

INTERNATIONAL JUSTICE MISSION

# An Endline Study of the Prevalance of Property Grabbing Among Widows

and the Response of the Justice  
System in Mukono County, Uganda



**IJM**



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International Justice Mission  
**An Endline Study of the Prevalence  
of Property Grabbing Among Widows  
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Response of the Justice System**

# STUDY HIGHLIGHTS

IJM, in partnership with its criminal justice sector partners, developed and implemented a comprehensive five-year project from 2012 to 2017 to curtail violent land theft against widows and orphans in Mukono County. The program focused on collaborative casework which allowed for mentorship of public justice system officials, training and technical assistance, and addressing the cultural norms that allow for land theft in communities

From the beginning of Project Empaanyi in 2012 to its completion in 2017, there was a significant reduction in the prevalence of land theft in Mukono County (**nearly 50%**), as well as a drop in attempted land theft (**more than 50%**), and a decrease in land theft with violence (**37%**).

This study found an increase in knowledge among widows of their inheritance rights, and a **significant increase to 21%** of widows stating their intention to report land theft to police, from almost none in the baseline.

# Table of Contents

**Table of Contents** | 5

**Table of Tables and Figures** | 7

**Key Terms** | 9

**Executive Summary** | 10

## **1. Introduction** | 12

1.1 Background to Property Grabbing and the Ugandan Justice System's Response | 13

1.2 Background to International Justice Mission in Mukono County, Uganda | 14

1.3 Study Objectives | 14

## **2. Methods** | 16

2.1 Countywide Household Prevalence Survey on Property Grabbing | 17

2.1.1 Target Area and Population | 17

2.1.2 Sampling Strategy | 18

2.1.3 Training of Enumerators and Pilot Exercises | 20

2.1.4 Data Collection Tools and Methods | 20

2.1.5 Data Storage Techniques, Cleaning, and Quality | 21

2.1.6 Data Cleaning and Analysis | 22

2.1.7 Limitations | 22

2.2 Case File Review of Criminal Property Grabbing and Estate Administration Cases | 24

2.2.1 Sampling and Data Collection Method for Reviewing Cases | 25

2.2.2 Training, Data Collection and Quality Assurance Methods, and Data Analysis | 26

|              |  |           |           |
|--------------|--|-----------|-----------|
| 2.2.3        | Limitations  |           | 26        |
| 2.3          | Stakeholder Interviews   |           | 26        |
| 2.3.1        | Target Audience  |           | 26        |
| 2.3.2        | Data Collection Tools and Methods  |           | 28        |
| 2.3.3        | Data Analysis  |           | 29        |
| 2.3.4        | Limitations  |           | 29        |
| <b>3.</b>    | <b>Results</b>   | <b> </b>  | <b>32</b> |
| 3.1          | Prevalence of Property Grabbing Among Widows   |           | 33        |
| 3.2          | The Violent Nature of Property Grabbing  |           | 35        |
| 3.3          | Community Level Knowledge and Understanding of Inheritance and Property Grabbing                       |           | 36        |
| 3.3.1        | Knowledge and Understanding of Community Members   |           | 36        |
| 3.3.2        | Knowledge and Understanding of Widows  |           | 37        |
| 3.4          | Perceptions, Confidence, and Performance of Justice System Authorities in Addressing Property Grabbing |           | 40        |
| 3.4.1        | Local Council Leaders  |           | 40        |
| 3.4.2        | Police   |           | 42        |
| 3.5          | Reporting of Property Grabbing to Authorities  |           | 44        |
| 3.6          | Performance of the Justice System in Managing and Executing on Property Grabbing Cases                 |           | 45        |
| 3.6.1        | Views from Community Members and Justice Officials   |           | 46        |
| 3.6.2        | Performance in Reported Cases for Criminal Prosecution   |           | 46        |
| <b>4.</b>    | <b>Conclusions and Discussion</b>  | <b> </b>  | <b>52</b> |
| 4.1          | Prevalence and Nature of Property Grabbing Among Widows in Mukono County                               |           | 53        |
| 4.2          | Community Level Knowledge, Attitudes, and Behaviors Regarding Property Grabbing                        |           | 53        |
| 4.3          | Perception and Confidence in the Justice System Authorities in Addressing Property Grabbing            |           | 54        |
| 4.4          | Performance of the Justice System in Addressing Property Grabbing                                      |           | 54        |
| <b>Annex</b> | <b> </b>   | <b>56</b> |           |

## Table of Tables and Figures

|   |    |
|---|----|
| <b>Table 1:</b> Total Number of Widows Listed in Each Sub-County  | 19 |
| <b>Table 2:</b> Sample Size Required for Each Sub-County  | 20 |
| <b>Table 3:</b> No. of Criminal Prosecution Files Reviewed at Police Stations                                     | 25 |
| <b>Table 4:</b> Distribution of FGD Participants  | 28 |
| <b>Table 5:</b> Circumstances Around Property Grabbing Events in the Last Two Years                               | 35 |
| <b>Table 6:</b> Indicators of Widows' Knowledge of the Relevant Laws  | 38 |
| <b>Table 7:</b> Indicators of Widows' Understanding of Inheritance Entitlements                                   | 38 |
| <b>Table 8:</b> Indicators of Widows' Experiences Related to Inheritance and Property Grabbing                    | 39 |
| <b>Table 9:</b> Indicators of Widows' Confidence in Local Council Leaders   | 40 |
| <b>Table 10:</b> Indicators of Widows' Confidence in the Police   | 42 |
| <b>Table 11:</b> Property grabbing Related Complaints/Charges Within Criminal Case Files                          | 47 |
| <b>Table 12:</b> Comparison of Key Document in Criminal Property Grabbing Files                                   | 48 |
| <b>Table 13:</b> Indicators of Case Progression in PG Criminal Cases  | 49 |
| <b>Table 14:</b> Widows' Relationship Types   | 63 |
| <b>Table 15:</b> Formalized Marriage Documentation  | 63 |
| <b>Table 16:</b> Homestead Documentation  | 66 |
| <b>Table 17:</b> Other Land Documentation   | 66 |
| <b>Table 18:</b> Key Prevalence Figures, Successful Property Grabbing   | 68 |
| <b>Table 19:</b> Key Prevalence Figures, Attempted Property Grabbing  | 69 |
| <b>Table 20:</b> Documents Found in Criminal Property Grabbing Case Files   | 69 |
| <b>Table 21:</b> Documents Found in Administration Cause Case Files   | 73 |
| <b>Table 22:</b> Indicators of Case Progression in Administration Cause Cases                                     | 74 |
| <br>  |    |
| <b>Figure 1:</b> District Map of Uganda   | 18 |
| <b>Figure 2:</b> Key Prevalence Figures, Successful Property Grabbing   | 34 |
| <b>Figure 3:</b> Key Prevalence Figures, Attempted Property Grabbing  | 34 |
| <b>Figure 4:</b> Widows' Views on Good Ways to Protect from Property Grabbing                                     | 39 |
| <b>Figure 5:</b> Percentage of Community Focus Group Participants that Agree with Statements Regarding LC Leaders