interviewees state that the PJS has more knowledge and legal tools to criminally prosecute PG crime, as proven in Mukono County. And, as the cases were well prepared and monitored by IJM, Mukono Court could then process them more quickly. However, high-ranked actors of the PJS indicated that the PJS is structurally understaffed and that PG cases are complex and bulky (with lots of documents to read and verify their authenticity). Several interviewees who worked at Mukono Court stated that the so-called “IJM cases” were being fast-tracked: receiving priority and support by IJM staff and thus being identified, investigated, and finalized in a timely manner.
- Several interviewees, from different sectors of the PJS, indicated that the computerized Court Case Administration System and organized court archives have reduced corruption. Much appreciated are concrete results such as the *Police Instructor’s Manual on Succession-Related Property Grabbing Offences*, the *Prosecutor’s Handbook on Property Grabbing Crimes*, the different trainings for PJS actors and the (organizational) improvements at Mukono Court, all of which improved performance.
- In the MFM, the percentage of police officers who have “good” knowledge of Uganda law regarding succession rights shows a baseline value of 92.3%, and this had decreased to 64.7% by 2016. The indicator % of prosecutors who demonstrate “good” knowledge of PG crimes and trial advocacy procedures also shows a reduction from 100% in 2016 to 86% in 2017.
- The endline study mentioned that resources remain limited to undertake the required investigations (police), remaining challenges exist of filing systems for the PJS actors, and overall case backlog and prison congestion all constrain criminal prosecution of property grabbing cases. From the FGDs, it is concluded that the police reportedly conduct poor investigations, miss necessary items, fail to get witnesses, and compromise witnesses in the course of investigations. These reasons result in the resident state attorneys sending files back to the police, which further elongates the case. By contrast, the attorneys reported few situations of insufficient investigations or documentation in cases where police were supported by IJM, which underlines the advantages of “fast-tracking.”
“To deal with missing files, we have improved case file management also in this police station. I advise my colleagues to have a personal record book, to keep track and prevent files from going missing.”
“We agreed with IJM about fast-tracking these cases. We did this by assigning special magistrates for this fast track. We agreed about that with IJM, in the case of criminal proceedings.”

Outcome indicator 3.4: Opinion that criminal prosecution is the best answer to PG

The majority of PJS actors consider a combination of civil and criminal responses to property grabbing as most appropriate. Mediation is preferred for cases that did not involve violence, and criminal prosecution in some cases is considered too harsh since it negatively affects family and community relations. In order to achieve behavioral change on property grabbing, mediation and customary law are deemed better equipped to address its root causes and maintain good community relations.

- The EOP KIIs with PJS actors identify different opinions about the legal nature of PG (when are they considered civil or criminal matters) and the consequent type of PJS response: a civil justice (mediation), restorative justice, or criminal justice response. A majority of high-level actors of the PJS (8 out of 12) believe the best response is a combination of civil and criminal. A majority of the interviewed prosecutors support a criminal justice response to PG. By contrast, a majority of the interviewed judiciary prefer a justice response that is a combination of civil and criminal. A number of respondents emphasize the disadvantages of criminal prosecution and imprisonment. Justice is

obviously the objective but keeping good community relationships is also important. Several high-level actors of the PJS, especially among the judiciary, indicate that in order to attain behavioral change, customary law is important. They indicate that mediation is well-rooted in society and has practical advantages as well.

- The endline study shows that mediation remains a preferred option for most PJS actors, especially for cases that do not involve criminal violence.

“The limitation of criminal is that it is only treating the symptoms but not really the root causes. In many cases, lawyers do not want mediation, but it saves time and has better outcomes.”

“PG should be dealt with in both a criminal and civil way.”

4.3.4 Changes in behavior related to prevention and/or deterrence of property grabbing—community level

Outcome indicator 4.1: Reporting of PG cases to police, LCs, or others

It is plausible that reporting of property grabbing cases by widows has increased, even though police response is still considered ineffective at times. There is increased willingness and practice change in reporting to police or LCs among widows and community members. At the same time, expectations and confidence regarding effectiveness of the ensuing response from the PJS remains low. Opinions and confidence are influenced by the context and perceived ability to treat property grabbing as a crime.

- In all EOP community FGDs, including those from category C, respondents indicate that they report to police and LCs when PG occurs. Their experiences with this are varied, however. Especially in category C, community members find police response to be ineffective, but this also applied to some FGDs in the other categories. Especially in the Nsanja community (category A), respondents were vocal and positive about reporting to the police, and assisting neighbors to report if confronted with PG, as self-organized community groups. IJM is also mentioned specifically as the first organization to report a case of PG to.
- The EOP perception survey shows that 98.4% of respondents indicate that they would report a case of PG to police or community leaders.
- The indicator “percentage of complainants who reported their crime to anyone” in the MFM shows a positive trend of increased reporting by widows. This data was monitored by way of intake forms at IJM of new clients that had indicated that they had reported a PG crime to a channel such as police, church, lawyer, etc. In 2012, the value was 77.4% and this had risen to 90% in 2017.
- The endline survey shows that reporting of PG went down, but the results are not significant. Also, the endline shows declining confidence by widows in the justice system, which can be explained by the fact that more widows are reporting and therefore experience the inadequate response by PJS actors.

“We used to be afraid of reporting cases. Today we are not afraid.”

“Police is very cunning. When you go there with IJM staff, they are very kind and appear helpful, but the moment the staff goes, they turn on you. They often ask us: ‘Don’t you want development in your area? Why are you challenging these people?’”

Outcome indicator 4.2: Incidence of will writing and of formalization of marriages

The understanding of will writing and formalization of marriages as preventive measures to property grabbing has improved, but its practical implementation has not followed suit due to constraints in the IJM system and socio-cultural norms, which have remained largely unchanged. The communities in which IJM’s community dialogues took place show the most significant positive change in behavior.

- Almost all communities in the EOP FGDs see the value of will writing and formalizing marriages, and they refer to IJM interventions that have helped this increased understanding. However, the practice

shows great variation. In one community (category B), none of the respondents had written a will, believing if they did so they would die. There was still disagreement whether women needed wills, but in all category A, B, and C communities, respondents indicated that they had helped other community members to write a will or handed out forms to write a will.

- The EOP perception survey shows that 33% of total respondents have indicated that they wrote a will in the last three years. There is considerable difference between the different categories of communities. Whereas 41.1% of respondents in category A communities indicate that they wrote a will in the last three years, this was only 7.1% in the category C communities, and for category B this was 27.8%. With regards to marriage formalization, 27.4% of respondents indicated they had done so in the last three years. There is no significant difference between community categories. For both will writing and marriage formalization there is an understandable significant difference between younger and older age categories. For respondents between ages 20–29, 10.5% have written a will, and 15.8% have formalized their marriages. For respondents of ages 45+, 44% of respondents have written a will and 34% formalized their marriage. 89.5% of all respondents indicate that they intend to take these preventive measures in the next year.
- In the MFM, the indicator “percentage of people who self-report having formalized their marriage” shows that in 2015 17.3% had formalized their marriage. In 2016 this was 15.1%.
- The endline survey shows that 89.3% of all widows identified “writing a will and naming an executor” as a good way to protect property. *Formalization of marriage* is one measure to prevent property grabbing, but most did not view it as a solution because of the widespread practice of polygamy. Community members viewed access to justice to be useful only for the formally married wife or those who have wills or legal documents, which often excludes the vulnerable co-wives and other children. *On writing wills*, there are many constraints, such as myths around death and problems caused by knowledge of the will’s contents. There are three main challenges: 1) the ease in manipulation and falsification of wills; 2) how wills are often lost, even in the hands of authorities after property grabbing incidents; and 3) the fact that norms can still be used to prove a will is not according to the desire of the deceased. Men voiced concerns that family property could be lost when a widow remarries because that property may then go to another family. This is one of the main justifications for clans to evict and take back the property from widows after the husband’s death, so this sentiment is still present among those in Mukono County.
- Protective factors to PG include: (i) marriage formalization, (ii) will writing, and (iii) land ownership documentation. These protective factors are well known to community members, but the potential to make these measures effective is affected by power, hierarchy, traditions and abuse of traditions, the vulnerable socio-economic and legal position of women, distrust within and between families, a view of marriage as an economic transaction, and the degree to which the institutional and social environments allow the measures to be accessible, available, and effective. In other words, the preventive and protective measures against PG seem to only be accessible, available, and effective when institutional and social contexts are conducive. The endline study reveals that these constraints have remained largely unchanged.

“The truth is people fear writing wills. Using IJM training, I helped two people in this village to write wills. I haven’t written a will because I don’t have property to include in it.”

“As chairman of the area and a trained member preventing property grabbing, I have advised village members to formalize their marriages. However, the response is still low. The most common type of marriage in this area that people prefer is church marriage. So far we have about five people who legalized their marriage in church last year.”

Outcome indicator 4.3: Community actions to confront property grabbing

Community dialogues have empowered community members to confront property grabbing cases when they occur in their communities. This is done by confronting perpetrators or providing victims information and assisting them to report property grabbing when it occurs. This is especially the case in

communities where community dialogues have taken place. However, social and institutional obstacles that hamper concrete change of practices still exist.

- The EOP FGDs in category A communities show that community groups have been formed and that PG cases are now confronted and solved through community group action. In both category A and category B communities, respondents indicate they feel more empowered and mention many individual cases in which they intervened by providing information on procedures, estate distribution, and reporting and actively assisting in these processes.
- Although the endline study did not take community action into account, the study does show that community members still perceive constraints to taking concrete action on issues of PG. While community members have knowledge of preventive and protective measures, a responsive institutional framework and social environment are needed to translate this into action. Familial and cultural issues continue to challenge the conditions that would foster this environment including distrust within and between families and inter-dependencies of gender, social position, economic resources, and political authority. Most community members have faced, and thus fear, authorities and powerful leaders taking the side of the perpetrator, costly procedures, corruption, and the repercussions of involvement of authorities.

“There is this lady, if we hadn’t been around, she had surrendered and was willing to give up the property after she had been intimidated by the relatives who told her to leave their brother’s property.

We mobilized ourselves, took her to police, and she won the case.”

“We worked together with the widow, the family, and the heir. We participated in partitioning the land and even went ahead to prepare an MOU [Memorandum of Understanding] between the two. This was around November last year. It took us about three days to determine/resolve the matter.”

Outcome indicator 4.4: Widow support groups and their functionality

The overall functionality of the widow support groups is low, while the ones that do continue to be active are driven by income-generating activities. The widows do actively share their experiences on property grabbing in some other non-property grabbing related groups that they are members of.

- Two out of five widow support groups FGDs refer to specific activities that they undertake as a group. These are mostly income-generating activities. One group, in Nakisunga, mentioned that since funding from IJM stopped for the group, many members stopped attending. Widows share their experiences with PG and ways to prevent it with other groups that they are members of.
- This indicator was not monitored during the project.

“There are nine members in this group. We formed the group in about June 2017. We meet twice a month, usually after two weeks. Members used to attend regularly, but we all don’t turn up that often.

Sometimes there is three of us only. Others say they have no transport. When IJM used to give us transport allowance, members would turn up. But IJM had said after a while, it would stop funding us.

We started a farming project as a group, but it requires a lot of capital.”

“I am a member of another group. Some of the women had training and others didn’t. Some are still married because it is not a widows group. So I talk about how to prevent PG and make arrangements to formalize your marriage. Then I talk about will writing.”

4.3.5 Changes in willingness and practices to prosecute property grabbing cases—Local leaders

Outcome indicator 5.1: Advising community and widows to take legal steps

Widows, the community, and other justice officers generally expressed low confidence in the abilities of local leaders to effectively address property grabbing.

The confidence by communities and widows in local leaders has declined, which is a serious gap as local leaders serve as gatekeepers for widows to report to the police and other PJS actors. The number of local leaders that report cases of property grabbing to police on behalf of victims has decreased over the last year.

- Most local leaders, including local councils, parish chiefs, Land Area Committee members, and clan leaders, still aim to resolve a PG matter within the community/family first before advising on legal steps. However, with reference to legal steps, leaders mention police as the first port of call. Interestingly, two local leaders would refer cases directly to IJM, and note the difficulty to get affordable legal assistance without IJM or responsive police if they were not trained by IJM.
- The indicator on “percentage of sampled LC leaders who report cases of property grabbing to police on behalf of women and girls” in the MFM shows a decreasing trend from 56.1% in 2015, 68.7% in 2016, and 23.3% in 2017.
- The endline study shows that LCs feel empowered by new knowledge but also have doubts on how they can address PG. They feel relatively powerless and in between two systems, stating their lack of trust in the police and also lack of real power against cultural leaders or norms. This may explain why confidence by male and female community members in LC leaders is low and has deteriorated between baseline and endline. Local Council leaders also continue asking for facilitation or bribes. This is a serious constraint, because LC leaders act as the gatekeepers for any community-level decisions to move forward. Even if a person reaches out to another authority for help or support, community members report being “sent back” to the Local Council to “follow the procedures.” The courts also reportedly “go off what the LC leader says.” Therefore, while the common sentiment expressed about LC leaders is one of corruption, community members cannot avoid them if they want to engage in any sort of process for resolution. LC leaders also provided insights into and validation of the constraints expressed by community members in their pursuit of prevention measures as well as justice: Local churches require high payments for formal marriage certificates, police require money for transport to conduct investigations, and even when valid documentation is provided, corruptible officials can favor the side with more power or money.

“I have not yet sent anyone to police over PG, but I have spoken to some families. There could be about five families whose matters we have resolved at LC level.”

“In the past, I have referred people to police and even to IJM. When police come and sensitize them, the conflicting parties cool down. The only problem is sometimes the one who was trained by IJM is not around.”

Outcome indicator 5.2: Opinions about alternative measures (e.g., mediation)

Local leaders remain more inclined to first use informal measures, such as mediation, before proceeding to the public justice system. Local leaders generally prefer property grabbing cases to be mediated first, in which they see an important role for themselves. When mediation fails, other authorities such as police are deemed to be the best next step to take for property grabbing victims.

- The EOP FGDs show that all leaders agree on mediation as a first step, pointing toward the fact that PG cases are often intra-family occurrences. Few local leaders make explicit reference to cases where violence was involved as a factor in whether they would proceed to refer people to police/courts more rapidly. Leaders refer to themselves as sufficiently knowledgeable and skilled mediators. Especially the category C community leader saw mediation as the best option due to costly court procedures and, together with the Mukono District Buganda Chief, agreed that especially clan leaders were in the best position to resolve PG cases through mediation.

- The endline shows that local leaders feel empowered by new knowledge but also have doubts on how they can address PG. The endline also shows that community members themselves have limited trust in traditional systems of dispute resolution.

“Property grabbing should first be resolved by family leaders and members. Where they fail to reach an agreement then the matter should be forwarded to other authorities.”

“Mediating in a property grabbing case is important and a better option. The reason to this is because court is costly from filing the case to judgment. Witnesses also fear to testify in court. Even clan heads have the ability to handle such cases. They are knowledgeable and their aim is to protect the image of the family. They should be given an opportunity to handle such cases. The simplest way is to go through clan leaders and heads if possible. When no resolution is reached, a matter should go to police and also sub-county officials must be aware.”

4.3.6 Changes in willingness and practices to prosecute property grabbing cases—police

Outcome indicator 6.1: Better PG case file management and record keeping

Police officers that received training by IJM show increased performance and skills in file management and record keeping, which is supported by records of documentation.

- The EOP KIIs indicate that two of the three IJM-trained police officers mention specific skills such as case file management and statement recording that they apply in their work, even after having been transferred. One actively shared this knowledge with his new colleagues and introduced the system in the police station outside of Mukono County.
- The endline conclusion of police performance shows that overall, the police’s demonstration of knowledge around property grabbing-related offenses improved significantly, with greater accuracy in charging, and some increases in necessary documentation collection. Trained police do have a greater understanding of how and when to act. There are mainly positive results in terms of documentation. In terms of criminal prosecution case files, there were increases in documentation of victim statements, witness statements, and suspect statements and the police bond form.

“I gained more knowledge in investigating PG cases. I picked up skills like statement reporting which we record different from simple thefts. File management tools—they gave us a compressed version of the Penal Code.”

“To deal with missing files, we have improved case file management also in this police station. I advise my colleagues to have a personal record book, to keep track and prevent files from going missing. With the filing system introduced here in the office, I use our books to check the progress of all cases here on a daily basis.”

Outcome indicator 6.2: Proper identification of PG cases

The identification of property grabbing by police has most likely improved, which is different from police that were not trained by IJM and can therefore be attributed to IJM.

- The EOP KIIs show that IJM-trained police officers identify and successfully manage to get a perpetrator prosecuted, even in a context where IJM has not sensitized the public on the criminal nature of PG. The non-IJM trained police officer regards PG cases mostly as civil matters.
- The MFM indicator “percentage of PGP desk officers who accurately identify criminal offenses (Q18) on charge sheet in a PG case after evidence collection” shows a decreasing value from 58.8% in 2015 to 35.7% in 2017. The indicator “percentage of PGP desk officers who can accurately identify potential criminal actions (Q3) in a property grabbing case when first reported by complainant” shows a similar

decrease from 64.7% in 2015 (but also monitored in August) to 35.7% in 2017. These declines are most likely due to participants being mainly new officers.

- The endline report concludes that there has been a slight improvement from baseline to endline. In total, 120 of the 156 cases (76.9%) were closed “at police” or were still at the investigation stage at the time of data collection (including those that were pending further steps). Of these 120 cases, the RSA or police advised parties to seek civil remedies or “seek the help of the Administrator General’s Office” and drop their criminal complaint in 24 cases (20.0%). In another 19 cases (15.8%), the police closed the case because the complainant “did not follow-up the case” or “lost interest.” In 17 cases, the police, Local Council leader, or RDC supported a settlement of the case or were involved, to some extent, in facilitating parties to reconcile “amicably” as was noted in the file. In five cases, the police closed or halted the case because the suspect was unknown, absconded, or was unable to be found. Four cases were closed due to missing vital documents.

“Here in Buikwe, community members don’t know that PG is a crime. But when I spoke to the widow, I understood her case to fall within PG and followed up. I went to the LCs and neighbors, and they were helpful. They gave me statements and I managed to prosecute the perpetrator.”

Outcome indicator 6.3: Proper investigation of PG cases

Skills on proper investigation of property grabbing cases have improved for IJM-trained police officers. However, while more cases have been able to reach a final judgment in courts, these cases are still limited in numbers. This is likely due to police’s inability to conduct investigations without access to additional resources. This finding is supported by the fact that community members and widows both have more trust in the police accepting cases of property grabbing, but many widows still do not feel confident that these cases will be well investigated.

- In the EOP KIIs, two out of three IJM-trained police officers make mention of their PG investigations, and some of the skills they have learned to facilitate this, such as dealing with forged documentation. It is mentioned that investigating land matters takes time, as long as one month for one case. This is a constraint for investigating all potential PG cases.
- The endline study shows that there was a significant increase in police accepting cases of property grabbing from widows. At the community level, there also seems to be more trust and confidence in the police. However, among widows there was also a significant decrease in their confidence that the police would listen and investigate their property grabbing complaints. This is likely due to police’s inability to conduct investigations without additional resources. All police officers mentioned challenges with investigations: The quality, exhaustiveness, and length of investigation remains dependent on availability of resources and admitted they did not have the resources to investigate properly or timely, which would lead to loopholes in the files, delays, and challenges for the attorneys and courts. Officers stated that their services are to be free of charge but cited how case start-up to disposal could cost up to an estimation of 200,000 UGX (~52 USD) for logistics and follow-up. Police officers also mentioned two additional challenges in pursuing justice for widows and orphans: (1) the lack of proper documentation to prove the case and (2) the interference of influential and well-connected people, including politicians, Local Council leaders, and property grabbers themselves.
- The endline study shows that of the 13 cases that were traced to court, four reached a final judgment, with one acquittal and three convictions. The remaining nine included two withdrawals and seven dismissals/discharges: due to a pending outcome of a civil suit (3), promotion for reconciliation (1), pending re-arrest of the suspect (1), a “want for prosecution” (1), and awaiting evidence (1). This compares favorably with the baseline, where only four of the 68 cases reviewed had a final case status documented, and all were dismissed for unidentifiable reasons.

“Now I can identify so many offenses related to land; I can draw appropriate sketch plans and how to handle the scene of crime.”

“Investigating land matters takes time. I have to go to Lands Office, check forgeries, (e.g., use of thumbprints for a deceased). So, the matters take a long time (e.g., one to one and a half months) to investigate. And it is not the only case you are handling, and it needs movement.”

Outcome indicator 6.4: Investigated cases that result in effective arrest

There is an increase in arrests that lead to convictions in property grabbing cases. Although the overall number of convictions still remains low, there is an increase in the number of arrests that leads to convictions in property grabbing cases, especially among IJM-trained police officers or IJM-facilitated cases.

- The EOP KIIs show that all IJM-trained police officers mention that they have made arrests in PG cases, and two keep track of the number of their cases that lead to arrests.
- The MFM indicator “percentage of reported PG criminal cases that result in charges.” The data was based on the Property Grabbing Incident Book (PGIB) and police file review. The reported cases that resulted in charges were 16.7% in 2013, and this increased steadily to 26% in 2017. Another indicator, “percentage of reported PG cases that result in arrests,” shows an increase from 50% in 2013 to 58% in 2017.
- The endline study shows that there were 58 cases reviewed (only) at court. Of these, 13 were from Nakifuma Court and 45 from Mukono Magistrate’s Court. Thirteen received acquittals, 20 received convictions, 27 had their cases dismissed for various reasons, six had their cases withdrawn, four were “N/A,” and one was unknown. Of the 20 convictions, 16 accused received jail time ranging from two months (for a charge of malicious damage to property and in a case for threatening violence and criminal trespass) to 72 months (for charges of threatening violence, assault, and criminal trespass). Seven of the accused receiving sentences including jail time were sentenced to jail only if they did not comply with a sentence of community service or compensation/fine. These conditional sentences ranged from five months to three years of jail time. Of these additional 58 cases reviewed, five cases had strong IJM involvement. Four of these resulted in convictions with one accused each. The fifth IJM case was acquitted.

“I handled a case and the accused is in court. The case is ongoing. This was intermeddling. In Mukono, I have one concluded case which resulted in a conviction. Others are pending in court.”

“I have been investigating PG cases differently. I had 110 cases in Mukono. In Mukono there was a special desk and investigation. In 2017 my conviction rate for PG cases was 88%. Here I do general reporting, and I have 16 cases that have been reported so far and 10 have led to an arrest.”

4.3.7 Changes in willingness and practices to prosecute property grabbing cases—PJS actors

Outcome indicator 7.1: Better record keeping

Public Justice System actors show improved record keeping of property grabbing cases, but performance can still be improved. Although some documentation and key files are still reported to be missing, overall the record keeping at Mukono Court has improved, which IJM is credited for. The accuracy of records has improved, as well as the accessibility and organization of archives and court files.

- Many EOP interviewees, including all interviewees in Mukono County, stated that record keeping at Mukono Court greatly improved over the last few years; both the archives and court files are much better organized and accessible. Interviewees clearly attributed the improvements to IJM: computers,

recording equipment, a better organized court, and trainings combined increased efficiency at Mukono Court. Several interviewees noted that the administrative and organizational improvements have long-term effects and also resulted in less bribing and corruption at Mukono Court.

- The MFM indicator “percentage of criminal cases that are entered into CCAS” tracks the accuracy of CCAS registry against the Criminal Registry in the Court. At the start of monitoring in 2012 the value for this indicator was 88.5%. This has gradually risen to 92.5% in 2017.
- The endline study generally shows positive results for documentation. In terms of criminal prosecution case files, there were increases in documentation of victim statements, witness statements, and suspect statements and the police bond form. However, it still occurs that some files were found to be missing. Since the numbers were low, the percent change on any documentation was not statistically significant. In terms of administration cause cases, the quality of the physical files had improved, but some files were still missing.

“IJM helped in reorganizing the archives. That is good for court users and good for the staff as well.”

“So IJM was instrumental in a couple of things: recording equipment, data entry by computers, staff training, the system administration.”

Outcome indicator 7.2: Less court delays

The court delays show initial improvements but later on show a deterioration, and property grabbing cases still take a long time. This could in part be explained by technical failures of the court system, de-prioritization, and/or resource limitations as the overall number of criminal cases has been increasing.

- In the EOP KIs, many interviewees in Mukono County state that the PJS has processed many more PG cases in Mukono County than before. PG cases that IJM prepared and brought to the PJS were being prioritized at Mukono Court. Several administrative staff members said that the computers and printers were very helpful, but that some of them started having technical failures/challenges, sometimes taking several months. As a consequence, some delays started to slowly increase again. A magistrate in Mukono County explains that he and his colleagues gain a lot of time with the recording equipment and transcriber.
- The MFM indicator on “percentage of IJM PG cases where the trial took six months or less” shows that at the start of monitoring in 2013 the value for this indicator was 63.6%, which has gradually decreased to 41.2% in 2017. This indicates an increase in court delays.
- The endline study generally shows an increase in case progression rates in time between key points, which could be an indicator of better investigations or the system taking cases more seriously, or it could be indicative of slow movement due to de-prioritization, system failures, and resource limitations. The endline focus group discussions show that community members stated that “there is justice” with the formal system, as the resolutions are “final” and there is equality and fairness in the decision. However, many community members report the formal justice system to still be inaccessible due to costs, time burden, and language barriers. There are monetary requirements at every step, causing the victim to bear the burden of making the justice system function. Cases last too long, and the delays require further time and resources. All groups of authorities—Local Council leaders, police, prosecution officials, magistrates, the Chief Administration Office staff, and sub-county chiefs—brought up these two issues affecting performance: lengthy cases to deliver justice on property grabbing cases and corruption (in the form of asking for money to carry-out mandated duties).

“In general, IJM helps us to increase efficiency.”

“We used to enter 25 files a day, but since the system is slow, we can only enter less than 10.”

Outcome indicator 7.3: Decreased backlog of cases

The backlog of all types of criminal cases in Mukono County has increased (doubled), despite successes with plea bargaining. Although the plea bargaining initiative of IJM is leading to a decrease in remandees, there is a major increase in back log of criminal cases in Mukono County.

- Several high-ranked interviewees of the PJS stated in the EOP KIIs that the PJS is dealing with a case backlog of several years, with large numbers (and shares) of remandees in overcrowded prisons. Several interviewees state that thanks to plea bargaining initiatives of IJM and Pepperdine University, the share of remandees had decreased to under 50%. A large majority of respondents of the PJS considered plea bargaining an effective strategy to reduce the case backlog and the number of remandees. A problem or limitation that is reported in this regard is that there is no public defense system in place yet.
- The MFM indicator “percentage backlog of criminal cases,” shows a value of 31% at the start of monitoring in 2012 in Mukono County. This has gradually increased to 62.5% in 2017. This indicates an increase in backlogs. While the MFM does not provide further specifications, we assume that this indicator refers to “all criminal cases” and not only those related to property grabbing.
- The endline FGDs include recommendations from interviewed PJS actors for police to receive more capacity building, procedural change to prosecutor-lead investigations, and sufficient human and financial resource allocation. Police should be availed with enough resources so that they can do their work better.

“IJM helped to organize the registry and limit the case backlogs, which is one of the causes of files disappearing and adjournments. IJM helped organize all that and IJM played a critical role in stopping backlogs.”

“At this moment, we still need a lot of assistance from them such as with case management, case backlogs of three years, expertise to improve legislation, and how it can best be executed. We still have justice delays, so we still need some assistance.”

Outcome indicator 7.4: Application of alternative approaches

All PJS actors are in favor of alternative and informal approaches to property grabbing, including plea bargaining, mediation, Alternative Dispute Resolution, and restorative justice. Despite an apparent lack of trust on the part of community members in ADR, PJS actors are in favor of civil remedies such as plea bargaining, mediation, ADR, and restorative justice, in combination with formal approaches of criminal prosecution.

- While the idea of plea bargaining is applauded, several respondents in the EOP KIIs identified the lack of a good public defense system as a weak point in Uganda. Mediation was often mentioned as a traditional way of dealing with conflicts, as it is focused on inclusion (instead of exclusion, such as through prison), reconciliation, and good community relationships.
- A substantial part of the EOP KII interviewees of the PJS did not consider criminal prosecution as always the best and unique answer to PG. A combination of civil remedies and criminal prosecution was often mentioned as the best PJS response to PG. ADR and restorative justice were regularly mentioned as being rooted in Ugandan society. Considering the fact that the prisons are overloaded and considering the case backlog of several years, especially high- and top-level policymakers and judiciary look for ways to reduce pressure on the PJS.
- The endline study shows that PJS officials mention two main issues affecting performance of the formal system: lengthy cases to deliver justice on property grabbing cases and corruption (in the form of asking for money to carry out mandated duties). This may be one reason why they still favor alternative dispute resolution in criminal cases. Two specific reasons were provided: (1) reducing the backlog and over-crowding in prisons and (2) the difficulty in ruling over issues within families. The case file review supported the presence of this sentiment through documentation of investigation closure due to the complainant’s “lack of follow-up” and of mediation by inappropriate parties. On a

short questionnaire given at the beginning of the focus group, 60% of community members reported trusting that justice would be done if cases were reported to the police. However, trust in the traditional system was even less, with 50% of community members believing the traditional system could effectively resolve property grabbing disputes.

“Plea bargaining is partly an answer in the case of criminal cases. Mediation can be done in the case of civil cases. For both we need to train professional leaders. For plea bargaining we need to train more public defenders. We also need more experts in mediation; we also need some capacity building there.”

“There is the traditional justice system, restorative justice, based on asking for forgiveness, such as making payments with cows, for example. In JLOS we try to promote this. Alternative dispute resolution is best to prevent conflicts.”

Outcome indicator 7.5: Ability of PJS to sustain and scale IJM’s PG program results

Most PJS actors feel the PJS currently lacks the ability to sustain IJM’s property grabbing program results in Mukono County because of a limited sense of ownership and because of limited resources.

However, the renewed MOU with IJM is seen as a better and broader source of partnership and future collaboration. Also, the District Chain Linked Committees (DCC) are considered key stakeholders to further sustain IJM’s program results.

- Several interviewees referred to Mukono Court as a model court with regard to PG and its performance in general, due to its combined administrative, technical, and organizational improvements. Without a doubt, these improvements were brought about as a result of IJM’s activities in Uganda and specifically in Mukono County. IJM was perceived by some PJS actors as a watchdog, making sure that justice would be done in the case of PG criminal cases. This watchdog role in the process of reporting and prosecution should not be underestimated. The organization facilitated investigations and prosecution in many of these cases and ensured that PJS actors were keen to show positive results. Interviewees also refer to the fact that for a substantial part of the project, IJM operated relatively isolated from the higher level PJS actors. In that context, some PJS actors viewed IJM as leading the bandwagon of justice reform in the case of PG cases. It seems that only at the end of Phase II (in 2015) a sense of ownership by PJS actors increased.
- Many EOP KII respondents indicate that IJM gave much positive input into the performance of the PJS in Mukono County. Also, IJM filled some important gaps in the system. However, a large majority of interviewees of the PJS, at both the policy-making and practical levels, considers that the PJS is not yet ready to take over IJM’s program in Mukono County. Pulling out of Mukono County by IJM is experienced as a big loss, according to many. Several interviewees mention the District Chain Linked Committee (DCC) as the best-suited and best-equipped platform to sustain the IJM’s activities and input in Mukono County, since key stakeholders are part of it: judicial officers, police, mayor, LCs, the chief administrator’s office, probation officers, and support staff. Several top judiciaries emphasize that in order for the gains to sustain, next steps are ideally demand-driven and discussed in collaboration.
- Several high- and top-level actors of the PJS indicate that the new MOU with IJM (of 2017) allows for better and broader cooperation and partnership. This is expected to further improve the PJS/JLOS (Justice Law and Order Sector, especially as the MOU of 2017 is significantly larger in scope than the earlier MOU, as it encompasses all PJS institutions, has laid a good foundation for future collaboration and take-up.

“The system is in place. The police desk will stay, but it is important to keep on working with the community. In order for it to sustain, there must be more and continued capacity building. Give it some more time. Let people own the project.”

“If IJM withdraws from Mukono, the relapse will be very quick. Then the gains will not sustain.”

4.4 Summary of insights on behavior change by key actors

This evaluation focused on validating pathways of behavioral change for different categories of actors. The following three schemes (Figure 4a to 4c) summarize the results on the set of indicators associated with these pathways of change, of which the results are presented in the previous section. Detailed conclusions for the three stakeholder groups, supported by these three schemes, are the following:

- Among communities, the understanding that PG is a crime has increased, and so have the abilities to treat it as a crime. However, “good intentions” and change of behavior are hampered and seem to show a relapse, especially among widows, to effectively treat PG as a crime. Underlying causes are the existing cultural norms and the remaining constraints to treat PG as a crime. The benefits are uncertain because widows need to invest time and resources, but it remains uncertain whether perpetrators will be convicted and how long this will take. Also, widow support groups do not seem to function beyond serving a credit and savings function.
- Among local leaders, there is evidence of improved understanding but no evidence for real behavior changes. Also, advising communities to report to the police has declined; alternative approaches are preferred. Dealing with PG cases as a crime takes more time, there are no concrete rewards, and cultural norms and established positions prevail.
- Among the police and other PJS actors, there is a shift in understanding property grabbing as a crime, and capacities to do so have much improved, with a substantial contribution by the IJM program. At the same time, all PJS actors remain open to treating PG through a mixed approach including formal and informal justice practices. This can be partly explained by the increase of workload and an overall backlog of criminal cases.

Figure 4a: Evidence for causal pathway on behavioral change for community level actors

Capacity changes (attitudes)	<ul style="list-style-type: none"> • Community opinions that PG is a crime have increased to almost 100%. • The opinions by widows suggest a relapse, also depend upon the type of PG event, the existing cultural norms, and the remaining constraints to treat PG as a crime. • Substantial contribution by IJM and some evidence for adoption by communities where IJM did not intervene.
Willingness to change (intentions)	<ul style="list-style-type: none"> • The abilities among communities for effective handling of PG increased. • The abilities also depend upon the type of PG event and the constraints to do something about it, especially trust in police and local leaders. • Substantial contribution by IJM, added value of community dialogues.
Practice changes	<ul style="list-style-type: none"> • More reporting of PG cases, incidence of will writing and community actions to confront PG, but widow groups do not function well. • The level of trust in police remains moderate. • Substantial contribution by IJM, added value of community dialogues.
Benefits	<ul style="list-style-type: none"> • Benefits are uncertain as only in few cases PG perpetrators are convicted, while widows must invest much time and efforts to follow up their cases in the PJS and may also experience negative effects.

Figure 4b: Evidence for causal pathway on behavioral change for local leaders

Capacity changes (attitudes)	<ul style="list-style-type: none"> • Opinions that PG is a crime have increased. • Opinions also seem to depend upon the type of PG event and the constraints to do something about it. • Substantial contribution by IJM is plausible.
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Willingness to change (intentions)	<ul style="list-style-type: none"> Opinions about the abilities for effective handling of PG are variable. The opinions also depend upon a number of remaining constraints, reason why local informal approaches seem to be favored. Contribution by IJM is uncertain.
Practice changes	<ul style="list-style-type: none"> There is no evidence for real changes; advising communities to report to the police has declined; alternative approaches are preferred. Contribution by IJM is none.
Benefits	<ul style="list-style-type: none"> Dealing with PG cases as a crime takes more time, there are no concrete rewards, and cultural norms and established positions prevail.

	Positive trend
	Slightly positive trend
	Slightly negative trend
	Negative trend

Figure 4c: Evidence for causal pathway on behavioral change for police and other PJS actors

Capacity changes (attitudes)	<ul style="list-style-type: none"> Opinions that PG is a crime have increased but remain moderate. The opinions also depend upon the type of PG event and the constraints to treat it as a crime. Substantial contribution by IJM.
Willingness to change (intentions)	<ul style="list-style-type: none"> Opinions about the abilities for effective handling of PG have increased. However, the opinions also depend upon a number of conditions, and the improvement may not be sustainable as cases have increased in complexity and resources are limited. Substantial contribution by IJM.
Practice changes	<ul style="list-style-type: none"> File management and record keeping have substantially improved. Performance in terms of PG case identification and investigation and cases ending in effective arrest improved; cases remain relatively few. Resources remain limited while workload increases, within a context of increasing overall backlog of criminal cases Contribution by IJM is plausible, positive on performance but negative on workload.
Benefits	

4.5 Impact and final outcome level indicators

As part of this evaluation of the IJM program in Mukono County, and in line with the IJM theory of change and the evaluators' review (section 4.1), we defined one impact indicator and three final outcome indicators, as follows.

- Impact indicator: The prevalence of property grabbing in Mukono County
- Final outcome indicator 1: Effective estate administration support to widows in Mukono County ("prevention")
- Final outcome indicator 2: Effective handling of PG cases by the PJS in Mukono County ("deterrence")

- Final outcome indicator 3: Effective measures at the community level to prevent and report PG cases in Mukono County

The findings with regards to these impact and final outcome indicators are based on different sources used in this evaluation (baseline-endline comparison, M&E/MFM data from IJM, and the KIIs, FGDs, and perception survey implemented by this EOP evaluation). The final outcome indicators are defined as composite indicators, making use of a combination of outcome indicators.

4.5.1 Impact indicator

Impact indicator 1: Prevalence of property grabbing in Mukono County

Prevalence of property grabbing decreased in Mukono County over the last five years, for category A and C communities. Property grabbing remained stable or increased in B communities. The number of cases with violence has decreased, while the number of cases with fraud increased. Both quantitative data and qualitative results support these findings.

- From the EOP FGDs and KIIs, it becomes evident that the majority of community FGDs in Mukono County feel that the prevalence of PG has decreased in their villages, this is confirmed by all local leaders and police officers that were interviewed. They contribute this change to IJM's program and the increased awareness of the law by community members and perpetrators in particular, and the preventive measures that were advocated under the program. There are some community members that feel prevalence either has not changed or has increased. Land Area Committee members in general feel that prevalence has increased.
- The perception survey shows that in terms of prevalence of PG in the last three years, 30.6% states "yes, much less," 55.6% says "yes, a bit less," 3.2% sees no changes, and 8.9% states it has increased.
- In terms of the comparison between villages: Almost all category A and C villages indicate that prevalence of PG has reduced. The category B communities show more mixed results. This is confirmed by the perception survey, in which 19.4% of community B respondents state that prevalence of PG has increased, against 4% in community A, and 7% in community C.
- The endline shows that there is a decreasing trend in successful PG events in the last two years, from baseline (3.5%) to endline (1.8%), and this change was statistically significant ($p \leq 0.001$). Successful property grabbing in the last four years has also decreased (7.5% to 3.4%). There is also a decreasing trend in unsuccessful PG events in the last two years, from baseline (4.8%) to endline (2.3%), and this change was statistically significant ($p \leq 0.001$). It is also concluded from the endline data that the incidence of violent property grabbing has likely reduced in the last two years and has been displaced with more non-violent forms of property grabbing such as documentation fraud and intermeddling in the administration of estates.

"In our area, PG has reduced. Laws were there. But the ordinary person didn't have an opportunity to understand (e.g., a person didn't know about writing wills, formal marriage for women, knowing what would happen if a husband died)."

"We get fewer incidents of PG. Where there is a problem, I meet with elders and discuss the issue. I think I last heard a matter in about 2016. I think the community's conduct has changed since I no longer get many cases."

4.5.2 Final outcome indicators

Final outcome indicator 1: Effective estate administration support to widows in Mukono County ("prevention")

While local leaders play an important role as gatekeepers for community members who experienced property grabbing and address PJS actors such as the police, community members have low confidence in LC leaders.

IJM has documented the fact that improvements in the estate administration process are unlikely to contribute to reduced vulnerability of widows and orphans. The endline study thus does not provide specific results on estate administration stakeholders, which is partly explained by the fact that the program did not implement capacity building activities with the AG’s Office over the last four years. Likewise, MFM data on this category of actors are limited and our own EOP interviews did not focus upon change of behavior of estate administration officers to support widows. One conclusion (see outcome indicators 2.2 and 5.1) is that local leaders have understood that property grabbing is a crime but continue to believe that PG cases should be primarily solved at the family or the community level and can thus be expected to provide support to widows in line with this attitude. While local leaders play an important role as gatekeepers for community members who experienced property grabbing and address PJS actors such as the police, community members have low confidence in LC leaders. This is an important gap in the expected pathway from widows to effective responses by the PJS. LC leaders may be strongly driven by cultural norms, established power positions, and opinion that property grabbing should be dealt with through mediation at the community level.

Final outcome indicator 2: Effective handling of property grabbing cases by the PJS in Mukono County (“deterrence”)

The capacities and skills for handling property grabbing cases according to the formal system have improved. However, the resources to do so for all the property grabbing cases being reported seem to be too limited.

There is evidence of an improved follow-up of reported cases of property grabbing by PJS actors, leading to a higher proportion of charges and arrests on property grabbing cases in Mukono County. However, the speed with which the cases go through the court process has deteriorated, and the overall criminal case backlog has doubled. For community members, the formal justice system is still poorly accessible due to costs, time burden, and language barriers. There are monetary requirements at every step, causing the victim to bear the burden of making the justice system function. Responses from different PJS actors showed two main issues affecting performance: lengthy cases to deliver justice on property grabbing cases and corruption (in the form of asking for money to carry out mandated duties). Thus, the PJS system and the capacities cannot cope with the increased numbers of criminal cases. These constraints partly explain the tendency to revert to alternative approaches.

The above conclusion is based on results on four outcome indicators, as follows.

3.3 Opinions about capacities for the police and other PJS actors	Changes in terms of capacities are positive, and there is contribution by IJM interventions. However, there are doubts on the sustainability of these changes as IJM support concludes.
6.4 Investigated cases that result in effective arrest	Positive in terms of resulting arrests, but actual cases remain limited. There is a positive contribution by the project.
7.2 Less court delays	Initial trend was positive, but more recently this has deteriorated, most likely due to higher volumes of PG cases entering into the PJS.
7.3 Decreased backlog of criminal cases	Negative trend, backlog has increased by 100%, which may be one reason why PJS actors tend to favor alternative measures.

Final outcome indicator 3: Effective measures at community level to prevent and report PG cases in Mukono County

Communities have obtained an improved understanding of property grabbing and what can be done about it, but widows still experience several obstacles when they enter their cases into the formal system. There is evidence of a positive contribution by IJM interventions, specifically through the community dialogues. In spite of these positive effects, there is a low level of trust, and there are concerns about constraints within the PJS, which have largely remained unchanged during the project period.

The above conclusion is based on results on six outcome indicators, as follows.

1.2 Opinions on capacities to address property grabbing	Community members feel more empowered in their capacity to address property grabbing but are influenced by the existing cultural and gender norms and the ability to effectively treat property grabbing as a crime. Positive contribution by IJM.
1.4 Level of trust in police and the PJS	Slightly positive trend, negative opinions are probably related to resource and other constraints in the system, there is no evidence of any community dialogue or IJM effect.
4.1 Reporting of PG cases to police, LCs, or others	It is plausible that reporting of property grabbing cases by widows has increased, even though police response is still considered ineffective at times.
4.2 Incidence of will writing and of formalization of marriages	Positive trend in terms of will writing, not in terms of formalization of marriages. Underlying constraints have remained largely unchanged. There is a likely positive contribution by the community dialogues.
4.3 Community actions to confront property grabbing	Positive trend, with a contribution by IJM and community dialogue activities, but remaining lack of trust on the police and local leaders.
4.4 Widow support groups and their functionality	Positive trend, no clear contribution by IJM or community dialogue activities.

From the above three pillars of final outcomes, it appears in general that there have been some significant improvements, but overall the PJS system remains to show a number of serious constraints:

- Distrust in police remains.
- Distrust in local leaders remains, being the gatekeepers to the formal system.
- Filing system has improved but still has weaknesses.
- Time taken for a case seems to have increased.
- A high proportion of cases is rescheduled for mediation.
- Backlog on all criminal cases including property grabbing remains high (trend is unknown).
- Corruption among police and local leaders remains.
- PG cases are complicated/bulky, requiring much investment.

5. Conclusions and recommendations

5.1 Conclusions based on main evaluation questions

5.1.1 Relevance

1. *Was the IJM program focus on property grabbing relevant? Did the baseline study take into account the right issues?*

The focuses on property grabbing and on Mukono County are both relevant. The focus on the formal public justice system is aligned with IJM's expertise and experiences. This might explain why social norms and attitudes, identified as relevant during early stages of the program, were not further explored and not considered critical to the theory of change of the program.

IJM has been investigating and documenting cases of property grabbing affecting widows in Uganda since the early 2000s. Since 2007, IJM's Kampala office has focused its interventions exclusively on Mukono County. During the first phase of the project (collaborative casework), IJM collaborated with local authorities to return property grabbing victims to their land. In 2012, IJM Kampala launched the second phase (system reform) to strengthen the Ugandan justice system to prevent, deter, and respond to property grabbing. In 2014, a baseline study was carried out with the purpose *"to document the prevalence of property grabbing, its impact on widows and the effectiveness of the Ugandan justice system's response to property grabbing."* The results of this study justify IJM's program focus on property grabbing (affecting a third of all widows in Uganda), its criminal aspects (18% experiencing death threats), and on the PJS (not one perpetrator being convicted).

This baseline study identified the importance of traditional community norms and beliefs in Mukono County (section 3.8.2), but these aspects were not further analyzed or identified as critical to the outlined theory of change. This might be partly explained by earlier experiences of IJM. IJM bases its casework model on the theory (assumption) that "if society responds to violent crime with consistent and effective criminal prosecution, would-be perpetrators of that crime will be deterred, and would-be victims will be protected by that deterrence." This theory has been applied in its programs in Southeast Asia, such as Cebu, the Philippines, where IJM recorded a significant decrease in the prevalence of sex trafficking by assisting the police in arresting large numbers of traffickers, already after a few years of IJM interventions.⁶⁶ However, the problems and root causes of property grabbing seem to be strongly entrenched in the local society, which might be different from those of sex trafficking. As one IJM HQ staff stated: "The problem of property grabbing is normative, the root causes go a lot deeper. It is not a purely economic crime." Another staff member added: "In Southeast Asia, the issues are mostly related to economic incentives. After introducing stronger prosecution in these cases, the economic cost-benefit analysis was not in the perpetrators favor anymore to continue trafficking." Another apparent difference between the previous work on human trafficking was that interventions predominantly took place in urban settings with perpetrators usually formerly unknown to the victims. Property grabbing in Mukono County is characterized by the rural village and intra-family settings in which it occurs.

2. *Was the program appropriately aligned with the relevant strategies of the Ugandan government for addressing property grabbing? How did the program contribute to the development and implementation of appropriate national and stakeholder plans and strategies?*

IJM's program was relevant to the Uganda government, being focused on the public/formal justice system. There are good arguments to look at the justice sector in a more pluralistic or holistic way,

⁶⁶ 05.01.08.2012 Casework Focus Shift Memo, p. 2

including both formal and informal systems. The evaluation uncovered opinions and preferences for a combination of formal and informal approaches to property grabbing, instead of focusing only on formal approaches.

IJM's program is in line with the Uganda National Land Policy and Implementation Action Plan with regard to Women's Rights and Access to Land. More fundamentally, IJM's program builds on the Constitution of Uganda (1995), where the rights of women (art. 33) and children (art. 34), are laid down explicitly. Although many property grabbing perpetrators attempt to hide behind customary practices of refusing women and children the right to own property, the Constitution and laws of Uganda supersede such traditions, guaranteeing the equality of land and inheritance rights between men and women as well as the equal protection by civil and criminal law. The baseline report stated that there were different opinions among prosecutors, police, and other justice system officials as to what charges in the penal code address property grabbing. This lack of specific nomenclature in legal statutes was seen as a barrier in appropriate application.

However, organizations like UNICEF and the World Bank attribute increasing importance to the informal justice system, as it may be more accessible than formal mechanisms and may have the potential to provide quick, relatively inexpensive, and culturally relevant remedies (see section 3.4). This is especially the case in countries like Uganda, where informal conflict resolution mechanisms are of great importance at the community level and where the formal justice system has limited capacity. Under these conditions, hybrid systems where formal and informal justice systems can be merged are considered most desirable.⁶⁷ This evaluation showed that among PJS actors and local leaders, there is a strong preference for a combination of formal and informal justice approaches to property grabbing. Baseline studies should adopt a holistic approach by analyzing both formal and informal justice systems and the respective barriers for women in particular. However, neither of the IJM baseline reports (2008 and 2014) has adopted a holistic approach to understanding the combination of formal and informal justice systems and the underlying barriers of using it by victims of property grabbing.

3. Were the activities and outputs of the program consistent with the intended outcomes and impact?
The program has a clear focus and theory of change and activities and outputs consistent with the intended outcomes and impact. At outcome level, the theory of change did not integrate changes on social norms relevant to property grabbing. As a result, activities oriented at this social angle were not integrated in the workstream from the beginning, for instance with regards to attention for men (not only women), community leaders, and the community as a whole.

The program has seen several phases and changes throughout its lifetime, giving evidence of reflection on consistency of the activities with the intended outcomes and impact. These reflections on the program and its progress show that the program coordination was aware of the need to adjust the activities in order to better achieve the expected outcomes, such as the increased focus on the PJS as a way to obtain more ownership and sustainability.

The position within the theory of change of the component of community (public) awareness and change in norms and attitudes is not clear. Since changes did not occur as expected, during the last year (2017) of the program there has been an increased focus on community dialogues with the aim to influence social norms (community-level activities were conducted from the start of the program but were mainly oriented at education). While this is evidence of the capacity to learn and adapt, this change came rather late in the program. It is our opinion that a parallel workstream focused on social norms (at the community level and involving local leaders) would have generated more positive and

⁶⁷ UNDP, UNICEF, & UN Women (2012) *Informal Justice Systems. Charting a course for human right-based engagement*, p. 344.

more sustainable outcomes and impact by addressing the root causes and the vulnerability of widows and orphans to property grabbing. Moreover, local leaders are considered the gatekeepers for widows to contact the police, so their change of perception is also important.

4. *How well did the program anticipate and adapt to changes in the operating environment?*

The program could have been more responsive to the limited human resources available within the PJS and the absorption capacity of the PJS, especially within the context of an overall backlog of criminal cases and increased incidence of large-scale (corporate) land grabbing.

Our evaluation results suggest that while capacities of PJS actors to deal with property grabbing cases, and their individual performance, have substantially improved, the system struggles with limited human and material resources. This can be better understood within the context of a 100% increase of the overall backlog of overall criminal cases in Mukono County. This is partly caused by a strong increase of cases of large-scale land grabbing which also affects communities. Our context study suggests that land grabbing is part of a larger phenomenon of rapidly rising land prices, for which Mukono County seems disproportionately vulnerable (as being located near Kampala).

IJM has been aware of this, which was one of the reasons why alternative approaches have been introduced and successfully implemented such as plea bargaining in order to reduce pressure on the system. However, there is remaining evidence that the system is seriously overburdened and cannot maintain the high quality of dealing with PG cases as introduced by IJM, which takes much time. This also strengthens the earlier conclusion that hybrid approaches of formal and informal justice systems might be more realistic, as being less time and resource consuming.

5.1.2 Effectiveness

5. *To what extent has the program achieved a change in behavior among key actors and stakeholders relevant to this program and in line with its theory of change?*

Understanding the criminal nature of property grabbing has improved among most relevant actors, with evidence for a substantial contribution by IJM. However, the change in behavior among key actors as expected by IJM's theory of change has been variable. Changes in behavior are influenced by the ability to effectively treat property grabbing as a crime, but there are several remaining constraints to do so effectively. Most important are existing cultural and gender norms and inequalities in power, for instance between men and women, or widows and the police or local leaders.

This evaluation focused on validating pathways of behavioral change for different categories of actors. The following three schemes (Figure 4a to 4c) summarize the results on the set of indicators associated with these pathways of change, of which the results are presented in section 4.2. The overall picture that emerges is that changes in terms of knowledge and attitudes are positive, changes in terms of concrete practices are variable, and in some cases, there appears to be a relapse. The perceived benefits of a change in behavior are also uncertain for each category of actors. For the police and other PJS actors there are resource constraints and an overall backlog of criminal cases. IJM has substantially contributed to the above changes in knowledge and attitudes, with evidence of positive effects by IJM's support to the formal PJS as well as an added value from the community dialogue activities. However, there are remaining constraints, which have remained largely unchanged. Fundamental constraints appear to be the existing social/cultural norms and the power inequalities, for example, between men and women, or between communities and the police and also with local leaders.

6. *To what extent has the program achieved its intended outputs, outcomes, and impact? If not achieved, what progress has been made toward these results?*

There are achievements in terms of improved knowledge and capacities within the PJS and at the community level, with a substantial contribution by IJM. However, it is plausible that more and more sustainable results have been achieved if these two workstreams had been better integrated earlier in the program.

With regards to improvements in the estate administration process (outcome 1), during the course of the project IJM realized that these were relatively ineffective and unlikely to contribute to reduced vulnerability of women and widows. In terms of outputs, it was therefore decided to focus on the PJS system instead of the estate administration actors.

With regards to improvements in the public justice system (outcome 2), there is evidence of improved skills, efficiency, and performance by *individual PJS actors*, in terms of the legal handling of property grabbing cases that enter into the legal system, due to the logistical and skills support by IJM. There is evidence of an improved follow-up of reported cases of property grabbing, leading to a higher proportion of charges and arrests on property grabbing cases in Mukono County. However, the absorption capacity of the *public justice system* was overestimated, as evidenced by the overall increased backlog and court delays, which is hampering the overall performance and effectiveness of the PJS, as well as the sustainability of the improvements. These system-level constraints may partly explain the tendency for individuals to revert to alternative approaches.

Sub-outcome 1/2.4, defined as “The public takes steps to prevent property grabbing and reports property grabbing crimes to the public justice system,” has shown a substantial contribution to the two outcomes. Only late in the program an additional focus on behavioral change of social and cultural norms was added: the community dialogues. This evaluation shows that community dialogues have had an added value, although more time will be required for existing social/cultural norms to change. It is plausible that if these approaches had been applied in parallel from the beginning, these would have contributed to more sustainable program results.

7. *What are the reasons for the achievement or non-achievement of program results?*

IJM’s facilitation and support has contributed to improved knowledge and awareness raising, but remaining constraints at systems level are responsible for non-achievement of results.

The increased knowledge and awareness on property grabbing at the community level has been achieved by the Legal Education Program that has led to a wide reach and sensitization among communities, local government, and churches. This has enabled communities to adopt preventive measures, and in general be more attentive to instances of property grabbing and what could be done to combat it. The knowledge and capacities of communities to deal with property grabbing, confront it collectively, and take preventive measures has improved. Community dialogues have started only recently, being an approach to address root causes of entrenched social and cultural norms. This is considered essential for improved knowledge and awareness to transform existing cultural/social norms.

With regards to the PJS, the role of IJM as a watchdog in the whole process of reporting and prosecution should not be underestimated. The organization facilitated investigations and prosecution in many of these cases and ensured that PJS actors were keen to show positive results. Lack of absorption capacity of the PJS, as well as lack of ownership, might have hampered the achievement of more wide-scale and sustainable results.

8. *Did the program have effective monitoring mechanisms in place to measure progress toward results? How well did it use program information to adapt?*

While the program has a well-defined theory of change and rigorous monitoring framework, and both have been intensively used and adapted, we observe three remaining gaps: the integration of community engagement, pathways to understand change of behavior, and insight in key assumptions.

The program developed a theory of change that has two outcomes (on prevention and on deterrence), each of which is supported by a set of sub-outcomes (section 4.1), leading to the expected impact. A number of critical observations were made (section 4.1.2), which could be summarized as follows:

- The position of the work at the community level is not properly integrated at outcome level.
- The theory of change does not include a pathway of change leading to a desirable change of behavior by different actors (i.e., from “improved knowledge” to “change of attitudes” and “change in practices”).
- Assumptions (and external factors influencing the outcomes) are not included. Our evaluation shows these are critical for understanding why change has been difficult to achieve.

Our observations on the MFM are in line with the above observations. We observe that the strategy of IJM has basically remained unchanged during the course of the project, focusing on transfer of knowledge and oriented at the formal public justice system, as compared to a mixed approach (formal and informal system) and a focus on pathways leading to behavioral change (i.e., understanding the constraints and assumptions related to behavioral change). This makes it difficult to draw conclusions from the data in terms of the realized results in relation to the expected pathways of change.

Impact

9. *To what extent has the program contributed to a reduction in the prevalence of property grabbing among widows over the life of the program and what were contributors to the change? How has the perception and views of property grabbing as a crime changed?*

There is evidence from different sources that prevalence of property grabbing has decreased in Mukono County over the last five years, and also the incidence of violence has declined.

The prevailing quantitative and qualitative evidence shows that the prevalence of property grabbing in Mukono County has declined during recent years. It is plausible that the incidence of violence in the remaining PG cases has also reduced, with a larger proportion of cases showing fraud and intermeddling in an estate. Thus, most likely, fewer widows and orphans are being affected by violence through property grabbing events than before the program. The IJM program has substantially contributed to these changes. However, women (and/or their children) who report property grabbing cases remain vulnerable as the social norms about the right to property and property grabbing have not changed. There are also concerns about the sustainability of these changes—see below. The majority of actors that were interviewed (local leaders, police officers, PJS actors) have the opinion that the IJM program has contributed to these changes.

10. *How has the performance and functionality of the relevant PJS actors in relation to property grabbing transformed? What was IJM’s contribution to any identified changes?*

The performance and functionality of property grabbing by the relevant PJS actors has improved, but there are remaining constraints to address property grabbing through the formal PJS system. There would appear to be good potential for aiming at a hybrid system of formal and informal justice system practices.

With regards to improvements in the public justice system (outcome 2), there is evidence of improved skills, efficiency, and performance by individual PJS actors, in terms of the legal handling of property grabbing cases that enter into the legal system, leading to a higher proportion of charges and arrests on

property grabbing cases in Mukono County. Increased knowledge positively influenced capacity, and PJS actors are now better able to prosecute criminal PG cases, particularly PG cases that were in essence violent crimes. PG crimes are now taken more serious by the (specifically trained) police, public prosecutors are better trained and equipped to bring PG crimes successfully to court, and the judiciary has condemned PG perpetrators for (violent) PG crimes. These improvements are largely due to the logistical and capacity-building support by IJM. However, although the program managed to halt a certain practice of PG impunity in Mukono County, the number of PG cases that were successfully prosecuted may be too low to have a general deterrent effect on a large part of the population, in Mukono County or Uganda.

However, the absorption capacity of the public justice system is limited, as evidenced by an increasing overall backlog of criminal cases and court delays. Other remaining constraints for widows to make effective use of the formal public justice system, which partly explain the tendency for widows as well as other key actors to opt for informal approaches, are: distrust among the police and local leaders, remaining incidence of corruption, long time taken for a case to be presented at a court and finalized, high complexity of remaining PG cases (e.g., as a result of fraud), uncertainty of perpetrator being penalized. These constraints are enhanced by the recent surge of large-scale cases of land grabbing (fueled by an increase in land prices), in Uganda as a whole but particularly in Mukono County (see chapter 3.2). These constraints hamper the overall performance and effectiveness of the PJS, as well as the sustainability of the improvements realized by IJM. These constraints can also partly explain why the number of cases remains limited and the tendency to revert to informal approaches. IJM's response to these constraints has been to support plea bargaining, which shows positive results and potential, if done in the right way and for well-defined cases and based on best practices.

It appears that most PJS actors have an open mind to applying a mix of formal and informal justice approaches, apparently based on a mix of personal, community-based, and system-based factors and perceptions. Actors seem to switch their opinions based on experiences and perceived constraints, which may also explain some survey responses that are difficult to interpret. The informal justice system practices are closely related to social and traditional values and norms, with a risk that victims of property grabbing will become disappointed by the absence of concrete benefits. IJM did not have a clear strategy on such a holistic approach, rather informal approaches were seen as a second-best option but not fully integrated within an integrated approach.

11. How has the working relationship and coordination of the relevant public justice system (PJS) institutions changed over the life of the program to appropriately address property grabbing?

The working relationship and coordination of the PJS in Mukono County has improved, as justified by the fact that several interviewed key actors consider it as an example to be replicated in the country.

Several interviewees referred to Mukono Court as a model court—with regard to PG and its performance in general, due to its combined administrative, technical, and organizational improvements. These improvements were brought about as a result of IJM's activities in Uganda and specifically in Mukono County.

During Phase I and II, most actions and changes in the PJS performance with regard to PG occurred at the practical and county or district level. Changes occurred at the practical level in all four of the most relevant institutions of the PJS (AG, Police, Prosecutor's Office, and Judiciary). IJM was perceived by some PJS actors as a watchdog, making sure that justice would be done in the case of PG criminal cases. For a substantial part of the project, IJM's justice reform project operated relatively isolated from the higher PJS decision-making and policy-making levels and actors. In that context, some PJS actors viewed IJM as leading the bandwagon of justice reform in the case of PG cases. It was only at the end of Phase II (in 2015), after IJM developed its advocacy strategy, that ownership by PJS actors increased.

Several interviewees who worked at Mukono Court stated that the so-called “IJM cases” were being fast-tracked: doing justice in a timely manner and with support by IJM, in terms of support to required investigations. This has both advantages (of demonstrating good practices) and disadvantages (of creating dependency).

12. *How have widows’ lives in Mukono County changed because of the program? What was IJM’s contribution to any changes?*

Widows’ lives have improved in terms of understanding their own rights in relation to PG, but widows remain vulnerable after reporting PG. Potential repercussions after reporting might be perceived as constraints to addressing PG and influence widows’ perceptions on their capacity to do so.

Widows have an improved understanding of PG, their own rights, and the measures that can be taken to address PG when it occurs. This change can be attributed to the IJM program. However, it remains uncertain what happens when women report PG cases. Some have experienced repercussions such as a greater level of witchcraft after reporting a PG crime or pushback from the community because the perpetrator’s family was affected. This may have affected the response by the widow who experienced PG. Especially in the communities where community dialogues were held, this situation has probably improved at a later instance. However, this remains uncertain because it has not been monitored and women have not been asked which approach to PG seems most appropriate to them. It seems that most widow support groups are no longer functional after support from IJM has ended.

Sustainability

13. *To what extent do public justice system actors targeted by the program have increased capacity to perform their relevant roles in combatting property grabbing (in particular law enforcement and local council leaders)?*

PJS skills and capacities have increased, and there is evidence of increased performance by individual PJS actors. However, there are a number of concerns regarding the sustainability of these achievements: capacity constraints among PJS actors, limited sense of ownership, level of dependency on IJM, no negotiated exit strategy, remaining fundamental “root causes” to address property grabbing as a crime, and limitations in building up capacities among partners.

Several interviewed PJS actors who benefitted from the IJM program expressed concerns about the sustainability of the achievements, for different reasons, as analyzed below.

First, at the level of the public justice system, there are indications of resource limitations and the PJS actors being overburdened. This implies that the approach to property grabbing as has been introduced by IJM is a rigorous approach that takes time, cannot be pursued, or works only for a limited number of cases. This is especially so because IJM implemented their own resources to prepare and support the so-called “IJM cases,” during the various phases of criminal prosecution, thus developing a model that is resource intensive. This should be placed in the context of an overall increased backlog of criminal cases, which is beyond the influence of the IJM program. Resource constraints are one main reason why IJM has given increasing attention to alternative approaches, such as plea bargaining. This may be a positive trend if these alternative approaches are done in the right way, for well-defined cases, and based on good practices. Also, more hybrid approaches including a mix of formal and informal approaches could reduce the resource demand.

A second sustainability concern is related to a limited sense of ownership of the IJM program among the PJS actors and the level of dependency on IJM support. It should be recognized that IJM has been advocating a formal approach that is resource intensive. This approach has been feasible as long as

there has been IJM support to the PJS including human resources, logistics, and even recurrent costs (e.g., petrol for police motorcycles and maintenance of computers). This has not contributed to building ownership but has contributed to increased dependency on support by IJM even on recurrent costs.

A third sustainability concern is related to the absence of a negotiated exit strategy. It seems that the Sustaining Gains Phase of the program has not been adequately prepared, thought through, and communicated, leaving some of the staff as well as clients and stakeholders surprised with the speed in which activities were stopped or scaled down. Also, better preparation and communication of the exit strategy would have aided the sustainability of the program.

A more fundamental sustainability concern is related to the fact that, for deterrence to remain effective, changes in the social norm about (female) land ownership and property grabbing at the community level are also necessary. In addition, power imbalances between men and women, as well as between communities and the police or local leaders, remain to be fundamental constraints for addressing property grabbing as a crime. IJM has only started to work on these “root causes” of property grabbing in a concentrated manner since mid-2017. It is unrealistic to expect that the social norm about property grabbing has changed in such a short time.

A final sustainability concern relates to the collaboration with local partners and the building up of capacities within these partners “along the way,” to take over IJM’s role after closure of this program. This is not something to be done in a final stage of the program, but capacity building with partners could rather be a strategy of working in partnership from the beginning, with training of local NGOs to create local ownership and pursue the community-level activities.

5.2 Recommendations

5.2.1 Main recommendations at strategic level

There are five main recommendations regarding the IJM strategy and its added value that will be at the basis of more detailed recommendations in the next section.

1. Especially in countries like Uganda, with presence of many traditional, customary, or religious informal justice practices, there is need for IJM to take a more integrated (hybrid, holistic) approach to finding effective solutions, by adopting a strategy that considers different pathways of justice including formal and informal justice approaches. It is recognized that both approaches have their weaknesses and potentials: Many of the hindrances to women’s access to formal justice systems also apply to informal justice systems, such as the lack of access to economic and other resources, fear of intimidation, and victimization by officials such as community leaders. An advantage of stimulating different pathways to justice, especially in a cultural context with barriers to both formal and informal justice systems, is that of enhancing access to justice for different types of victims under different contextual conditions including limited human and material resources within the PJS. It is also expected that an integrated approach can be more effective, in terms of being able to respond to all cases of PG within a short time span, thus enhancing the probability punishment. This will have a better deterrence effect as compared to an approach that focuses on the formal justice pathway alone, of high quality but resource demanding, with few cases ending in concrete punishment. Also, deterrence research demonstrates a stronger effect of informal sanctions on deviance than formal legal sanctions. In the rational weighing of the costs and benefits of crime, loss of respect weighs more heavily than formal punishment.⁶⁸

⁶⁸ Quotes from pages 69 and 70 respectively, from Braithwaite (1989): *Crime, shame and reintegration*, Cambridge: Cambridge University Press. This insight is supported by the findings of the study carried out by Three Stones Consultancy

2. Within the context of this more integrated approach, IJM can keep its focus on the formal justice system approaches and underlying institutions, making the formal justice system more performant and reliable. There is still scope for improvement, such as making the land registration and public justice system less vulnerable for corruption and fraud by addressing weaknesses and vulnerabilities. But IJM could also have an added value by playing a coordinating and integrating role, for instance in the development of different justice pathways and defining under what conditions each of these pathways is most appropriate. There appear to be good opportunities for making more use of alternative conflict resolution approaches and restorative justice responses as part of the more integrated approach.⁶⁹
3. A related strategic issue is that of entrenched cultural and social norms and beliefs influencing crimes like property grabbing. Engagement with informal justice systems may have limited impact unless it is part of broader efforts to build dialogue on socio-cultural norms and values, for example acceptance of the right of women to own land. Thus, it is essential to integrate into the program strategy a component dealing with this issue right from the beginning. Other relevant socio-cultural issues are those of power inequalities, such as between men and women, or between communities and the police or local leaders. We have concluded that the inability to address these root causes reduces the effectiveness and sustainability of the formal justice approach and the results achieved by IJM. Adopting an integrated strategy would require a community-oriented approach that involves relevant stakeholders right from the beginning. IJM should not aim to undertake this by itself but work in effective partnerships and play a strategic and coordinating role. This will enhance the added value, effectiveness, and sustainability of its own activities.
4. As part of IJM's strategic and coordinating role, it would be useful to understand and define how the improved effectiveness of formal approaches, to be supported and improved by IJM, can constitute a sufficiently strong basis for more informal approaches to have a strong deterrent effect (i.e., it is recognized, both from literature and our own findings, that a minimum level of performance of the formal justice system is necessary for informal justice practices to be effective). Also, it would be useful to develop a better understanding of the issues that play a role at a more systemic level, for the integrated justice system to be effective. This would include issues such as: socio-cultural norms, power inequalities, practices of corruption and fraud, community leadership and accountability, and weaknesses of the land registration system. These will be important to map as part of a long-term theory of change or strategy.
5. The insights emerging from this program may lead to an adjustment of the basic intervention model of IJM. It is our opinion that in every situation, whether child and sex trafficking or property grabbing, there is an important dimension of cultural and social norms entrenched in society. Deterrence may seem to lead to change in behavior if law enforcement is strong, but this might not be real (sustainable or transformative) change if it is not accompanied by change in social or cultural norms. Also, it may be useful to collect evidence on different legal and alternative approaches in different contexts, including the good practices (with required skills, resources), the applicability, and the contextual conditions for success (e.g., trust, accountability). This may show, for example, that successful mediation will require a minimum level of performance of the PJS and mutual trust as a reference and condition for social justice to be effective.

Detailed recommendations

Program design

1. The baseline study of new programs should pay more attention to informal justice systems and practices, and the relevant socio-cultural causes influencing their (in)effectiveness. This could include more detailed analyses or follow-up studies on relevant stakeholders, potential partners,

⁶⁹ See, for example, Andrew Von Hirsch, Julian Roberts, Anthony E. Bottoms, Kent Roach, and Mara Schiff (eds.) (2004) *Restorative Justice and Criminal Justice. Competing or Reconcilable Paradigms*.

and strengths and weaknesses of informal justice approaches. Related to that, it will also lead to more insights in the relative importance and rigidity of social and cultural norms and power inequalities. This should lead to a better understanding of the strengths and weaknesses of existing informal justice approaches. This should be done in a participatory way in order to build up a network, establish partnerships, and make use of the experiences and strengths of local partners.

2. These baseline studies and follow-up analyses are required to be able to develop (i) a more integrated approach, including recognition of formal and informal justice system approaches, and (ii) an action plan on community engagement based on local experiences and lessons learned, being developed in collaboration with relevant partners. This community-based approach should not only be oriented at the victims but take into account all the actors that are part of the problem (i.e., perpetrators, men, traditional leaders, witch doctors, etc.). The community engagement activities should focus on dialogue and understanding local norms and belief systems rather than an educational approach alone.
3. In terms of sequencing, a more integrated approach would require attention from the beginning to:
 - a. Both formal and informal justice system approaches, with identification of the respective barriers and potentials for a combined approach
 - b. Community-oriented activities including dialogues, aimed at better understanding social and socio-cultural norms, and the constraints in making these work in an equitable way for women
 - c. Engagement of local and clan leaders, based on recognition that these are a critical entry point for victims to address PG crimes
 - d. Partnerships with partners specialized in community-level activities and dialogues and with partners using informal justice approaches
 - e. Joint learning including above mentioned partners to review and evaluate the effectiveness of mixed approaches.
4. Relevant experiences in Uganda, for instance in addressing child labor, which is also strongly rooted in socio-cultural norms, generates some useful insights and lessons with respect to sequencing:
 - a. Community engagement can start at an early phase, in order to build up trust and mutual relations, especially involving traditional and religious leaders and local government councils. A research action approach can help generate insights while also building up such relations.
 - b. It is essential to start working with local organizations from the beginning, preferably those that have already gained levels of trust among local communities. Building up networks and regular communications with local leaders will help to build up trust.
 - c. At early stages, it is also relevant to start developing a shared vision at the community level on the desirable future situation with respect to property grabbing and the relation with socio-cultural norms and values. This would mean that follow-up activities can be positioned in a trajectory that leads to the realization of this vision. There several examples, also from Uganda, of local initiatives starting out with defining such a vision or roadmap. This engages communities from the start and stimulates ownership and commitment.
5. It is useful to demonstrate the potential effectiveness of a formal approach to treating property grabbing as a crime, thus setting an example. However, in doing so, much restraint should be taken by IJM to provide material support, and especially to finance recurrent costs (such as fuel for motorcycles or maintenance of software). This may create dependency on IJM's assistance and be in conflict with principles of additionality and threaten sustainability. Also, care should be taken for this demonstration example to become a blue-print model for improved performance of the PJS.
6. The program-level theory of change should include at outcome level the two components of community engagement and dialogue and strengthening of the PJS and show how these are expected to operate in synergy to achieve desirable impact. Also, the theory of change should demonstrate the main expected pathways of change, focusing on outcomes in terms of expected

behavioral change (change in practices) and concrete benefits for different actors. Models like the one shown in the methodology (section 2.2) or developed to evaluate progress (section 4.4) can be used. The theory of change should also include the assumptions or external influencing factors that play a role in relation to the main changes.

Monitoring, evaluation, and evaluative learning

7. The M&E system should focus on indicators to validate pathways of change. Rather than monitoring knowledge transfer (outputs) and change of perceptions (which can easily change or generate desirable responses), the focus should be at capturing behavioral changes and benefits for different actors, as part of a model that aims to understand the change in social norms. This requires other approaches than surveys (aimed to capture quantitative data). It is advised to make more use of qualitative tools such as focus group discussions and storytelling to capture the changes and experiences of key actors, not only of victims but also perpetrators and other key actors and understand the remaining constraints to change their behavior.
8. Aftercare is important and should not be limited to victims. Rather than focusing on self-sufficiency and reintegration of victims, there needs to be better understanding of the consequences of changes for victims, family members, and perpetrators and the influence of community dynamics and power relations. This could be done by longitudinal studies and storytelling, even beyond the program lifetime, to better understand benefits and vulnerability to repercussions. The same approach can be adopted for key actors in the PJS, such as police, local government, and PJS actors, to understand the changes, perceived benefits, and remaining constraints.
9. The program is advised to improve their evaluative learning approach. This implies that evidence and insights from monitoring are also used to revisit and adjust the theory of change and its main assumptions. These learning sessions should include program partners, or even outsiders, to assure that the exercise is open to critical reflections and structural changes if needed.
10. It is useful to pay more attention to monitoring relevant contextual changes, such as the rapidly increasing incidence of land grabbing in Mukono County. This has likely contributed to the backlog of criminal cases, which is relevant for the resources available for addressing property grabbing in an effective way.
11. Lastly, it may be useful to pay more attention to human resources and workload of key actors within PJS institutions, in order to gain insights in their capacities to adopt the public justice approaches that are being developed.

Partnerships

12. It is recommended that IJM from the onset of the program works in partnership with local and international organizations to enable a broader reach, complementarity in formal and informal approaches toward property grabbing, and local ownership and sustainability of the program. This is particularly important for integrating more informal approaches and community engagement activities, recognizing that this is not the core expertise of IJM. Partnerships are interpreted as having shared responsibilities.
13. Partnership with lawyer collectives, legal aid clinics, and law universities would enable victims of PG to have enduring access to legal assistance and also ensure capacity building on legal approaches to PG to take place beyond the project's lifetime.

Exit strategy and sustainability

14. For any new program, there is need to develop an exit strategy well in advance of the program's termination, and to do so in collaboration with partners and key stakeholders. An exit strategy should include capacity building of partners and handing over of responsibilities to assure that improved performance can be sustained. This would require a needs assessment upon which the exit strategy will be based, negotiation with local partners, and elaborate communication.
15. To sustain the gains of this program, it is advised to continue working in a light (limited staff) and participatory approach with PJS actors and key stakeholders on national scale, to document and adopt the main lessons and best practices from Mukono County to national levels. Best practices could include work on improvements in the public justice system (e.g., record keeping, police

training) and community engagement (e.g., community dialogues) as well as successful alternative approaches (e.g., plea bargaining, mediation). A participatory approach could facilitate further knowledge transfer (from Mukono County to national level) by PJS actors who were trained by IJM and are now operational in other districts.

16. To sustain the gains of this program, it is advised to take into account culturally compatible justice responses based on an integrated justice approach as introduced in the first main recommendation, including informal justice approaches such as alternative conflict resolution and restorative justice, in order to remain effective in the cultural and institutional context (e.g., considering the overloaded PJS). Also, it should be acknowledged that achieving a change of social or cultural norms will take much more time than a few years. IJM could consider supporting local organizations to continue community dialogues.

Annex 1: Summary of data from different sources

Specifications to different sources:

1. Primary data from fieldwork: FGDs and KIIs
2. Primary data from fieldwork: perception survey
3. Data from project monitoring system (MFM)
4. Data from baseline-endline and its comparison

Insights per outcome indicator	Relevant details or evidence from different sources
1. Changes in capacities and attitudes—community level	
<p>1.1 Opinions on property grabbing as a crime</p> <ul style="list-style-type: none"> • <u>Within the 14 FGDs</u> that were conducted (10 at community level, four at widow support group level), there is general consensus that PG is a crime. However, some nuances are given, which raise some doubts whether PG is always considered as a crime: whether it is a crime depends on the value of the property, the amount of violence associated with PG, damage that was done to the property and whether the perpetrator returns the property. • <u>For this category of respondents, we did not conduct KIIs.</u> • The <u>perception survey</u> shows 100% of the respondents (124 in total), from all gender, age, and community categories consider PG to be a crime. • <u>With respect to the three categories of communities,</u> we did not find significant differences. • The <u>MFM</u> (including a basic baseline-endline comparison presented in the MFM) indicates that the % of widows whose villages treat PG as a criminal matter has decreased from 60.9% 	<p><u>From FGDs:</u></p> <ul style="list-style-type: none"> • “Property grabbing is a crime because it involves the element of taking what is not yours. Denying someone possession of their property is a crime.” (respondent in Ttaba <u>community FGD</u>) • “I think when determining whether it is a crime or not, they should measure the value of property grabbed.” (respondent Namawojjolo FGD) • “The person should be taken to court and given a chance to return the things. He should be allowed to go free because these people are often close relatives.” (respondent in Mpatta FGD) • “If someone has used violence, they should not be handled kindly. They must be punished to teach him and those who are left behind.” (respondent in Mpatta FGD) • “It depends. If the grabber returns the property, they can mediate the dispute.” (respondent in Kyabakadde FGD) • “It also depends on how PG happened—if property was destroyed, the home was damaged, etc. These can’t be forgiven.” (respondent in Kyabakadde FGD) • “PG is a crime. There is no need to worry about sustaining a relationship with paternal relatives where orphans have been cheated.” (FGD widows Ngombere)

Insights per outcome indicator	Relevant details or evidence from different sources
<p>(baseline) to 48.8% (endline), despite the set target of 70%. Furthermore, a media poll conducted in 2015 concluded that nearly half of community members believed that PG is a negative thing, with one-third liking it to a crime. Nearly one-third also believed that witchcraft was involved in PG.</p> <ul style="list-style-type: none"> • <i>Endline survey results:</i> section 3.1.4. Table 12: statements by widows show improvements in terms of PG knowledge, but there are also some negative changes. The conclusion is that 97.9% of each widow category knows their rights in PG, but it is unclear how this was computed and there is no baseline comparison. Table 13 shows a highly significant decline in understanding PG as a crime. The overall conclusion seems that there is no firm evidence. <i>NB: These survey results are only from widows!</i> • <i>Endline FGD final conclusions:</i> All stakeholders expressed the belief that PG is wrong and must be addressed. Men and women in the community demonstrated good knowledge on PG, preventive measures, and how to seek help. However, real and perceived barriers heavily impact the ability to translate knowledge into attitudinal and behavior change. Both the formal and informal justice systems sometimes fail to meet the needs of members of the community, for various reasons. While there is demonstration of promising findings, community members still express distrust in system actors. • <i>In overall conclusion, there is a need to distinguish between widows and other members of the community and stakeholders.</i> 	<ul style="list-style-type: none"> • In the <u>MFM</u>, outcome indicator BE69 stands for: “% of widows whose villages treat PG as a criminal matter.” The MFM shows that the baseline value of this indicator was 60.9%, and the target was set for 70%. The endline value for this indicator showed that 48.8% of widows indicate that their village treats PG as a criminal matter. No further data on this KPI (BE69) is found in the program documentation. Furthermore, under the “public” tab of the MFM, an indicator is found that represents “Community members understanding of property grabbing, its criminal nature and preventive factors” (PB17). From a media campaign poll, performed in Q3 of 2015, it was concluded that “nearly half of community members believe that property grabbing is a negative thing, and one-third liken it to a crime (of theft or stealing someone else’s property). However, nearly one-third also believe that witchcraft is often involved in property grabbing.”
<p>1.2 Opinions about capacities to address PG</p> <ul style="list-style-type: none"> • From the <u>14 FGDs</u>, IJM training seems to have given community members some confidence in discussing PG more openly, which is deemed to reduce conflicts. Also, respondents feel more 	<p><u>From FGDs:</u></p> <ul style="list-style-type: none"> • Talking about PG can help because it reduces conflict with our siblings.” (respondent in Katente FGD)

Insights per outcome indicator	Relevant details or evidence from different sources
<p>empowered in challenging PG when it happens by checking documents.</p> <ul style="list-style-type: none"> • <u>For this category of respondents, we did not conduct KIIs.</u> • No data from the <u>perception survey</u> apply to this evaluation outcome indicator. • <u>With respect to differences between communities</u>, in the FGD in Ngombere (category C community) although they had some knowledge of IJM’s program, the opinion about capacities to address PG was noticeably less strong, with the role of LCs, the necessity of will writing, and women’s right to owning property still under discussion among community members themselves. • In <u>the MFM</u>, the data from a media poll revealed that there was low confidence (between 18.1% to 34.8%) in the effectiveness of measures to address/prevent PG, such as will writing, land documentation, and legalized marriage. • <u>Baseline-endline: Endline survey results</u>, Table 14: The trends on widows’ confidence in the justice system are mainly negative. This is plausibly so because significantly more widows are reporting (section 3.1.5, fig. 5), so more widows experience the faulty behavior of PJS actors. Reporting of PG went up from 22.6% at baseline to 49.1% at endline, to all different types of authorities (Figure 5). Figure 4 shows that 89.3% of all widows identified “writing a will and naming an executor” as a good way to protect property. • <u>Endline FGD results</u>: see above main conclusion 1.1 	<ul style="list-style-type: none"> • “It helps our daughters because they now know that they are beneficiaries. Previously they felt that they were working for the boys.” (respondent in Katente FGD) • “I was involved in dividing property. I had only ever read the IJM booklet. I had no training, but I thought the best thing to do was to discuss sharing equitably. But later when the heir had sold his part, he returned and said that as heir, he was entitled to more than that. That girls had no business owning the land.” (respondent in Lulagwe FGD) • “Instituting complaints against relatives is limited by the fact that people who get involved in PG have a lot of money and the key individuals who should be in a position to help out the widows and orphans side with those who have money.” (respondent in Kasenge FGD) • “Before we got training, we didn’t really mind about our neighbors, and even our wives as stakeholders in our property. I had even bought a plot and had never checked to see whether the agreement had been signed. After the training, I checked and found that in fact we hadn’t followed the right procedure of signing and witnessing the document. I then corrected this.” (respondent in Namawojjolo FGD) • “We rarely talk about property grabbing in our communities not because we don’t want to but because within families we don’t hear people complaining about it. The only time we talk about property grabbing is when surveys are done like the one we have going on right now.” (respondent in Ttaba FGD) • “In 2016, my father’s dad died. We learnt after that my uncle had sold over 80 acres when we got this training from the parish chief. We went to court and these letters were cancelled. So, I think the most important thing is to know one’s right and know where to go. Problem is that those who don’t know ask others who don’t know.” (respondent in Ngombere FGD) • “In the past, parents never thought of girl children for inheritance. Now, they consider the girls’ share as well.” (respondent in Kyabakadde FGD)

Insights per outcome indicator	Relevant details or evidence from different sources
	<p>Under the “public” tab of the <u>MFM</u>, the indicator on “Community members understanding of property grabbing, its criminal nature and preventive factors” (PB17) reveals that from a media campaign poll, performed in Q3 of 2015, it was concluded: Even when community members were often prompted, only 34.8% mentioned a will as protective, 27.7% discussed land documentation as protective, and 18.1% said “legalized marriage” was protective against property grabbing.</p>
<p>1.3 Opinions about what is effective handling of PG cases</p> <ul style="list-style-type: none"> • The responses <u>in FGD</u> give nuance. Some respondents indicate that these matters should first be solved within families before going to courts, or at least by involving clan leaders and LCs. • <u>For this category of respondents, we did not conduct KIs.</u> • Although 100% of respondents in the <u>perception survey</u> indicate that PG should be prosecuted, there is considerable variation in whether PG should be solved by mediation: 38.7% of respondents agree that PG should be solved by mediation, while for category A (20–29 years), 21% of respondents believe PG should be solved through mediation. In category B (30–44 years), this is 59%, and in category C (45+ years), this is 36%. • <u>With respect to differences between communities</u>, the FGDs showed that in category A communities, more respondents point at police and courts as the steps to take, and C and, to a certain extent, B communities are less certain of that route and are even fearful of police (in the case of category C Ngombere). • The data in a media poll in 2015, from the <u>MFM</u>, revealed that the majority of respondents (66.9%) believed that resolution of PG should start in the family, with only 23.3% believing that PG should always be reported to police. • <u>Baseline-endline comparison</u>: see above 1.2. 	<p><u>From FGDs:</u></p> <ul style="list-style-type: none"> • “There are cases where you can resolve PG out of court (e.g., if you tell the person and they change, then that matter is resolved). In other instances, some individuals need to first go to jail to learn.” (respondent in Kasenge FGD) • “Property distribution can be handled in the clan, but there are those matters which must go to court. For example, if grievous harm has occurred or may occur—in some instances, the clan head may want to marry the widow—he can’t be fair in determining the matter.” (respondent in Namawojjolo FGD) • “I think it is better for matter to be resolved in the family. At first, the family should resolve the issue.” (respondent in Katente FGD) • “The matter should go to the courts because in most cases, it is the family who is grabbing.” (respondent in Katente FGD) • “Some of the things we can do to prevent property grabbing include tipping off the local council members on existence of property grabbing, calling an immediate gathering to address any case arising from property grabbing, advising people to report immediately to police and local leaders from the village parish to the sub-county.” (respondent in Ttaba FGD) • “Property grabbing cases must be first handled at family level, especially where the deceased person left no will. Clan leaders and heads must be involved highly in resolving the conflict if it’s among family members. Where the family fails to resolve a matter between them, then such a matter must be forwarded to the local council members to mediate the matter. If they fail at this level, then the matter is forwarded to sub-county heads. At the same time, you can also report the matter to police officers nearby.” (respondent in Ttaba FGD)

Insights per outcome indicator	Relevant details or evidence from different sources
	<ul style="list-style-type: none"> • “Perhaps there should be a special desk at the police, IJM sending us more lawyers.” (respondent in Seeta Goma FGD) • From <u>the perception survey</u>, we conclude that whereas 100% of respondents agree that PG should be prosecuted, at the same time 38.7% of total respondents consider that PG should be solved by mediation. 47.6% of women respondents believe that PG should be resolved by mediation, in comparison to 29.5% of men. The difference per age category shows some variation as well. In category A (20–29 years), 21% of respondents believe PG should be solved through mediation; in category B (30–44 years), this is 59%, and in category C (45+ years), this is 36%. • Under the “public” tab of the <u>MFM</u>, the indicator on “community members’ attitudes and actions around reporting property grabbing to the police” (PB19) reveals that from a media campaign poll, performed in Q3 of 2015, it was concluded that: “The overwhelming majority of community members believe that resolution of property grabbing should at least first start with the family (66.9%). Over one-third (36.3%) mention only the family as resolvers to the problem, while 30.6% believe that if the family can’t reach a resolution or the situation gets complicated, the police should get involved. Only 23.3% of mentioned the need to always report property grabbing to the police.”
<p>1.4 Level of trust in police and the PJS</p> <ul style="list-style-type: none"> • From <u>the FGDs</u>, most communities indicate that they feel more empowered to go to the police or courts and give examples of cases where this had led to a successful outcome. Especially police officers at IJM-facilitated PG desks are assessed more positively. However, mistrust still exists toward police as being corrupt or unhelpful (siding with the perpetrator). Although there is insight into the role of the courts as a means to address the issue, overall the length of the process is deemed too long. • <u>For this category of respondents, we did not conduct KIIs.</u> 	<p><u>From FGDs:</u></p> <p>“Now we know the law. You start with the Local Council and go on. We used to believe that a poor person cannot succeed in courts of law. But now we have seen it happen; a poor person can get a positive outcome from a court.” (respondent in Kyabakadde FGD)</p> <ul style="list-style-type: none"> • “In the past, LC and police were a problem. They would send us back and forth with no progress in the matter. We now know that if the police don’t help, we have the right to go further.” (respondent in Namawajjolo FGD) • “Police is more concerned with money. It is not very good at helping. Even the courts are not very helpful.” (respondent in Kasenge FGD)

Insights per outcome indicator	Relevant details or evidence from different sources
<ul style="list-style-type: none"> • The <u>perception survey</u> indicated that most people believe police opinions have changed somewhat against prevention of PG, while 32.3% saw no change. This was especially the case for women, of which 39.7 saw no change. Going through courts is still assessed as lengthy processes, whereas police officers are still often associated with corruption. 98.4% of respondents indicated that they would report a case of PG to the police or local leaders. • <u>With respect to differences between communities</u>: From the FGDs, there does not appear to be much difference in the level of trust. • In the <u>MFM</u>, the media poll also listed corruption and inefficiency of police and the PJS as reasons for not reporting PG there. • <u>Baseline-endline comparison</u>: see above 1.2. 	<ul style="list-style-type: none"> • “We have been trying to handle these issues at the initial stages, but where it does not get resolved, we send them to sub-county because that is the person we trust.” (respondent in Katente FGD) • “Police is not of much help to the victims, perhaps they can only help by removing the perpetrator from the scene.” (respondent in Lulagwe FGD) • “These police officers at these desks are aware of these matters. Otherwise, another officer may take it lightly. First, we try to talk to the person. But if the person refuses to listen, we have to proceed to report at police and then the police has to handle the file.” (respondent in Nsanja FGD) • “Courts can help, but they take too long to conclude the matter. By the time the case is concluded, there could be a storeyed house built on the land. In general, courts haven’t helped us much. I know because my father still has a matter in court.” (respondent in Ngombere FGD) • “At IJM, they advised us to take the matter to court and to group up so that there were at least five of us making a claim against him. But the heir killed some of the others. Even those who went to police were not helped.” (respondent in Seeta Goma FGD) • “The PG desk should be far from police. We don’t trust the police.” (respondent in Seeta Goma FGD) • The <u>perception survey</u> showed that changing opinions by police to prevention of PG are assessed by respondents in the following way: 12.9% think the police opinions have changed strongly against PG, 54.8% as yes, somewhat against PG, and 32.3% saw no change. This was especially the case for women, of which 39.7% saw no change. From the perception survey, it also becomes evident that 98.4% of respondents indicate that they would report a case of PG to police or community leaders. Only two women of 63 total indicated they would not, both of whom were in the age category between 30–44 years. • The <u>MFM</u> has two impact indicators related to trust/confidence in PJS response: BE62 and BE63. BE62: Community members in Mukono County have confidence that the PJS would act to protect widows and orphan's inheritance rights and

Insights per outcome indicator	Relevant details or evidence from different sources
	<ul style="list-style-type: none"> BE63: Community members in Mukono County express confidence in the PJS to pursue criminal prosecution of property grabbing perpetrators. Baseline levels for both were BE62: 64.4% and BE63: 60.0%. Both have not been monitored further or measured during the endline study. Furthermore, under the “public” tab of the MFM, the indicator on “Community members’ attitudes and actions around reporting property grabbing to the police” (PB19) reveals that from a media campaign poll, performed in Q3 of 2015, it was concluded that: “Of the 75 community members that self-reported being victims of property grabbing only 29 (38.7%) said they reported the incident to the police. The other portion of victims did not report and listed these main reasons for their lack of action: a belief that property grabbing should be resolved within the family, police corruption, and an inefficient justice system. Even of the community members who were not victims, these were the same reasons mentioned when probed about why they would not report property grabbing to the police.”
<p>2. Changes in capacities and attitudes—LC and leaders</p>	
<p>2.1 Opinions on PG as a crime</p> <ul style="list-style-type: none"> From FGDs and KIIs: All local leaders assess PG as a crime and illegal, while leaving space for mediation by themselves if PG were not associated with violence. There are no indicators in the MFM associated with this segment. From baseline-endline comparison: Only FGDs done, page 50: LCs feel empowered but also have doubts on how they can address PG. They feel relatively powerless and in between two systems, stating their lack of trust in the police and also lack of real power against cultural leaders or norms (p. 50). PG in terms of land grabbing has increased. 	<p>From FGDs and KIIs:</p> <ul style="list-style-type: none"> “Property grabbing is a crime punishable in courts of law. It is a crime because it involves taking away property belonging to another person. It is also a crime because it involves forgery of documents such as land tiles, sale agreement, and falsifying of other related documents.” (FGDs Land Area Committee members) “Property grabbing is always a crime. Sometimes the PG cases are violent and involve guns, then we advise people to go to police, otherwise first try mediation.” (FGD LCs Kyabakadde) “People in my community think PG is a crime and they report to our LC immediately. In some matters I can give evidence or, if necessary, go to court. Family property is something which can be mediated but because some people are so hardened in their positions, it is better for them to be corrected by facing the full penal consequences.” (KII LC Chairperson Kigunga Goma) “I agree with treating PG as a crime because they are stealing orphans’ property.” (KII LC Chairperson Kigunga Goma)

Insights per outcome indicator	Relevant details or evidence from different sources
	<ul style="list-style-type: none"> • “PG is always a crime; it is illegal.” (KII Ssekeboobo/traditional leader)
<p>2.2 Opinions about what is effective handling of PG cases</p> <ul style="list-style-type: none"> • <u>From FGDs and KIIs:</u> In most FGDs and KIIs with local leaders, the common thread in effective handling was to first deal with the case themselves, to try to reach a settlement within families. But if this was not successful, the matter would be forwarded to police, courts, or sub-county leaders. One Land Area Committee member considered mob justice the only solution, for which he mobilized his community. • <u>From MFM:</u> Under the local government tab of the MFM, indicator LC4 indicates “% of sampled LC leaders who report cases of property grabbing to police on behalf of women and girls.” This indicator was calculated as # of LCs with log books that have at least one occurrence of referring a PG case to the police directly during the review period divided by total LC leaders sampled. The trend over the last few years shows the following: 56.1% in 2015, 68.7% in 2016, and 23.3% in 2017. The decrease could, according to IJM, be explained by the assumption that PG cases have also declined over the last few years. • <u>From baseline-endline comparison:</u> see above. 	<p><u>From FGDs and KIIs:</u></p> <ul style="list-style-type: none"> • “It is better to prosecute property grabbers since most widows and orphans will shy away from confronting family members, especially fathers-in-law and other relatives.” (FGD Land Area Committee members) • “Some of the things we can do as trained leaders from Nakisunga sub-county include mediating between family members first for a resolution. When we reach a settlement, we put it in writing. The other thing we can do is to forward the matter to police and at the sub-county.” (FGD Land Area Committee members) • “The only solution to this problem of property grabbing is mob justice. Even as I speak, I left a pending matter in Goma this morning. When I go back, I will mobilize the community and gather sticks and canes to beat up the perpetrators. It is the only language property grabbers understand.” (FGD Land Area Committee members) • “We first sit with them (the elders, the family) we meet and discuss. If we can’t reach a common position of understanding, then we know that it is necessary to go through legal processes. Then we handle it as the crime it is.” (KII Lulagwe parish chief) • “Family property is something which can be mediated but because some people are so hardened in their positions, it is better for them to be corrected by facing the full penal consequences.” (KII LC Kigunga Goma)
<p>3. Changes in capacities and attitudes—police and PJS</p>	
<p>3.1 Opinions on PG as a crime</p> <ul style="list-style-type: none"> • <u>For this category, we did not conduct FGDs.</u> • <u>From KIIs with police officers</u> is noted that the opinion on whether or not PG is a crime differs according to location. Police officers in Mukono, or having been trained by IJM in Mukono, assess that PG is always a crime. Police officers from 	<p><u>From KIIs with police officers:</u></p> <ul style="list-style-type: none"> • “Here in Buikwe, community members don’t know that PG is a crime.” (KII police officer Lugazi) • “Many of these PG matters are civil but there is a criminal element which emerges.” (KII police officer Lugazi)

Insights per outcome indicator	Relevant details or evidence from different sources
<p>Lugazi, those without IJM training, consider them most often civil matters, unless criminal elements such as trespassing are involved.</p> <ul style="list-style-type: none"> • <u>From KIIs with PJS:</u> All medium- and high-level (legally trained) actors of the PJS acknowledged that PG is associated with crime (100% of 16 medium- and high-level interviewees of the PJS). However, many high-level actors of the PJS, especially from the judiciary, pointed out that PG also has civil aspects and is rooted in community beliefs and customary law. Several higher ranked interviewees, from different PJS sectors, stressed that PG crime is part of a larger land crime and land grabbing problem. • A few interviewees indicated that the types of crime(s) related to PG were changing in Mukono. At first, PG regularly involved violence, but that had been deterred by increased law enforcement. Now more sophisticated types of PG, such as with fraudulent documents, had become apparent. • No data from the <u>perception survey</u> apply to this evaluation outcome indicator. • <u>From MFM:</u> In the MFM, indicator PO12 under the police tab indicates the % of police who believe property grabbing is a criminal matter. Questionnaires were used by IJM to test this, and in 2014, 65.4% of surveyed police believed PG was a criminal matter. In 2016 this was 47.1% based on police training tests administered among beginner and advanced police trainees. • For the PJS, the MFM does not contain relevant data for this section. • <u>From baseline-endline comparison:</u> Only FGDs done, giving a rather consistent view of improved understanding of PG as a 	<ul style="list-style-type: none"> • “Matters of land are usually civil matters. We are discouraging officers from involving themselves (e.g., someone doesn’t pay, some disputes relating to agreement, which are better handled in court). Maybe when there is criminal trespass, we can involve the police offices.” (KII officer in charge Lugazi) • “Some cases that I take on board are only based on fraud (forgery of land titles), and not always associated with violence, although this could still happen at a later stage. PG is always a crime, and the best way to deal with it is go through the justice system, to resolve it once and for all. Through the justice system, the decision is documented and binding. However, an arrest doesn’t mean a settlement of property.” (KII police officer in Bweyogerere) • “PG is a crime, but sometimes a challenge to investigate, especially when there is no official documentation to rely on.” (KII police officer Napolu in Mukono) <p><u>From KIIs with PJS:</u></p> <ul style="list-style-type: none"> • Among interviewees from all sectors of the PJS (police, prosecutor’s office, judges, Administrator General) there was widespread appreciation for IJM’s work of addressing PG crime and protecting its main victims, widows and orphans. “IJM was a pioneer in several ways.” (high-level judiciary) • “I have passion for their work in this country.” (high-level judge) • “There are different opinions about this, people look at it differently, when PG is a civil offense and when it is criminal case.” (top-level PJS actor) • “My guess is that three-quarters of the first-year law students do not know that women can own land. So, this is before the course. So yes, even the elite believes that a woman should not own property. Maybe the ignorance among men is higher than among women.” (law professor) • “Ignorance is not an enough excuse for breaking the law.” (high-level prosecutor) • “Ignorance of the law is no defense.” (high-level judge)

Insights per outcome indicator	Relevant details or evidence from different sources
<p>crime. However, it seems that police mainly investigate PG cases that are characterized by violent offenses including murder, rape, and threats. This might also imply that PG cases are mainly reported to the police if violence is involved (p. 50).</p>	<ul style="list-style-type: none"> • “Of the 10 cases, seven are around land crime issues. Land grabbing is epidemic. There is property grabbing, there is the larger land grabbing, and then there are foreigners.” (high-ranked PJS actor) • “There is a land bubble.” (technocrat of PJS) <p><u>Analysis:</u></p> <ul style="list-style-type: none"> • Among the interviewees of the PJS, there was general awareness about the harmful aspects of PG, including violence, especially considering the fact that victims are often very vulnerable people in Ugandan society: widows and orphans. • Many interviewees, from all PJS sectors, indicated that widows and orphans, especially girls, are particularly vulnerable for PG, as the idea persists that women cannot own property. • All medium- and high-level (legally trained) actors of the PJS acknowledged that PG is associated with crime (100% of 16 medium and high-level interviewees of the PJS). However, many high-level actors of the PJS, especially from the judiciary, pointed out that PG also has civil aspects and is rooted in community beliefs and customary law. • Several interviewees indicated that a structural problem of PG crime is that many people are unaware of the law. • Several higher ranked interviewees, from different PJS sectors, stressed that PG crime is part of a larger land crime and land grabbing problem. • A few interviewees indicated that the types of crime(s) related to PG were changing in Mukono. At first, PG regularly involved violence, but that had been deterred by increased law enforcement. Now more sophisticated types of PG, such as with fraudulent documents, had become apparent.
<p>3.2 Opinions about the role of actors to deal with PG</p> <ul style="list-style-type: none"> • <u>From KIIs with police officers:</u> All KIIs with police officers reveal that a joint effort with various actors is deemed 	

Insights per outcome indicator	Relevant details or evidence from different sources
<p>necessary to deal with PG cases, especially PJS actors, Land Desk/Unit of police, and communities themselves. Furthermore, the facilitating role of IJM is mentioned as instrumental.</p> <ul style="list-style-type: none"> • <u>From KIIs with PJS:</u> A substantial number of high-level actors of the PJS, particularly among the judiciary, considered that criminal law is not the only (first) answer to PG, as it deteriorates community relationships. Moreover, the PJS is already overloaded, with a case backlog of several years (see also further). Solutions should also be found in the community. • <u>There were no FGDs conducted in this category.</u> • <u>There are no indicators in the MFM relevant for the police and PJS on this item.</u> • <u>From baseline-endline comparison:</u> Only FGDs done, giving a rather consistent view of improved capacities to address PG. However, also mentioned that resources remain limited to undertake the required investigations (police) and remaining challenges of filing systems. Importantly, mediation remains a preferred option for most PJS actors (p. 51). 	<p><u>From KIIs with police officers:</u></p> <ul style="list-style-type: none"> • “At the police station, we have changed the way we deal with PG a bit. If it is a IJM case, we treat it differently because IJM will facilitate the process.” (KII police officer Napolu in Mukono) • “We should narrow the gap with the Land Desk office, which might help to work on PG cases more effectively.” (KII police officer Napolu in Mukono) • “As new management, I have set out a new approach to handling these issues. We should team up with the Resident District Commissioner (RDC). We have a department of land, DISOs; District has DL Office (one person should be part of it); Resident State Attorney (RSA) so we all visit the locus to have a clear point to judge. The area LCs should be part of it and the parties and other stakeholders. If you go as a team, there is no room to appeal (to another agency). This is what I have done elsewhere, and it has worked.” (KII officer in charge in Lugazi) • “Community policing is a Mayumba kumi (ten-house system) which empowers society to own their security and take lead. We sensitize the community, then divide leaders for each 10 houses, then we get outlook teams (of youth). The team sits every two weeks unless a problem arises earlier. It is effective because neighbors know each other and can give information in circumstantial matters.” (KII officer in charge in Lugazi) • “Specifically, we handle the criminal element—obtaining money by false pretenses, assaults, fraud, etc.—then the rest we push to the civil side.” (KII police officers in Lugazi) • “Property grabbing issues that come in with police child and family, we will refer them to the land unit. But this is response. In our church activities we focus on prevention. We council and mediate, but when a crime is involved it goes to the CID (investigative unit).” (KII officer child and family protection unit in Kampala) • “The JLOS system and all its actors need to maintain and continue this work to keep these changes. Logistics are going to be the main obstacle, however. The heart is willing, but the logistics are not there. I would like to see IJM continue to

Insights per outcome indicator	Relevant details or evidence from different sources
	<p>support us here. ‘PG are IJM matters,’ even police that has been trained will still say that.” (KII police officer in Bweyogerere)</p> <p><u>From KIIs with PJS:</u></p> <ul style="list-style-type: none"> • “Personally, I know IJM as a partner for rights of widows and orphans in land matters.” (high-ranked PJS actor) • “We have limited resources, and the police is infested with corruption, to say it blankly. IJM helps victims in a patrimonial system that disregards women. IJM is also fighting injustice. A case of PG can easily die in the PJS. With IJM, that is not the case.” (high-ranked PJS actor) • “IJM filled the gaps.” (high-level PJS actor) • “IJM made a difference, absolutely. Things are very different here in Mukono thanks to IJM. IJM has been guiding me, making it easy, making my work easier. It made it easy to catch up. They cross-examined it and they also had a follow-up, until the case was finalized. They are interested in the details. And they are passionate about the cases.” (Public prosecutor) • “IJM’s work in Uganda made me wonder: Why don’t I step in? What about me? It was a special reminder that we need to look at widows and orphans.” (magistrate) • “We saw a reduction in PG cases as the project has streamlined.” (high-level actor of judiciary) • Expertise and material support delivered by IJM increased the capacity and performance of the PJS, which was manifested in Mukono, as some respondents stated with satisfaction. • “The system is in place. The police desk will stay, but it is important to keep on working with the community.” (judge) • “Justice has to be done, of course, especially when victims and perpetrators have to live in close proximity from each other or when they are in-laws. Then it may be more effective to try to reconcile. This keeps the relationships better. On

Insights per outcome indicator	Relevant details or evidence from different sources
	<p>the long run, this also increases the security of past victims of PG and it decreases the risk of revictimization.” (top-level judge)</p> <ul style="list-style-type: none"> • “So IJM helped with good archiving, and this helped to limit corruption. Because it was always difficult to get these files. There was a lot of petty corruption there.” (top-level judiciary) • Several interviewees emphasized that imprisonment increases the risk of deviant and criminal behavior. Also, punishment and prison negatively impact community relationships and reconciliation. <p><u>Analysis:</u></p> <ul style="list-style-type: none"> • Several interviewees, from different positions and sectors of the PJS, indicated that IJM’s sensitization activities increased awareness about PG crimes and ways to address it—in communities in Mukono, as well as among staff of different sectors of the PJS. However, several interviewees from Mukono remarked that not everybody had been reached yet. • A large majority of the mid- and high-level actors of the PJS stated that IJM’s work improved the performance of the PJS, particularly with regard to property grabbing and widows and orphans. Often mentioned are the expertise that IJM brought and how this practically improved the capacity of the PJS. • Several high-level actors of the PJS indicated that IJM, as a faith-based organization, has credibility. A few interviewees indicated that the dedication of IJM and its staff also had an inspiring effect. • Several interviewees, especially those who worked in Mukono, stated that the PJS, especially in Mukono, is more willing and better able to criminally prosecute PG. The prevalence of PG in Mukono consequently went down, as several (high-level) interviewees of the PJS pointed out. • A substantial number of high-level actors of the PJS, particularly among the judiciary, considered that criminal law is not the only (first) answer to PG, as it deteriorates community relationships. Moreover, the PJS is already overloaded,

Insights per outcome indicator	Relevant details or evidence from different sources
	<p>with a case backlog of several years (see also further). Solutions should also be found in the community.</p> <ul style="list-style-type: none"> • A substantial number of interviewees mentioned the problem of corruption in order to deal with PG. The (lower ranked) police and lower courts were mentioned as particularly vulnerable; DPP and higher courts were mentioned as institutions with (much) less corruption. Some mentioned that corruption at the Administrator General’s Office is substantially lower than before. • It was reported that in Mukono, some judges and judicial officers used to keep files in their (locked) office and asked money for access to files. IJM’s electronic files limited this type of corruption.
<p>3.3 Opinions about capacities for the police and PJS to take adequate measures</p> <ul style="list-style-type: none"> • <u>From KIIs:</u> Most KIIs among police discuss human and financial capacities on PG. Overall the IJM-trained police officers discuss improved skills on reporting, customer care, and file management. The capacity to act on these improved skills differs and, as one police officer concluded, was very much related to personal attitudes. Additionally, the logistical support given by IJM (motorcycles, fuel) was instrumental for their improved response capacities, which was mentioned a number of times during the KIIs. • <u>From KIIs with PJS:</u> Many interviewees stated that the PJS has become better equipped in dealing with PG crime. More specifically, interviewees stated that the PJS has more knowledge and legal tools to criminally prosecute PG crime, as proven in Mukono. And, as the cases were well prepared by IJM, which also kept a finger on the pulse, Mukono Court could then process them more quickly. Several interviewees indicated that the PG handbooks for police and prosecutors, 	<p><u>From KIIs with police officers:</u></p> <ul style="list-style-type: none"> • “Intermeddling has not been so common since I got here. This can be tricky, so we prefer them to go to courts of law directly. But, of course, we make an entry of a complaint in our records and then advise where to go, especially if the issue is likely to arise into a felony.” (KII officer in charge in Lugazi) • “I gained more knowledge in investigating PG cases. I picked up skills like statement reporting, which we record different from simple thefts. File management tools—they gave us a compressed version Penal Code. But I left these at the Mukono desk. I think prevention is useful and that is what we used to teach.” (KII police officers in Lugazi) • “Investigating land matters takes time. I have to go to Lands Office, check forgeries (e.g., use of thumbprints for a deceased). So, the matters take a long time (e.g., one to one and a half months) to investigate. And it is not the only case you are handling, and it needs movement.” (KII police officers in Lugazi) • “I find that many other trained police officers know about PG but don’t act on it. The moment they walk out of the training door, they lose their willingness to put it into practice. They lack the attitude and would need to have continuous training. TTT, train, train, and keep training.” (KII police officer in Bweyogerere)

Insights per outcome indicator	Relevant details or evidence from different sources
<p>as well as the various trainings that IJM organized, had been very helpful, due to their practical nature. Several public prosecutors and also a high-level PJS actor mentioned that IJM's courses improved their knowledge and capacity to effectively prosecute PG cases. Several interviewees specifically liked the contributions of external specialists, such as from the US and Australia. Several interviewees who work(ed) at Mukono Court, stated that the so-called "IJM cases" were being fast-tracked: doing justice in a timely manner. Special magistrates were being assigned for this fast-tracking. Several interviewees, from different sectors of the PJS, indicated that the computerized Court Case Administration System and organized court archives had reduced corruption.</p> <ul style="list-style-type: none"> • <u>There were no FGDs conducted in this category.</u> • <u>From MFM for police:</u> In the MFM, indicator PO13 under the police tab indicate % of police officers who have "good" knowledge of Uganda law regarding succession rights. This was measured during basic and advanced police trainings. The baseline value for this indicator was 92.3%, this had gone to 64.7% by 2016 which was the last year that it was measured. • <u>From MFM for PJS:</u> The R1 indicator under the tab for Prosecutors in the MFM indicates the % of prosecutors who demonstrate "good" knowledge of PG crimes and trial advocacy procedures. The aim of the indicator is to track effectiveness of RSA training on increasing knowledge of PG crimes and trial advocacy and has been monitored by means of testing since 2015. In 2016 the score for participants was 100% on the PG-section of the test. And in 2017 this score was 86%. 	<ul style="list-style-type: none"> • "To deal with missing files, we have improved case file management also in this police station. I advise my colleagues to have a personal record book, to keep track and prevent files from going missing." (KII police officer in Bweyogerere) • IJM built capacity for police officers in land related matters, customer care, role of Administrator General and also built capacities of victims on how to deal with land related complaints. (KII police officers Kampala) • IJM provided non- human resources (motor cycles). This improved response rate of our police officers since many times, these land matters turned hostile within a short space of time. Also made UPF's strategy of community policing more efficient. (KII police officers Kampala) <p><u>From KIIs with PJS:</u></p> <ul style="list-style-type: none"> • "Some of us, prosecutors and also judiciary, think that all cases regarding land issues are civil. But the handbook of IJM shows otherwise. IJM's handbook lists how criminal procedures can be used and on the basis of which articles." (public prosecutor). • "The trend was that, as a result, cases of PG have been on a decline. This has been the result of sensitization, of both victim and society as a whole, and as a result of the pro-active way by IJM. So yes, IJM has had a positive impact. Testimonies of women support that, telling how it improved." (magistrate) • "One thing that I profited from personally, and what I remember well, is that I was invited at a workshop. I never, never had a training like that! There were lawyers from the USA and there was one from Australia. The training was about how to convince your case in court. It was the best training I ever had! I would other prosecutors, colleagues of mine, would have the opportunity to have this training as well." (public prosecutor) • "One of our challenges is judgment writing. IJM brought a specialist from Australia, an international expert. People still talk about him. We want him back!" (top level judiciary)

Insights per outcome indicator	Relevant details or evidence from different sources
<ul style="list-style-type: none"> From baseline-endline comparison: Also mentioned that resources remain limited to undertake the required investigations (police), and remaining challenges of filing systems for the PJS actors and case backlog and prison congestion are all barriers for criminal prosecution. 	<ul style="list-style-type: none"> “We agreed with IJM about fast-tracking these cases. We did this by assigning special magistrates for this fast track. We agreed about that with IJM, in the case of criminal proceedings.” (judge) “It is very important that the bosses, the magistrates, are aware of the system, because clerks used to ask money for getting a physical file. Clerks do not want computer files—in the beginning. But they appreciate the benefits of the system later on. I saw magistrates training their clerks. Then sustainability becomes easy.” (technocrat of PJS) “They helped in reorganizing the archives. That is good for court users and good for the staff as well. (...) IJM was instrumental in a couple of things: recording equipment, data entry by computers, staff training, the system administration.” (magistrate). “There has to be continuous training as well as recaps for those who have been trained.” (public prosecutor) <p><u>Analysis:</u></p> <ul style="list-style-type: none"> Several public prosecutors indicated that PG cases used to be mainly treated as civil cases by the PJS. Now they are more often treated as criminal cases. Many interviewees stated that the PJS has become better equipped in dealing with PG crime. More specifically, interviewees stated that the PJS has more knowledge and legal tools to criminally prosecute PG crime, as proven in Mukono. And, as the cases were well prepared by IJM, which also kept a finger on the pulse, Mukono Court could then process them more quickly. Several interviewees indicated that the PG handbooks for police and prosecutors, as well as the various trainings that IJM organized, had been very helpful due to their practical nature. Several public prosecutors and also a high-level PJS actor mentioned that IJM’s courses improved their knowledge and capacity to effectively prosecute PG cases. Several interviewees specifically liked the contributions of external specialists, such as from the US and Australia.

Insights per outcome indicator	Relevant details or evidence from different sources
	<ul style="list-style-type: none"> • Several interviewees who worked at Mukono Court stated that the so-called “IJM cases” were being fast-tracked: doing justice in a timely manner. Special magistrates were being assigned for this fast-tracking. • However, a substantial number of especially high-ranked actors of the PJS indicated that the PJS is structurally understaffed and that PG cases are complex and bulky (with lots of documents to read and check on authenticity). • Several interviewees, from different sectors of the PJS, indicated that the computerized Court Case Administration System and organized court archives had reduced corruption. • Many interviewees stressed the importance of (continuous) trainings, considering the regular transfers. • A prosecutor stressed that as some property grabbing seemed to transform into white-collar crime, involving sophisticated fraud, with hired lawyers who commit fraud (as a result of which the PJS has much, sometimes old, paperwork to check, including on authenticity).
<p>3.4 Opinion that criminal prosecution is the best answer to PG</p> <ul style="list-style-type: none"> • <u>From interviews (KIIs)</u>: Differing opinions could be identified about the legal nature of PG (when civil or criminal?) and the consequent type of PJS response; a civil justice (mediation), restorative justice or criminal justice response? A majority of high-level actors of the PJS (8 out of 12) consider that the best response is a combination of civil and criminal. • A majority of the interviewed prosecutors (but the sample was small) supported a criminal justice response to PG. By contrast, a majority of the interviewed judiciary (a larger sample as compared to the prosecutors) stated to prefer a justice response that is a combination of civil and criminal. • A number of respondents emphasized the disadvantages of criminal prosecution and imprisonment. Justice is obviously the 	<p><u>From interviews (KIIs)</u></p> <ul style="list-style-type: none"> • “When people are faced with criminal prosecution, that makes a difference. A civil case can drag on, sometimes for 15 years. The process of land transfers takes long. I believe strongly that criminal law is needed here. Civil is possible, then people say: We see you in court. But at this stage, criminal law is needed.” (top public prosecutor) • “It is difficult to draw the line between civil and criminal.” (public prosecutor) • “PG should be dealt with in both a criminal and civil way.” (magistrate in Mukono) • “In JLOS we try to promote solutions through the traditional justice system, restorative justice. Alternative dispute resolution is best to prevent conflicts.” (top-level PJS actor)

Insights per outcome indicator	Relevant details or evidence from different sources
<p>objective but keeping good community relationships is also important.</p> <ul style="list-style-type: none"> Several high-level actors of the PJS, especially among the judiciary, indicated that in order to attain behavioral change, customary law is important. They indicate that mediation is well-rooted in society and has practical advantages as well. From <u>basely-endline comparison</u>: Importantly, mediation remains a preferred option for most PJS actors (p. 51), especially for cases that do not involve criminal violence. 	<ul style="list-style-type: none"> “The idea of putting someone in prison is rehabilitation. But our prisons do not give or create rehabilitation. Our prisons do not allow for that. The conditions are harsh and degrading. They become hard-core criminals.” (judge in Mukono) “The limitation of criminal is that it is only treating the symptoms, but not really the root causes. In many cases lawyers do not want mediation, but it saves time and has better outcomes.” (top judge)
<p>4. Changes in behavior related to prevention and/or deterrence of property grabbing – community level</p>	
<p>4.1 Reporting of PG cases, to police, LCs or others</p> <ul style="list-style-type: none"> From FGDs: In all community FGDs, including from category C, people indicate that they report to police and LCs when PG occurs. Their experiences are varied. Category C community members found police response to be ineffective, but this also applied to FGDs in the other categories. Especially in the Nsanja community (category A) respondents were vocal about reporting to the police and assisting neighbors to report if confronted with PG, as self-organized community groups. IJM is also mentioned specifically as the first organization to report a case of PG to. <u>There were no KIs conducted for this segment.</u> From the <u>perception survey</u> it is noted that 98.4% of respondents indicate that they would report a case of PG to police or community leaders. Only two women of 63 total indicated they would not, both of whom were in the age category between 30–44. Both of these women were from a category B community. 	<p>From FGDs:</p> <ul style="list-style-type: none"> “We fear to confront the clan heads; they practice witchcraft.” (respondent in Seeta Goma FGD) “I am an orphan and the heir stole our things. He has taken all or land. He didn’t distribute our father’s estate. At IJM they advised us to take the matter to court and to group up so that there were at least five of us making a claim against him. But the heir killed some of the others. Even those who went to police were not helped.” (FGD in Seeta Goma) “In this area, we can go to the police. But sometimes you go to the police and the officer starts speaking to you in such a way that makes you feel worthless. For instance, they ask what do you do for a living? That really demeans an individual. But there are times they handle matters well. It depends on the family which has been reported. If there is one rich party, the matter won’t be resolved.” (respondent in FGD Kasenge) “We used to be afraid of reporting cases. Today we are not afraid.” (FGD in Namawojjolo)

Insights per outcome indicator	Relevant details or evidence from different sources
<ul style="list-style-type: none"> • <u>From MFM:</u> • Tab PB13 of the MFM shows the following indicator “% of complainants who reported their crime to anyone.” This data was monitored by way of intake forms at IJM, of new clients, that had indicated that they had reported a PG crime to a channel such as: police, church, lawyer, etc. In 2012 the value was 77.4%, and this had risen to 90% in 2017. • <u>From baseline-endline comparison:</u> see text 1.2. • Community members considered property grabbing as criminal in nature under the appropriate circumstances. However, perspectives varied depending on their personal circumstances, gender, vulnerabilities, and dependencies. (NB: This confirms that opinions are influenced by the context and the ability to do something about it.) 	<ul style="list-style-type: none"> • “We are receiving more cases because people have understood what to do after all the trainings we have had within the LC areas. And we think with more training, PG can reduce.” (respondent in FGD Nsanja) • “We took her to police and reported the case. The police opened up a file while we were there. Then the police summoned the relatives. When the relatives turned up, they agreed to hand over the property. They even came back to the LC chairman and wrote an agreement never to attack her.” (respondent in FGD Nsanja) • “Sometimes they threaten violence; that is why we involve police quickly before the injury actually happens.” (respondent in FGD Nsanja) • “Committee of LC is first place where you can go. If that fails, you go further. LCs give advice of where you can go (e.g., you can go to IJM where you can discuss this issue). We have been trying to handle these issues at the initial stages, but where it does not get resolved, we send them to sub-county because that is the person we trust.” (FGD in Katente) • “In my experience, there was a buyer of land who needed a title transfer. The Mukono office denied that it had the title. But I saw the police guarding the thief. The police determined that the legitimate owner was entitled to two acres out of six acres. The true owner refused. When we went to the land office in Entebbe, the land office told him the title was in Mukono district land office. That is when he found his title.” (FGD in Kyabakadde) • “I have not accompanied anyone to police, but I provide evidence to the police when I have it. For instance, I give testimonies to them based on what I know. We are not afraid of police.” (FGD in Kyabakadde) • “When we heard these IJM broadcasts, we went to Katosi police and reported. The police arrested the perpetrators and took them to Mukono police, but they got bond. They were given 14 days to return the land. This was in January 2018. But to date, they haven’t.” (FGD in Ngombere) • “My two daughters are about 19–20 years old. They went to police in Mukono, the perpetrators (two—one woman and one man) pleaded that the matter

Insights per outcome indicator	Relevant details or evidence from different sources
	<p>should be resolved without proceeding to court. The land has six graves and a house. My daughters are still waiting.” (FGD in Ngombere)</p> <ul style="list-style-type: none"> • “I went to police without a letter from the LC. But when he (the LC) saw me come back with a letter from IJM, he swung into action. Right now, if any widow encounters a problem, he advises them to go to police and that police will direct her to the organization, which can help her.” (FGD Mukono widows group) • “A man was digging up my house to gain access and hack me to death. After contacting IJM, they called the police. The police pretended that it was going to take action. The next thing I hear, he was saying he had bribed the police with 500,000= to resolve the matter. When police came to the site, they then said we were relatives and they requested that we work together. So, I would say it is still problematic at police.” (FGD Mukono widows group) • “Police is very cunning, when you go there with IJM staff, they are very kind and appear helpful, but the moment the staff goes, they turn on you. They often ask us: ‘Don’t you want development in your area? Why are you challenging these people?’” (FGD Mukono widows group) • “I also do not trust the magistrates. The one we had in Nakifuma must have been bribed. She tried to mishandle our case, when our lawyer argued about the conduct of the matter, she threw the file and said she wouldn’t handle the case again. She said she was fed up with IJM.” (FGD Mukono widows group) • “I escorted a lady to police and the officers recognized that I was part of IJM. It was related to PG and they helped her.” (FGD Kyabakadde widow group)
<p>4.2 Incidence of will writing and incidence of formalization of marriages</p> <ul style="list-style-type: none"> • <u>From FGDs:</u> Although overall, with the exception of Seeta Goma, all communities see the value of will writing and formalizing marriages, the practice shows great variation. In the FGD in Seeta Goma, none of the respondents had written a will, believing if they did so they would die. There was still 	<ul style="list-style-type: none"> • “People are reluctant to make wills, even when you explain their importance.” (FGD Kasenge) • “We used to think we didn’t need to make a will. Men used to wait to age, to be ill. But after training, people would ask for the copy of the will writing format. About six people have made wills within the FGD group. Two people mention they have stored wills for others.” (FGD in Katente)

Insights per outcome indicator	Relevant details or evidence from different sources
<p>disagreement whether women needed wills, but in all category A, B, and C communities, respondents indicated that they had helped other community members to write a will or handed out forms to write a will.</p> <ul style="list-style-type: none"> • <u>The perception survey shows</u> that 33% of total respondents have indicated that they wrote a will in the last three years. There is considerable difference between the <u>different categories of communities</u>. Whereas 41.1% of respondents in category A communities indicate that they wrote a will in the last three years, this was only 7.1% in the category C communities. For category B, this is 27.8%. 27.4% of respondents have formalized their marriage in the last three years, with a slight difference between men (26.2%) and women (28.6%). There is no significant difference between community categories. • For both will writing and marriage formalization, there is significant difference between younger and older age categories. For respondents between ages 20–29, 10.5% have written a will, and 15.8% have formalized their marriages. For respondents of ages 45+, 44% of respondents have written a will and 34% formalized their marriage. • 89.5% of all respondents indicate that they intend to take these preventive measures in the next year. • <u>From MFM</u>: The PB2 tab under the MFM indicates the indicator “% of people who self-report having formalized their marriage.” In 2015, a large group question tool was conducted by IJM, which showed that 17.3% had formalized their marriage. In 2016, this was 15.1%. • The MFM has not monitored on data pertaining to the number of people who have written a will. 	<ul style="list-style-type: none"> • “Women like the idea but because men have multiple relationships, they are not too willing. When women were customarily married in the past, there was no need for a letter. But now women are asking their husbands to take steps to get a letter from the father of the woman.” (FGD in Katente) • “Women do not write wills. I have never heard it. What would they write? The women historically had nothing. They would ask for everything to be provided by their spouse. The only thing a woman can write in a will is to name an heir.” (FGD in Kyabakadde) • “We try to encourage people to write wills. We know that they write the wills. I know three people who I have helped to write wills. I have kept wills for two people.” (FGD in Kyabakadde) • “It is very difficult for a man to agree with registering property with his partner.” (FGD in Mpatta) • “I did not have a will to protect my property against property grabbers but after receiving the training, I wrote one and kept it safely.” (FGD in Ttaba) • “I have not helped anyone to write a will, neither have I nor my family members written anything close to a will. The truth is people fear writing wills. Using IJM training, I helped two people in this village to write wills. I haven’t written a will because I don’t have property to include in it.” (FGD in Ttaba) • “Personally, I had written what I called a will before receiving IJM training late last year. After the training, I went back and improved on my will to make it standard using the guiding copy of a will I got from IJM trainers.” (FGD in Ttaba) • “As chairman of the area and a trained member preventing property grabbing, I have advised village members to formalize their marriages. However, the response is still low. The most common type of marriage in this area that people prefer is church marriage. So far we have about five people who legalized their marriage in church last year.” (FGD in Ttaba) • “I have given many people will forms. I got them from IJM together with a book where they require us to write PG cases.” (FGD in Ngombere)

Insights per outcome indicator	Relevant details or evidence from different sources
<p><u>From baseline-endline comparison:</u></p> <ul style="list-style-type: none"> • <i>Formalization of marriage</i> is one measure to prevent property grabbing, but most did not view it as a solution because of the widespread practice of polygamy. Community members viewed access to justice to be useful only for the formally married wife or those who have wills or legal documents, which often excludes the vulnerable co-wives and other children. • <i>On writing wills</i>, there are many barriers, such as myths around death and problems caused by knowledge of the will's contents. There are three main challenges: 1) the ease in manipulation and falsification of wills; 2) how wills are often lost, even in the hands of authorities after property grabbing incidents; and 3) the fact that norms can still be used to prove a will is not according to the desire of the deceased. • Men voiced concerns that family property could be lost when a widow remarries, because that property may then go to another family. This is one of the main justifications for clans to evict and take back the property from widows after the husband's death, so this sentiment is still present among in Mukono County. <p><u>Overall conclusion (p. 53):</u> Protective factors to PG include: (i) marriage formalization; (ii) will writing; and (iii) land ownership documentation. These protective factors are well known to community members, but the potentials to make these measures effective is affected by power, hierarchy, traditions and</p>	<ul style="list-style-type: none"> • “Marriage—I heard about it and realized it was important and don’t need much money. We decided to go to church and formalize our marriage in 2017.” (FGD in Ngombere) • “We tell young women to make sure their marriages are formalized. For me I have advised my sister. I told her she would get nothing from her husband if he died unless she had formalized the marriage.” (FGD Mukono widow support group) • “I haven’t yet written a will but now I know.” (FGD Ngombere widow group) • “I have not yet legalized my marriage; you know men are lazy.” (FGD Kyabakadde widow group)

Insights per outcome indicator	Relevant details or evidence from different sources
<p>abuse of traditions, the vulnerable socio-economic and legal position of women, distrust within and between families, a view of marriage as an economic transaction, and the degree to which the institutional and social environments allow the measures to be accessible, available, and effective. In other words, the preventive and protective measures against PG seem to only be accessible, available, and effective when institutional and social contexts are conducive. <i>The endline study reveals that these barriers have remained largely unchanged (p. 54).</i></p>	
<p>4.3 Community actions to confront property grabbing</p> <ul style="list-style-type: none"> • <u>From FGDs:</u> From FGDs in category A communities, such as Katente, it becomes clear that community groups have been formed, and that PG cases are now confronted and solved through community group action. In both category A and category B communities, respondents indicated they felt more empowered and mentioned many individual cases in which they intervened by providing information on procedures, estate distribution, and reporting and actively assisting in these processes. • <u>From MFM:</u> There are no relevant indicators or data in the MFM on this segment. • There is no data from <u>the perception survey</u> on this segment. • <u>From baseline-endline comparison:</u> There are still many barriers to take action. While community members have knowledge in preventive and protective measures, a responsive institutional framework and social environment are needed to translate this into action. Familial and cultural issues continue to challenge the conditions that would foster 	<p><u>From FGDs:</u></p> <ul style="list-style-type: none"> • “When we have gone as a group, we have targeted widows and orphans. We help them find the deceased’s property. There was a man who died but his widow had little knowledge of his property because he didn’t disclose it to her. We were able to help her find some cows and identify some land and advise her on the next steps.” (FGD Kasenge) • “Sometimes, we can help them cover their transport charges (e.g., raise 1,000/= in order for the victim to go to court and follow up her matter). For example, there was a woman whose husband was trying to sell her land. She wanted to go to court, we raised 7,000/= for her to cover her transport expenses.” (FGD Namawojjolo) • “There is this lady, if we hadn’t been around, she had surrendered and was willing to give up the property. After she had been intimidated by the relatives who told her to leave their brother’s property. We mobilized ourselves, took her to police, and she won the case.” (FGD Nsanja) • “We have resolved challenges for about three people. As a group, we sat and discussed what to do. We invited them for a meeting with IJM. Before the meeting could happen, the family asked them to go to settle the conflict quietly as a family.” (FGD in Katente)

Insights per outcome indicator	Relevant details or evidence from different sources
<p>this environment, including distrust within and between families and inter-dependencies of gender, social position, economic resources, and political authority. Most community members have faced, and thus fear, authorities and powerful leaders taking the side of the perpetrator, costly procedures, corruption, and the repercussions of involvement of authorities.</p>	<ul style="list-style-type: none"> • “Here in Katente, we decided that if such a problem arises, we should not face it alone. We should invite at least 6–8 members from this group to support us.” (FGD in Katente) • “We must collect as groups. Ours is ‘Katente Kiba Bintu Protective Group.’ We plan to register it. We also plan to use it as a savings group.” (FGD in Katente) • “We worked together with the widow, the family and the heir. We participated in partitioning the land and even went ahead to prepare an MOU between the two. This was around November last year. It took us about three days to determine/resolve the matter.” (FGD in Kyabakadde) • “When we talk about PG in our family gatherings, we hide behind others. This is because within our families, it is the wealthier relatives who grab the poorer relatives’ property.” (FGD in Seeta Goma)
<p>4.4 Widow support groups and their functionality</p> <ul style="list-style-type: none"> • <u>From FGDs</u>: Two out of five widow support groups FGDs refer to specific activities that they undertake as a group. These are mostly income-generating activities. One group, in Nakisunga, mentioned that since funding from IJM stopped for the group, many members stopped attending. • <u>From MFM</u>: There are no relevant indicators or data from the MFM on this segment. • There is no relevant data from the <u>perception survey</u> on this segment. <u>From baseline-endline comparison</u>: not specifically included in the endline whether being organized in a group has an advantage. 	<ul style="list-style-type: none"> • “I am a member of another group. Some of the women had training and others didn’t. Some are still married because it is not a widows group. So, I talk about how to prevent PG and make arrangements to formalize your marriage. Then I talk about will writing.” (FGD Mukono widow group) • “There are nine members in this group. We formed the group in about June 2017. We meet twice a month, usually after two weeks. Members used to attend regularly, but we all don’t turn up that often. Sometimes there is three of us only. Others say they have no transport. When IJM used to give us transport allowance, members would turn up. But IJM had said after a while, it would stop funding us. We started a farming project as a group, but it requires a lot of capital. Our intention was to have both animal and crop farm. So far, we have one pig. We bought it after saving together. Charles is the one who is keeping it.” (FGD Nakisunga widow group) • “Hope [the support group] is trying to start a small business. We make books for sale. We have just started so we can only plough back the profits.” (FGD Kyabakadde widow group)

Insights per outcome indicator	Relevant details or evidence from different sources
<p>5. Changes in willingness and practices to prosecute property grabbing cases—LC and leaders</p>	
<p>5.1 Advising community and widows to take legal steps</p> <ul style="list-style-type: none"> • <u>From KIIs and FGDs:</u> Most local leaders will still aim to resolve a PG matter within the community/family first before advising on legal steps. However, with reference to legal steps, leaders mention police as the first port of call. Interestingly, in two KIIs leaders would refer cases directly to IJM and noted the difficulty to get affordable legal assistance without IJM or responsive police if they were not trained by IJM. • <u>From MFM:</u> Under the local government tab of the MFM, indicator LC4 indicates “% of sampled LC leaders who report cases of property grabbing to police on behalf of women and girls.” This indicator was calculated as # of LCs with log books that have at least one occurrence of referring a PG case to the police directly during the review period divided by total LC leaders sampled. The trend over the last few years shows the following: 56.1% in 2015, 68.7% in 2016, and 23.3% in 2017. The decrease could according to IJM be explained by the assumption that PG cases have also declined over the last few years. This indicator also applies to our outcome indicator 2.2. • <u>From baseline-endline comparison:</u> LCs feel empowered by new knowledge but also have doubts on how they can address PG. They feel relatively powerless and in between two systems, stating their lack of trust in the police and also lack of real power against cultural leaders or norms (p. 50). 	<ul style="list-style-type: none"> • “In Nakisunga we intervene between the grabbers and the victims first. When we fail to reach an agreement, then we forward the matter to court. We normally work hand in hand with the police to seek justice for the victims. As the Chairperson of Ntenjeru sub-county, it is better to prosecute property grabbers since most widows and orphans will shy away from confronting family members, especially fathers-in-law and other relatives.” (FGD Land Area Committee members) • “When someone is faced with a property grabbing matter, I would advise such a person to go and report to our local police post. I would also advise the person to report at the sub-county for proper attention. Where possible, we can entertain a matter as members of the court.” (FGD Land Area Committee members) • “We advise the following steps: (1) First go to LC for resolving the case, (2) If it is not resolved, then go to the police, (3) Police will direct them to court.” (FGD with LC leaders in Kyabakadde) • “If there is damage, the complainants should go to police.” (KII LCs in Katente) • “There are still challenges with getting legal assistance beyond IJM. For instance, one lady came to me with a land dispute issue and when we sent her to a lawyer, he asked for 500,000, which she did not have. This means she couldn’t get helped.” (KII CDO Nakisunga) • “I have not yet sent anyone to police over PG, but I have spoken to some families. There could be about five families whose matters we have resolved at LC level.” (KII LC Kigunga Goma) • “In the past, I have referred people to police and even to IJM. When police come and sensitizes them the conflicting parties cool down. The only problem is sometimes the one who was trained by IJM is not around.” (KII parish chief Goma)

Insights per outcome indicator	Relevant details or evidence from different sources
<p>5.2 Opinions about alternative measures (e.g., mediation)</p> <ul style="list-style-type: none"> • <u>From KIIs:</u> All leaders agree on mediation as a first step, especially noting the fact that these are family matter. Few leaders made an explicit reference to cases where violence was involved as a factor whether they would proceed to refer people to police/courts more rapidly. Leaders would refer to themselves as sufficiently knowledgeable and skilled mediators. • Community differences: The category C community leader saw mediation as the best option due to costly court procedures and together with the Mukono Clan chief agreed that especially clan leaders were in the best position to resolve through mediation. • <u>There are no relevant indicators from the MFM for this segment.</u> • <u>From baseline-endline comparison:</u> See above and also the fact that LC officers have the opinion that PG should mainly be reported to the police in case of violence. <i>See also under 7.4.</i> 	<ul style="list-style-type: none"> • “Property grabbing should first be resolved by family leaders and members. Where they fail to reach an agreement then the matter should be forwarded to other authorities.” (FGD Land Area Committee members) • “If the people can sit down to mediate and agree, it doesn’t have to go to court.” (FGD LC leaders Kyabakadde) • “Mediating in a property grabbing case is important and a better option. The reason to this is because court is costly from filing the case to judgment. Witnesses also fear to testify in court. Even clan heads have the ability to handle such cases. They are knowledgeable and their aim is to protect the image of the family. They should be given an opportunity to handle such cases. The simplest way is to go through clan leaders and heads if possible. When no resolution is reached, a matter should go to police and also sub county officials must be aware. Those that have money must go to courts of law.” (KIIs parish chief and LC Ngombere) • “If PG occurs within families I would advise to mediate, and I can intervene and advise as mediator myself. PG within families can be settled by a clan leader or local council leader; they normally resolve it.” (KII Ssekeboobo) • “If the matter can be resolved early, let the person come and be advised mediation is the best way. But if there are threats, then the victims should go to police. It can be negotiated because the relationship can have a benefit (e.g., if you die and your children are left abandoned because of disputes in the family). But where there are threats, then it is ok to treat it as a crime.” (KII CD facilitator Nama)
<p>6. Changes in willingness and practices to prosecute property grabbing cases—Police</p>	
<p>6.1 Better PG case file management and record keeping</p> <ul style="list-style-type: none"> • <u>From KIIs:</u> Two of the three IJM-trained police officers mentioned specific skills such as case file management and statement recording that they apply in their work, also after 	<p><u>From KIIs:</u></p> <ul style="list-style-type: none"> • “I gained more knowledge in investigating PG cases. I picked up skills like statement reporting, which we record different from simple thefts. File

Insights per outcome indicator	Relevant details or evidence from different sources
<p>having been transferred. One actively shares this knowledge with his new colleagues and introduced the system in the police station outside of Mukono.</p> <ul style="list-style-type: none"> • There is no data from the <u>perception survey</u> that applies to this segment. • <u>From MFM</u>: There is no relevant data in the MFM for this segment. • <u>From baseline-endline comparison: Overall conclusion on police performance (p. 52)</u>: <i>Overall, the police’s demonstration of knowledge around property grabbing-related offenses improved significantly, with more relevant charges preferred, greater accuracy in charging, and some increases in necessary documentation collection. Trained police do have a greater understanding of how and when to act. There are mixed findings on the performance measure of moving cases toward adjudication. Delays, insufficient operational funds, missing evidence, and inadequate investigations—all contribute to barriers to effective prosecution.</i> • <u>There are mixed results in terms of documentation. In terms of criminal prosecution case files</u>, there were increases in documentation of victim statements, witness statements, and suspect statements and the police bond form; however, there were decreases in other key documents (p. 42). 	<p>management tools—they gave us a compressed version of the penal code. But I left these at the Mukono desk.” (KII police officer Lugazi)</p> <ul style="list-style-type: none"> • “To deal with missing files, we have improved case file management also in this police station. I advise my colleagues to have a personal record book to keep track and prevent files from going missing. With the filing system introduced here in the office, I use our books to check the progress of all cases here on a daily basis.” (KII police officer Omagor, former Mukono)
<p>6.2 Proper identification of PG cases</p> <ul style="list-style-type: none"> • <u>From KIIs</u>: The IJM-trained police officer in Lugazi has identified and successfully managed to get a perpetrator prosecuted, even in a context where IJM has not sensitized the public on the criminal nature of PG. The non-IJM trained 	<p><u>From KIIs</u>:</p> <ul style="list-style-type: none"> • “Matters of land are usually civil matters. We are discouraging officers from involving themselves (e.g., someone doesn’t pay, some disputes relating to agreement, which are better handled in court). Maybe when there is criminal trespass, we can involve the police offices.” (KII officer in charge Lugazi)

Insights per outcome indicator	Relevant details or evidence from different sources
<p>officer in charge at Lugazi sees most PG cases mostly as civil matters. Other KIIs did not specifically give details on identification of PG.</p> <ul style="list-style-type: none"> • There is no data from the <u>perception survey</u> that applies to this segment. • <u>From MFM</u>: Po10 under the police tab in the MFM indicates the indicator “% of PGP desk officers who accurately identify criminal offenses (Q18) on charge sheet in a PG case after evidence collection.” The target was set for 80%. In 2015 this was 58.8%; in 2017 this was only 35.7%. The method of collection was Q18 on the POPER test, and this test in 2017 had been conducted in August, after which it wasn’t repeated, which might partly explain the low outcome. • Po11 under the police tab in the MFM indicates the indicator “% of PGP desk officers who can accurately identify potential criminal actions (Q3) in a property grabbing case when first reported by complainant.” The target was set for 90%. In 2015 the value was 64.7% (but monitored in August already), and by 2017 this went to 35.7% (also tested in August). The method of collection was through question 3 on the POPER test. • <u>From baseline-endline comparison</u>. Not specifically mentioned. However, police seem to concentrate especially on PG cases with violence. Of 125 cases, in 21 cases (16.8%) the RSA or police advised parties to seek civil remedies or “seek the help of the Administrator General’s Office” and drop their criminal complaint. In another 21 cases, the police closed the case because the complainant “did not follow-up the case” or “lost interest.” In 11 cases, the police, LC, or RDC supported a settlement of the case or were involved, to 	<ul style="list-style-type: none"> • “Here in Buikwe, community members don’t know that PG is a crime. But when I spoke to the widow, I understood her case to fall within PG and followed up. I went to the LCs and neighbors, and they were helpful. They gave me statements and I managed to prosecute the perpetrator.” (KII police officer in Lugazi)

Insights per outcome indicator	Relevant details or evidence from different sources
<p>some extent, in facilitating parties to reconcile “amicably” as was noted in the file. Lastly, in nine cases the police closed or halted the case because the suspect was unknown, absconded, or was unable to be found (p. 43).</p> <ul style="list-style-type: none"> In total, 31 cases proceeded to court, but only 13 files could be located at the courts. In only two of these cases were the proceedings typed and signed. Of the other 11, the study team assessed the hand-written proceedings in four cases as illegible. In the baseline, all seven files that had data from court had hand-written proceedings (none were typed) and all were deemed illegible. Thus, there is an improvement from baseline to endline. 	
<p>6.3 Proper investigation of PG cases</p> <ul style="list-style-type: none"> <u>From KIIs:</u> Two out of three IJM-trained police officers make mention of their PG investigations, and some of the skills they have learned to facilitate this, such as dealing with forged documentation. There is no data from the <u>perception survey</u> that applies to this segment. <u>From MFM:</u> There is no relevant data in the MFM for this segment. <u>From baseline-endline comparison.</u> Of the 13 cases that were traced to court, four reached a final judgment, with one acquittal and three convictions. The remaining nine included two withdrawals and seven dismissals/discharges due to a pending outcome of a civil suit (3), promotion for reconciliation (1), pending re-arrest of the suspect (1), a “want for prosecution” (1), and awaiting evidence (1). This compares favorably with the baseline, where only four of the 	<p><u>From KIIs:</u></p> <ul style="list-style-type: none"> “PG is a crime, but sometimes a challenge to investigate, especially when there is no official documentation to rely on. In most cases there were no LOCs, but forged documents are passed through them.” (KII police officer Napolu, Mukono) “Now I can identify so many offenses related to land; I can draw appropriate sketch plans and how to handle the scene of crime.” (KII police officer in Lugazi) “Investigating land matters takes time. I have to go to Lands Office, check forgeries (e.g., use of thumbprints for a deceased). So, the matters take a long time (e.g., one to one and a half months) to investigate. And it is not the only case you are handling, and it needs movement.” (KII police officer in Lugazi)

Insights per outcome indicator	Relevant details or evidence from different sources
<p>68 cases reviewed had a final case status documented, and all were dismissed for unidentifiable reasons.</p>	
<p>6.4 Investigated cases that result in effective arrest</p> <ul style="list-style-type: none"> From KIIs: All IJM-trained police officers mention that they have made arrests in PG cases, and two keep track of the number of their cases that lead to arrests. There is no data from the <u>perception survey</u> that applies to this segment. From MFM: Po6 under the police tab in the MFM indicates the indicator “% of reported PG criminal cases that result in charges.” The data was based on the Property Grabbing Incident Book (PGIB); and police file review. In 2013 the reported cases that resulted in charges was 16.7% in 2013, and this increased steadily to 26% in 2017. The target that was set was 27%. Po9 (also a KPI) under the police tab in the MFM indicates the indicator % of reported PG cases that result in arrests. The data was based on the Property Grabbing Incident Book (PGIB); and police file review. The target was set for 60%. In 2013 it was 50%, and this rose to 58% in 2017. From baseline-endline comparison: see above 6.3. : In addition, there were 58 cases reviewed at court. Of these, 13 were from Nakifuma Court and 45 from Mukono Magistrate’s Court. In total, 51 of the cases had male accused. In total, there were 71 accused persons. Thirteen received acquittals, 20 received convictions, 27 had their cases dismissed for various reasons, six had their cases withdrawn, four were “N/A,” and one was unknown. Of the 	<ul style="list-style-type: none"> “We have registered many arrests, but also settled a lot of cases. It depends on the gravity of the cases. But justice system cases carry more weight, to prevent new cases from happening: deterrence.” (KII police officer Napolu, Mukono) “I handled a case and the accused is in court. The case is ongoing. This was intermeddling. In Mukono, I have one concluded case which resulted in a conviction. Others are pending in court.” (KII police officer in Lugazi) “This year there are about 10 cases where we have carried out arrests in land issues. It takes a while; that is why I mention 10 cases. You can’t just arrest, you must first investigate.” (KII police officer in Lugazi) “I have been investigating PG cases differently. I had 110 cases in Mukono. In Mukono, there was a special desk and investigation. In 2017 my conviction rate for PG cases was 88%. Here I do general reporting, and I have 16 cases that have been reported so far and 10 have led to an arrest.” (KII police officer Omagor, former Mukono)

Insights per outcome indicator	Relevant details or evidence from different sources
<p>20 convictions, 16 accused received jail time ranging from two months (for a charge of malicious damage to property and, in a case for threatening violence and criminal trespass) to 72 months (for charges of threatening violence, assault and criminal trespass). Compensation/fines ranged from 100,000 to 7 million UGX. Seven of the accused receiving sentences including jail time were sentenced to jail only if they did not comply with a sentence of community service or compensation/fine. These conditional sentences ranged from five months to three years of jail time.</p> <ul style="list-style-type: none"> Of these additional 58 cases reviewed, five cases had strong IJM involvement. Four of these resulted in convictions with one accused each. Four of these convictions included jail time, although one was a sentence of eight hours of community service and six months jail time if failure to comply with the community service ruling and the other sentence was a fine of 50,000 UGX and 150,000 UGX compensation to the victim and two years jail time if non-compliant. The other two cases received judgments of jail time for 72 months and 43 months respectively. The fifth IJM case was acquitted (p. 45). 	
<p>7. Changes in willingness and practices to prosecute property grabbing cases—PJS level</p>	
<p>7.1 Better record keeping</p> <ul style="list-style-type: none"> From KIIs with PJS: Many interviewees, including all interviewees in Mukono, stated that record keeping at Mukono Court greatly improved over the last few years; both the archives and court files are much better organized and 	<p>From KIIs:</p> <ul style="list-style-type: none"> “IJM helped in reorganizing the archives. That is good for court users and good for the staff as well.” (magistrate in Mukono) “So IJM was instrumental in a couple of things: recording equipment, data entry by computers, staff training, the system administration.” (magistrate)

Insights per outcome indicator	Relevant details or evidence from different sources
<p>accessible. Interviewees clearly attributed the improvements to IJM: computers, recording equipment, a better organized court, and trainings combined increased efficiency at Mukono Court. Several interviewees noted that the administrative and organizational improvements have long-term effects and also resulted in less bribing and corruption at Mukono Court.</p> <ul style="list-style-type: none"> • From MFM: Indicator Co11, under the court tab in the MFM, indicates the % of criminal cases that are entered into CCAS. The aim of the indicator is to track accuracy of CCAS registry against the Criminal Registry in the Court, and this has been tested by means of a representative random sample of cases being traced from the book registry to the CCAS system at Mukono Court. At the start of monitoring in 2012, the value for this indicator was 88.5%. This has gradually risen to 92.5% in 2017, even though the set target for that year was 97.5%. • From baseline-endline comparison. From section 6.1: There are mixed results in terms of documentation. In terms of criminal prosecution case files, there were increases in documentation of victim statements, witness statements, and suspect statements and the police bond form; however, there were decreases in other key documents. Since the numbers were low, the percent change on any documentation was not statistically significant (p. 42). • In terms of administrative cause cases, the quality of the physical files had improved, but some files were still missing (p. 45). 	<ul style="list-style-type: none"> • “With the electronic database, it is easy to track information. It gives data like when you went to court. It is also more practical because clerks used to keep the files, so if someone wanted his/her file, you have to wait until he comes out of court. But then he wants to lunch, and he kept the files in his office. Also, very important, it helps to fighting corruption. You do not have to pay for a service in order to get access to your file. So it saves time, money, and there is less corruption.” (technocrat of PJS) • “Their ICT input will be sustainable. So, will be the record keeping.” (top-level judge) • “There is much property grabbing PG here in Mukono. It is question of customs. And most marriages here are customary marriages. But that does not mean they are legally married, as many people think. (...) Before IJM came, it was lot worse.” (high-level judge) <p><u>Analysis:</u></p> <ul style="list-style-type: none"> • Many interviewees, including all interviewees in Mukono, stated that record keeping at Mukono Court greatly improved over the last few years; both the archives and court files are much better organized and accessible. • Interviewees clearly attributed the improvements to IJM: computers, recording equipment, a better organized court, and trainings combined increased efficiency at Mukono Court. • Several interviewees noted that the administrative and organizational improvements have long-term effects and also resulted in less bribing and corruption at Mukono Court. • Several interviewees stressed the importance of will writing in order to prevent property grabbing. • Many interviewees in Mukono mentioned that IJM’s input and improvements to the court in Mukono positively affected the general performance of the court, not only with regard to property grabbing.

Insights per outcome indicator	Relevant details or evidence from different sources
<p>7.2 Less court delays</p> <ul style="list-style-type: none"> • <u>From KIIs:</u> Many interviewees in Mukono stated that the PJS has processed many more PG cases in Mukono than before. PG cases that IJM prepared and brought to the PJS were being prioritized at Mukono Court. Several administrative staff members said that the computers and printers were very helpful, but that some of them started having technical failures/challenges, sometimes taking several months. As a consequence, some delays started to slowly increase again. A magistrate in Mukono explains that he and his colleagues win much time with the recording equipment and transcriber. • <u>From MFM:</u> Indicator Co4, under the court tab in the MFM, indicates % of IJM PG cases where the trial took six months or less. The aim of this indicator was to determine efficiency of courts in adhering to the timing guidance for criminal cases. At the start of monitoring in 2013 the value for this indicator was 63.6%. This has gradually decreased to 41.2% in 2017, even though the set target for that year was 50%. This indicates an increase in court delays. • <u>From baseline-endline comparison:</u> (Table 18; p. 52). Case progression rates generally showed an increase in time between key points, which could be an indicator of better investigations or the system taking cases more seriously, or it could be indicative of slow movement due to de-prioritization, system failures, and resource limitations. 	<p><u>From KIIs:</u></p> <ul style="list-style-type: none"> • “In general, IJM helps us to increase efficiency.” (judge in Mukono) • “We agreed here at the court that if we see or identify a IJM case, it should be given priority. The magistrates agreed upon that. Yes, this is still the case [in February 2018].” (judge) • “IJM used to provide toners for the printers but not anymore.” (staff member at Mukono Court) • “We used to enter 25 files a day, but since the system is slow, we can only enter less than 10.” (administrative employee in Mukono) • “It all used to be typed—but then it first had to be handwritten. With the transcriber, it goes very much faster. It had to be typed, but there are not many typists. It could take three weeks before we had the typed proceedings. It is also good for the process as the litigant can have copy more easily. Litigants are entitled to have a copy of the proceedings. This all takes little time now.”
<p>7.3 Decreased backlog of cases</p>	<p><u>From KIIs:</u></p>

Insights per outcome indicator	Relevant details or evidence from different sources
<ul style="list-style-type: none"> • <u>From KIIs</u>: Several high-ranked interviewees of the PJS stated that the PJS is dealing with a case backlog of several years, with large numbers (and shares) of remandees in overcrowded prisons. Several interviewees stated that thanks to plea bargaining initiatives of IJM and Pepperdine University, the share of remandees had decreased to under 50%. A large majority of respondents of the PJS considered plea bargaining an effective strategy to reducing the case backlog and reduce the number of remandees. The only problem or limitation that is reported in this regard is that there is no public defense system in place yet (see further next section 7.4). • <u>From MFM</u>: Indicator Co13, under the court tab in the MFM, indicates % backlog of criminal cases. The aim of this indicator was to understand efficiency of court in resolving cases and updating the information in CCAS. At the start of monitoring in 2012 the value for this indicator in Mukono was 31%. This has gradually increased to 62.5% in 2017. This indicates an increase in backlogs. • <u>From baseline-endline comparison</u>. No information on trends on backlog. 	<ul style="list-style-type: none"> • “The judiciary is now far ahead, as compared to three years, thanks to IJM’s input. One of IJM’s big successes is reducing the case backlog. Also, the informing of the public has been important, especially the attention for gender-based violence such as in the context of PG.” (high-level PJS actor) • “IJM helped to organize the registry and limit the case backlogs—which is one of the causes of files disappearing and adjournments. IJM helped organize all that and IJM played a critical role in stopping backlogs.” (high-level judiciary) • “At this moment, we still need a lot of assistance from them such as with case management, case backlogs of three years, expertise to improve legislation, and how it can best be executed. We still have justice delays, so we still need some assistance.” (high-level actor of PJS)
<p>7.4 Application of alternative approaches, including plea bargaining, mediation, ADR, and restorative justice</p> <ul style="list-style-type: none"> • <u>From KIIs</u>: While the idea of plea bargaining is applauded, several respondents identified as a weak point that Uganda does not yet have a good public defense system. Mediation was often mentioned as a traditional way of dealing with conflicts, as it is focused on inclusion (instead of exclusion, such as through prison), reconciliation, and good community relationships. 	<p><u>From KIIs</u>:</p> <ul style="list-style-type: none"> • “IJM was also very useful in the process of plea bargaining, which now has become one of our best practices.” (high-level judiciary) • “We work with IJM on plea bargaining. We started a pilot here at the High Court of Mukono. IJM also sensitized the public. That has as an advantage that people now know the law better.” (judge) • “We could use some help with developing a public defender institute.” (high-level judiciary)

Insights per outcome indicator	Relevant details or evidence from different sources
<ul style="list-style-type: none"> As indicated before, a substantial part of the interviewees of the PJS did not consider criminal prosecution as always the best and unique answer to PG. A combination of civil remedies and criminal prosecution was often mentioned as the best PJS response to PG. ADR and restorative justice were regularly mentioned as being rooted in Ugandan society. Considering the fact that the prisons are overloaded and considering the case backlog of several years, especially high- and top-level policymakers and judiciary look for ways to reduce pressure on the PJS. <u>From MFM</u>: There are no relevant data in the MFM for this section. <u>From baseline-endline comparison. (p. 52)</u>: PJS officials revealed a favor toward alternative dispute resolution in criminal cases. Two reasons were provided: (1) reducing the backlog and overcrowding in prisons and (2) the difficulty in ruling over issues within families. The case file review supported the presence of this sentiment through documentation of investigation closure due to the complainant’s “lack of follow-up” and of mediation by inappropriate parties. <p>Summary on traditional and PJS system comparison:</p> <ul style="list-style-type: none"> The traditional system is accessible, quick, and affordable but does not acknowledge the rights of women. Furthermore, it does not provide protection and clan leaders are often corrupted and take the side of the males involved or the ones with power. On the other hand, formal justice system verdicts are considered by community members as final, legal, and protective of women’s rights but are difficult to access for 	<ul style="list-style-type: none"> “Plea bargaining is partly an answer in the case of criminal cases. Mediation can be done in the case of civil cases. For both we need to train professional leaders. For plea bargaining we need to train more public defenders. We also need more experts in mediation; we also need some capacity building there.” (high-level judge) “The advantages are that mediation does not create more backlog; it saves time and people go from non-talking to talking again.” (high-level judiciary) “Mediators are part of our society. It exists within society, but we have forgotten or failed to apprehend. Customary justice was always with a mediator, in all the four kingdoms. Ideally, mediation is a win-win—everybody gets something. So why don’t we use restorative justice? But we should find a balance, as it may not always work.” (judge). “Best is to combine restorative justice such as community work and apologies, besides punishments and payments to the clan, such as in villages where this is the custom. A combination is best.” (high-level PJS actor) “There is the traditional justice system, restorative justice, based on asking for forgiveness, such as making payments with cows for example. In JLOS we try to promote this. Alternative dispute resolution is best to prevent conflicts.” (judge) “Restorative justice can also be combined with criminal proceedings. IJM also gave also some examples about restorative justice, such as the film/documentary <i>Burning Bridges</i>.” (high-level judge) <p><u>Analysis:</u></p> <ul style="list-style-type: none"> Mid- and high-level practitioners and policymakers unanimously indicated that the large advantage of plea bargaining is that it helps to reduce the large case backlog and large number of remandees in the prisons. While the idea of plea bargaining is applauded, several respondents identified as a weak point that Uganda does not yet have a good public defense system.

Insights per outcome indicator	Relevant details or evidence from different sources
<p>reasons of cost, language, abuse, attitude of officials, corruption, and length of the process.</p> <ul style="list-style-type: none"> On a short questionnaire given at the beginning of the focus group, 60% of community members reported having trust that justice would be done if cases were reported to the police. However, trust in the traditional system was even less, with 50% of community members believing the traditional system could effectively resolve property grabbing disputes. 	<ul style="list-style-type: none"> Mediation was often mentioned as a traditional way of dealing with conflicts, as it is focused on inclusion (instead of exclusion, such as through prison), reconciliation, and good community relationships. As indicated before, a substantial part of the interviewees of the PJS did not consider criminal prosecution as always the best and unique answer to PG. A combination of civil remedies and criminal prosecution was often mentioned as the best PJS response to PG. ADR and restorative justice were regularly mentioned as being rooted in Ugandan society. Considering the fact that the prisons are overloaded and considering the case backlog of several years, especially high- and top-level policymakers and judiciary look for ways to reduce pressure on the PJS.
<p>7.5 Ability by PJS to sustain IJM’s PG program results in Mukono, and secondly to scale or also apply in other areas</p> <p><u>From KIIs:</u></p> <ul style="list-style-type: none"> Many respondents indicated that IJM gave much positive input into the performance of the PJS in Mukono. Also, IJM filled some important gaps. However, a large majority of interviewees of the PJS, at both policy-making and practical level, considered the PJS not yet ready to take over IJM’s program in Mukono. Pulling out of Mukono by IJM is experienced as a big loss, according to many. Several interviewees mentioned the District Chain Linked Committee (DCC) as the best-suited and best-equipped platform to sustain IJM’s activities and input in Mukono. DCCs are mentioned as best suited, as key stakeholders are part of it: judicial officers, police, mayor, LCs, chief administrator’s office, probation officers, and also support staff. 	<p><u>From KIIs:</u></p> <ul style="list-style-type: none"> “Make Mukono a model. Instead of going to other courts, bring other courts to Mukono.” (high-level judiciary) “The system is in place. The police desk will stay, but it is important to keep on working with the community. In order for it to sustain, there must be more and continued capacity building. Give it some more time. Let people own the project.” (high-level judge). “Some of the things that IJM did have a real long-term effect, such as the recording equipment that they installed, how they organized the archive and also the registry. But they cannot pull out now.” (judiciary in Mukono) “IJM made big impact. You have to understand that some people need some pushing. IJM’s work is certainly not in vain. They’ve made a milestone in Mukono for those that were helped. But what about the cases that are not finished yet?” (judge) “There is sustainability, but there are some challenges. IJM should progressively withdraw. Their project is like a baby, and it is just crawling. Mukono can be an example for the rest of the country.” (top judge)

Insights per outcome indicator	Relevant details or evidence from different sources
<ul style="list-style-type: none"> • Several high-ranked interviewees stated that in order to have the PJS take over IJM’s PG program, collaboration between IJM and Uganda’s PJS and JLOS is important and essential. • Several high-level interviewees stressed the importance of high-level contact. Several key actors explicitly mention IJM’s current leadership in Uganda as having been important for the (better) relationships and the larger partnership with IJM. • Several high-level interviewees stated that IJM is now really accepted by the PJS. They mentioned that IJM staff figures prominently on the calendar of the judiciary. • Several top judiciaries emphasize that in order for the gains to sustain, next steps are ideally demand-driven and discussed in collaboration. • Several high- and top-level actors of the PJS indicated that the new MOU with IJM (of 2017) allows for better and broader cooperation and partnership. This is expected to further improve the PJS/JLOS (Justice Law and Order Sector, especially as the MOU of 2017 is significantly larger in scope than the earlier MOU, as it encompasses all PJS institutions, and has laid a good foundation for future collaboration and take-up. 	<ul style="list-style-type: none"> • The DCCs, District Chain Committees, are supposed to be the watchdog of the PJS.” (high-level judge) • “What we like is the participatory approach.” (top judiciary) • “IJM might stop investing any money in Mukono. Then it is like a baby that has growing during nine months, but when the baby is born, it does not get breastfeeding. Those nine months then have been in vain.” (top level judiciary) • “If IJM withdraws from Mukono, the relapse will be very quick. Then the gains will not sustain.” (top prosecutor) • “If IJM pulls out of Mukono, then these PG cases will have no priority anymore. That will be abandoned. It will take longer again in our system. Victims will suffer injustice.” (judge) • “If IJM pulls out now from Mukono, women will suffer.” (high-level judge) • “Our legal system is very slow. And we have so much work. Me as a judge, I have over 2,000 cases. One case is already a lot of paperwork and reading to go through. So, the system is not very OK. The support of IJM is still needed in the criminal system.” (high-level judge) • “The Chief Justice, who signed the MOU with IJM, is also chief of the whole justice sector (JLOS), which encompasses 18 institutions. So now, IJM has a relationship with all 18 institutions. IJM has moved out of the guest wing.” (top-level judiciary). <p><u>Analysis:</u></p> <ul style="list-style-type: none"> • Many respondents indicated that IJM gave much positive input into the performance of the PJS in Mukono. Also, IJM filled some important gaps. • However, a large majority of interviewees of the PJS, at both policy-making and practical level, considered the PJS not yet ready to take over IJM’s program in Mukono. Pulling out of Mukono by IJM is experienced as a big loss, according to many. • Several interviewees mentioned the District Chain Linked Committee (DCC) as the best-suited and best-equipped platform to sustain IJM’s activities and input

Insights per outcome indicator	Relevant details or evidence from different sources
	<p>in Mukono. DCCs are being mentioned as best suited, as key stakeholders are part of it: judicial officers, police, mayor, LCs, chief administrator’s office, probation officers, and also support staff.</p> <ul style="list-style-type: none"> • Several high-ranked interviewees stated that in order to have the PJS take over IJM’s PG program, collaboration between IJM and Uganda’s PJS and JLOS is important and essential. • Several high-level interviewees stressed the importance of high-level contact. Several key actors explicitly mention IJM’s current leadership in Uganda as having been important for the (better) relationships and the larger partnership with IJM. • Several high-level interviewees stated that IJM is now really accepted by the PJS. They mentioned that IJM staff figures prominently on the calendar of the judiciary. • Several top judiciaries emphasize that in order for the gains to sustain, next steps are ideally demand-driven and discussed in collaboration. • Several high- and top-level actors of the PJS indicated that the new MOU with IJM (of 2017) allows for better and broader cooperation and partnership. This is expected to further improve the PJS/JLOS (Justice Law and Order Sector), especially as the MOU of 2017 is significantly larger in scope than the earlier MOU, as it encompasses all PJS institutions, and has laid a good foundation for future collaboration and take-up.
<p>1. The prevalence and trends of property grabbing over the last five years</p>	
<p>EOP: FGDs, KII, perception survey The majority of community FGDs in Mukono feel that the prevalence of PG has decreased in their villages. This is confirmed by all local leaders and police officers that were interviewed. They contribute this change to IJM’s program and the increased awareness of the law by community members and perpetrators in</p>	<p><u>From FGDs:</u></p> <ul style="list-style-type: none"> • “Many see the change of norms as central and work on the PJS as additional. I am convinced it is the other way around. We should not overemphasize the community work. Prevalence was already declining before 2017.” (Jesse Rudy)

Insights per outcome indicator	Relevant details or evidence from different sources
<p>particular, and the preventive measures that were advocated under the program. There are some community members that feel prevalence has either not changed or has increased. Land Area Committee members in general feel that prevalence has increased.</p> <p><u>The perception survey shows</u> that in terms of prevalence of PG in the last three years, 30.6% states “yes, much less,” 55.6% says “yes, a bit less,” 3.2% sees no changes, and 8.9% states it has increased.</p> <p><u>Comparison between villages:</u> Almost all category A and C villages indicate that prevalence of PG has reduced. The category B communities seem more inclined to say that it has not changed or prevalence has increased (Seeta Goma). This is also confirmed by the perception survey, in which 19.4% of community B respondents states that PG has increased, against 4% in community A, and 7% in community C.</p> <p><u>MFM, baseline endline figures are same as endline study.</u></p> <p><u>Baseline-endline:</u> There is a decreasing trend in successful PG events in the last two years, from baseline (3.5%) to endline (1.8%), and this change was statistically significant ($p \leq 0.001$). Successful property grabbing in the last four years has also decreased (7.5% to 3.4%). There is also a decreasing trend in unsuccessful PG events in the last two years, from baseline (4.8%) to endline (2.3%), and this change was statistically significant ($p \leq 0.001$).</p>	<ul style="list-style-type: none"> • “I think our training changed the chairperson; he would be involved in selling the same plot of land three times. There would always be disputes. But since January, we no longer hear these stories.” (FGD Namawojjolo) • “PG is still a problem in this area. We are receiving more cases because people have understood what to do after all the trainings we have had within the LC areas. And we think with more training, PG can reduce.” (FGD Nsanja) • “In the past, PG was common. But after the dialogues, it reduced because we now know. Some of us were perpetrators of PG. When we got trained and we also took back information to the community, others who were not informed then got information. Those who didn’t agree slowly shifted. Those who were engaged in family disagreements over property started reconciling.” (FGD Katente) • “In our area, PG has reduced. Laws were there. But the ordinary person didn’t have an opportunity to understand (e.g., a person didn’t know about writing wills, formal marriage for women, knowing what would happen if a husband died).” (FGD Katente) • “There has been some change. The perpetrators have been restrained because they know it is contrary to law. PG has reduced even though it is still there.” (FGD in Mpatta) • “The problem has reduced, however, getting the matter resolved takes a long time to get through the system.” (FGD in Mpatta) • “The problem of PG was severe because family/clan used to oppress widows. Then when people got knowledge of the law, they became more aware.” (FGD Lulagwe) • “Before IJM training, property grabbing was not very common here in Mpatta. We hardly heard about a person suffering from property grabbing. At least we rarely heard of land wrangles here, therefore we cannot compare the situation before and after IJM training. The only form of property grabbing is manifested in businessmen and investors who come to buy off sub-counties at once without adequate payment.” (FGD Ttaba)

Insights per outcome indicator	Relevant details or evidence from different sources
<p>It is not so clear how the incidence of violence in these PG cases has changed. On the one hand, there is indication that widows experience less PG cases, but a larger proportion of these PG cases has violence (see Table 11). On the other hand, the case file by the police shows an increase in the number of filed PG cases with a higher number but lower proportion with violence (baseline: 36/68; endline 52/156). More cases are relying on documentation of fraud and intermeddling of an estate (p. 41).</p>	<ul style="list-style-type: none"> • “I think since the program came, this PG, which happened instantly, has reduced. After the funeral we see a widow retain her home.” (FGD Ngombere) Category C? • “There hasn’t been much change. We would say it has increased” (FGD Seeta Goma) • “PG reduced a little bit, there is no difference in the type of cases. People are aware where to start when PG occurs, and their attitudes have changed.” (FGD LCs Kyabakkade) • “IJM has helped a lot in reducing property grabbing by training local leaders and some members of the community although majority of the community members in the sub-county never received such training.” (FGD Land Area Committee members) • “Property grabbing has occurred in Nakisunga Sub-County, and it is on the increase because property grabbing is a business venture for those that engage in it. In Goma Sub-County, property grabbing is on the increase due to lack of facilitation. Property grabbing is on the increase because people are “powerless” and area land court members cannot fight property grabbers who are well facilitated.” (FGD Land Area Committee members) <p><u>From KIIs:</u></p> <ul style="list-style-type: none"> • “We get fewer incidents of PG. Where there is a problem, I meet with elders and discuss the issue. I think I last heard a matter in about 2016. I think the community’s conduct has changed since I no longer get many cases.” (parish chief Lulagwe) • “PG has reduced significantly in this area. But there is still some left. Mostly, it is do with the large-scale PG.” (CDO Nakisunga) • “Over five years ago, PG used to happen frequently. People would take deceased people’s property. But now we train the community. At the police, they have a desk (IJM) at Seeta Police. I have not yet sent anyone to police over

Insights per outcome indicator	Relevant details or evidence from different sources
	<p>PG, but I have spoken to some families. There could be about five families whose matters we have resolved at LC level.” (LC Kigunga Goma)</p> <ul style="list-style-type: none"> • “I think PG has decreased. In the past, PG was common, but now they know the widow can claim a right to the estate for her children.” (parish chief Nyenje) • “I don’t have the actual data here, but we assess that according to the number of cases we are reporting in our department. How many cases are we handling? These have drastically changed.” (sub-county chief Mutesi) <p><u>From KIIs police and PJS:</u></p> <ul style="list-style-type: none"> • “The amount of PG cases that get reported has remained more or less the same.” (police officer in Mukono) • “At first there were many cases of PG, but as we went into the communities to sensitize the members, cases reduced.” (police officer in Lugazi) • “Before IJM came here, the situation was much worse.” (resident judge in Mukono)

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<p>1. The prevalence and trends of property grabbing over the last five years</p>	
<p><u>EOP: FGDs, KII, perception survey</u> The majority of community FGDs in Mukono feel that the prevalence of PG has decreased in their villages. This is confirmed by all local leaders and police officers that were interviewed. They contribute this change to IJM’s program and the increased awareness of the law by community members and perpetrators in particular, and the preventive measures that were advocated under the program. There are some community members that feel prevalence has either not changed or has increased. Land Area Committee members in general feel that prevalence has increased.</p> <p><u>The perception survey shows</u> that in terms of prevalence of PG in the last three years, 30.6% states “yes, much less,” 55.6% says “yes, a bit less,” 3.2% sees no changes, and 8.9% states it has increased.</p> <p><u>Comparison between villages:</u> Almost all category A and C villages indicate that prevalence of PG has reduced. The category B communities seem more inclined to say that it has not changed or prevalence has increased (Seeta Goma). This is also confirmed by the perception survey, in which 19.4% of community B respondents states that PG has increased, against 4% in community A, and 7% in community C.</p> <p><u>MFM, baseline endline figures are same as endline study.</u></p> <p><u>Baseline-endline:</u></p>	<p><u>From FGDs:</u></p> <ul style="list-style-type: none"> • “Many see the change of norms as central and work on the PJS as additional. I am convinced it is the other way around. We should not overemphasize the community work. Prevalence was already declining before 2017.” (Jesse Rudy) • “I think our training changed the chairperson; he would be involved in selling the same plot of land three times. There would always be disputes. But since January, we no longer hear these stories.” (FGD Namawojjolo) • “PG is still a problem in this area. We are receiving more cases because people have understood what to do after all the trainings we have had within the LC areas. And we think with more training, PG can reduce.” (FGD Nsanja) • “In the past, PG was common. But after the dialogues, it reduced because we now know. Some of us were perpetrators of PG. When we got trained and we also took back information to the community, others who were not informed then got information. Those who didn’t agree slowly shifted. Those who were engaged in family disagreements over property started reconciling.” (FGD Katente) • “In our area, PG has reduced. Laws were there. But the ordinary person didn’t have an opportunity to understand (e.g., a person didn’t know about writing wills, formal marriage for women, knowing what would happen if a husband died).” (FGD Katente) • “There has been some change. The perpetrators have been restrained because they know it is contrary to law. PG has reduced even though it is still there.” (FGD in Mpatta) • “The problem has reduced, however, getting the matter resolved takes a long time to get through the system.” (FGD in Mpatta) • “The problem of PG was severe because family/clan used to oppress widows. Then when people got knowledge of the law, they became more aware.” (FGD Lulagwe)

Insights per impact indicator	Relevant details or evidence from different sources
<p>There is a decreasing trend in successful PG events in the last two years, from baseline (3.5%) to endline (1.8%), and this change was statistically significant ($p \leq 0.001$). Successful property grabbing in the last four years has also decreased (7.5% to 3.4%).</p> <p>There is also a decreasing trend in unsuccessful PG events in the last two years, from baseline (4.8%) to endline (2.3%), and this change was statistically significant ($p \leq 0.001$).</p> <p>It is not so clear how the incidence of violence in these PG cases has changed. On the one hand, there is indication that widows experience less PG cases, but a larger proportion of these PG cases has violence (see Table 11). On the other hand, the case file by the police shows an increase in the number of filed PG cases with a higher number but lower proportion with violence (baseline: 36/68; endline 52/156). More cases are relying on documentation of fraud and intermeddling of an estate (p. 41).</p>	<ul style="list-style-type: none"> • “Before IJM training, property grabbing was not very common here in Mpatta. We hardly heard about a person suffering from property grabbing. At least we rarely heard of land wrangles here, therefore we cannot compare the situation before and after IJM training. The only form of property grabbing is manifested in businessmen and investors who come to buy off sub-counties at once without adequate payment.” (FGD Ttaba) • “I think since the program came, this PG, which happened instantly, has reduced. After the funeral we see a widow retain her home.” (FGD Ngombere) Category C? • “There hasn’t been much change. We would say it has increased” (FGD Seeta Goma) • “PG reduced a little bit, there is no difference in the type of cases. People are aware where to start when PG occurs, and their attitudes have changed.” (FGD LCs Kyabakkade) • “IJM has helped a lot in reducing property grabbing by training local leaders and some members of the community although majority of the community members in the sub-county never received such training.” (FGD Land Are Committee members) • “Property grabbing has occurred in Nakisunga Sub-County, and it is on the increase because property grabbing is a business venture for those that engage in it. In Goma Sub-County, property grabbing is on the increase due to lack of facilitation. Property grabbing is on the increase because people are “powerless” and area land court members cannot fight property grabbers who are well facilitated.” (FGD Land Area Committee members) <p><u>From KIIs:</u></p> <ul style="list-style-type: none"> • “We get fewer incidents of PG. Where there is a problem, I meet with elders and discuss the issue. I think I last heard a matter in about 2016. I think the community’s conduct has changed since I no longer get many cases.” (parish chief Lulagwe)

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<p>2. The effectiveness of legal handling of property grabbing cases</p>	
<p><u>EOP: FGDs, KII, perception survey</u></p> <p>The EOP KIIs, FGDs and perceptions surveys show an increased willingness to report PG to authorities, as well as an overall positive trend of increased reporting, despite remaining doubts about its effectiveness and response. In the EOP KIIs, many interviewees in Mukono state that the PJS has processed many more PG cases in Mukono than before. PG cases that IJM prepared and brought to the PJS were being prioritized at</p>	<p><u>The effective reporting: (4.1)</u></p> <ul style="list-style-type: none"> • In all EOP community FGDs, including those from category C, respondents indicate that they report to police and LCs when PG occurs. Their experiences with this are varied, however. Especially category C community members found police response to be ineffective, but this also applied to FGDs in the other categories. Especially in the Nsanja community (category A) respondents were vocal and positive about reporting to the police, and assisting neighbors to

Insights per impact indicator	Relevant details or evidence from different sources
<p>Mukono. Several high-ranked interviewees of the PJS stated in the EOP KIIs that the PJS is dealing with a case backlog of several years, with large numbers (and shares) of remandees in overcrowded prisons. Several interviewees stated that thanks to plea bargaining initiatives of IJM and Pepperdine University, the share of remandees had decreased to under 50%. The EOP KIIs show that all IJM-trained police officers mention that they have made arrests in PG cases, and two keep track of the number of their cases that lead to arrests.</p> <p><u>Comparison between villages</u></p> <p><u>MFM:</u></p> <ul style="list-style-type: none"> • The indicator “% of complainants who reported their crime to anyone,” in the MFM shows a positive trend of increased reporting, from 77.4% in 2012 to 90% in 2017. • The MFM indicator on % of IJM PG cases where the trial took six months or less shows that the value for this indicator was 63.6% in 2013 and has gradually decreased to 41.2% in 2017. This indicates an increase in court delays. • The MFM indicator % backlog of criminal cases shows a value of 31% at the start of monitoring in 2012 in Mukono. This has gradually increased to 62.5% in 2017. This indicates an increase in backlogs. • The MFM indicator “% of reported PG criminal cases that result in charges.” The data was based on the Property Grabbing Incident Book (PGIB) and police file review. In 2013 the reported cases that resulted in charges was 16.7% in 2013, and this increased steadily to 26% in 2017. Another indicator, % of 	<p>report if confronted with PG, as self-organized community groups. IJM is also mentioned specifically as the first organization to report a case of PG to.</p> <ul style="list-style-type: none"> • <u>The EOP perception survey</u> shows that 98.4% of respondents indicate that they would report a case of PG to police or community leaders. Only two women of 63 total indicated they would not, both of whom were in the age category between 30–44. Both of these women were from a category B community. • The indicator “% of complainants who reported their crime to anyone,” in the MFM shows a positive trend of increased reporting. This data was monitored by way of intake forms at IJM, of new clients, that had indicated that they had reported a PG crime to a channel such as: police, church, lawyer, etc. In 2012 the value was 77.4% and this had risen to 90% in 2017. • The endline survey shows that reporting of PG went up from 22.6% at baseline to 49.1% at endline to all different types of authorities. At the same time, the endline shows declining confidence by widows in the justice system, which can be explained by the fact that significantly more widows are reporting, and therefore experience the inadequate behavior of PJS actors. Community members considered property grabbing as criminal in nature under the appropriate circumstances. However, perspectives varied depending on their personal circumstances, gender, vulnerabilities, and dependencies. • <i>“We used to be afraid of reporting cases. Today we are not afraid.”</i> The incidence of the speed of the cases going through the court process: (7.2+7.3) • In the EOP KIIs, many interviewees in Mukono state that the PJS has processed many more PG cases in Mukono than before. PG cases that IJM prepared and brought to the PJS were being prioritized at Mukono Court. Several administrative staff members said that the computers and printers were very helpful, but that some of them started having technical failures/challenges, sometimes taking several months. As a consequence, some delays started to slowly increase again. A magistrate in Mukono explains that he and his colleagues win much time with the recording equipment and transcriber.

Insights per impact indicator	Relevant details or evidence from different sources
<p>reported PG cases that result in arrests, shows an increase from 50% in 2013 to 58% in 2017.</p> <p><u>Baseline-endline:</u> The overall conclusion is that there have been some significant improvements, but overall the PJS system remains to show a number of serious barriers:</p> <ul style="list-style-type: none"> • Distrust in police remains. • Filing system has improved but still has weaknesses. • Time taken for a case seems to have increased. • A high proportion of cases is rescheduled for mediation. • Backlog remains high (trend is unknown). • Prisons are crowded (no data). 	<ul style="list-style-type: none"> • The MFM indicator on % of IJM PG cases where the trial took six months or less shows that at the start of monitoring in 2013 the value for this indicator was 63.6%, which has gradually decreased to 41.2% in 2017. This indicates an increase in court delays. • The endline study generally shows an increase in case progression rates in time between key points, which could be an indicator of better investigations or the system taking cases more seriously, or it could be indicative of slow movement due to de-prioritization, system failures, and resource limitations. • <i>“In general, IJM helps us to increase efficiency.”</i> • <i>“We used to enter 25 files a day, but since the system is slow, we can only enter less than 10.”</i> <p><u>7.3</u></p> <ul style="list-style-type: none"> • Several high-ranked interviewees of the PJS stated in the EOP KIIs that the PJS is dealing with a case backlog of several years, with large numbers (and shares) of remandees in overcrowded prisons. Several interviewees states that thanks to plea bargaining initiatives of IJM and Pepperdine University, the share of remandees had decreased to under 50%. A large majority of respondents of the PJS, considered plea bargaining an effective strategy to reducing the case backlog and reduce the number of remandees. The only problem or limitation that is reported in this regard is that there is no public defense system in place yet. • The MFM indicator % backlog of criminal cases shows a value of 31% at the start of monitoring in 2012 in Mukono. This has gradually increased to 62.5% in 2017. This indicates an increase in backlogs. • <i>“IJM helped to organize the registry and limiting the case backlogs—which is one of the causes of files disappearing and adjournments. IJM helped organize all that and IJM played a critical role in stopping backlogs.”</i> • <i>“At this moment, we still need a lot of assistance from them such as with case management, case backlogs of three years, expertise to improve legislation, and</i>

Insights per impact indicator	Relevant details or evidence from different sources
	<p><i>how it can best be executed. We still have justice delays, so we still need some assistance.”</i></p> <p><u>The cases leading to arrest and conviction: (6.4)</u></p> <ul style="list-style-type: none"> • The EOP KIs show that all IJM-trained police officers mention that they have made arrests in PG cases, and two keep track of the number of their cases that lead to arrests. • The MFM indicator “% of reported PG criminal cases that result in charges.” The data was based on the Property Grabbing Incident Book (PGIB) and police file review. In 2013 the reported cases that resulted in charges was 16.7% in 2013, and this increased steadily to 26% in 2017. Another indicator, % of reported PG cases that result in arrests, shows an increase from 50% in 2013 to 58% in 2017. • The endline study shows indicates that there were 58 cases reviewed at court. Of these, 13 were from Nakifuma Court and 45 from Mukono Magistrate’s Court. Thirteen received acquittals, 20 received convictions, 27 had their cases dismissed for various reasons, six had their cases withdrawn, four were “N/A,” and one was unknown. Of the 20 convictions, 16 accused received jail time ranging from two months (for a charge of malicious damage to property and, in a case for threatening violence and criminal trespass) to 72 months (for charges of threatening violence, assault, and criminal trespass). Seven of the accused receiving sentences including jail time were sentenced to jail only if they did not comply with a sentence of community service or compensation/fine. These conditional sentences ranged from five months to three years of jail time. Of these additional 58 cases reviewed, five cases had strong IJM involvement. Four of these resulted in convictions with one accused each. The fifth IJM case was acquitted. • <i>“I handled a case and the accused is in court. The case is ongoing. This was intermeddling. In Mukono, I have one concluded case which resulted in a conviction. Others are pending in court.”</i>

Insights per impact indicator	Relevant details or evidence from different sources
	<ul style="list-style-type: none"> <li data-bbox="987 316 1888 443">• <i>“I have been investigating PG cases differently. I had 110 cases in Mukono. In Mukono there was a special desk and investigation. In 2017 my conviction rate for PG cases was 88%. Here I do general reporting, and I have 16 cases that have been reported so far and 10 have led to an arrest.”</i>

Annex 2: Common property grabbing offenses

Table 1
Common Property Grabbing Offenses

Offenses Against the Person		
Offense	Legislation	Penalty
Domestic Violence	Domestic Violence Act 2010, § 4	1. Imprisonment for max. 2 years; or 2. Fine not exceeding 148 currency points; or 3. Both such imprisonment and such fine.
Assault	Penal Code Act, §§ 235, 236	Common Assault: Imprisonment for max. 1 year. Assault Causing bodily harm: Imprisonment for a term not exceeding 5 years.
Threatening Violence	Penal Code Act, § 81	Imprisonment for max. 4 years.
Eviction or Attempted Eviction of a Lawful or Bona Fide Occupant	Land Act, § 92(1)(e)	1. Imprisonment for max. 7 years; and 2. Compensation or damages to the victim; or 3. Restitution to the victim.
Eviction or Attempted Eviction of a Widow/Child	Succession Act, Second Schedule, Rule 10	1. Imprisonment for max. 6 months; or 2. Fine not exceeding 1,000 shillings; or 3. Both such imprisonment and such fine.
Demanding Property with Menaces	Penal Code Act, § 293	Imprisonment for max. 5 years.
Offenses Against the Person's Land		
Malicious Damage of Property	Penal Code Act, § 335(1)	Imprisonment for max. 5 years.
Criminal Trespass	Penal Code Act, § 302	Imprisonment for max. 1 year.
Occupying Land without Consent	Land Act, § 92 (1)(c)	1. Imprisonment for max. 4 years; or 2. Fine not exceeding 96 currency points; or 3. Both such imprisonment and such fine.
Damaging or Removing Survey and Boundary Marks	Penal Code Act, §§ 338, 339	Removing: Imprisonment for 3 years. Damaging: 1. Imprisonment for a term not exceeding 3 months; or 2. Fine not exceeding 400 shillings; and 3. Payment of the cost of repairing or replacing the mark.
Making a False Declaration Relating to Land	Land Act, § 92 (1)(b)	1. Imprisonment not exceeding 1 year; or 2. Fine not exceeding 25 currency points; or 3. Both such imprisonment and such fine

Intermeddling	Administrator General's Act § 11 Succession Act §§ 268, 269	1. Imprisonment for max. 3 months; or 2. Fine not exceeding 200 shillings; or 3. Both such imprisonment and such fine.
Offenses Against the Person's Equitable Ownership Rights		
Forgery of a Will, Title or Judicial, Official or Other Defined Legal Document	Penal Code Act, §§ 342, 347, 348, 349	Of a Will: Imprisonment for life. Judicial/other: Imprisonment for max. 10 years.
Theft of a Will	Penal Code Act, § 254	Imprisonment for max. 10 years.
Concealing a Will	Penal Code Act, § 277	Imprisonment for max. 10 years.
Concealing a Deed	Penal Code Act, § 278	Imprisonment for max. 3 years.
Destroying or Damaging a Will or Deed	Penal Code Act, §§ 335(1), (4), (8)	Will: Imprisonment for max. 14 years. Deed: Imprisonment for max. 7 years.
Uttering a False Document	Penal Code Act, § 351	Imprisonment for a term between 3 years and life, depending on the document.
Obtaining Registration by False Pretense	Penal Code Act, § 312	Imprisonment for max. 1 year.
Fraudulent Disposal of Trust Property	Anti-Corruption Act 2009 § 21	1. Imprisonment for max. 7 years; or 2. Fine not exceeding 160 currency points; or 3. Both such imprisonment and such fine.
Failure to File Inventory and Account	Succession Act, §§ 278(1), (2), (4) Penal Code Act, § 116	Imprisonment for max. 2 years.
Exhibiting a False Inventory or Account	Succession Act, §§ 278(1), (2), (5) Penal Code Act, § 94	Imprisonment for max. 2 years.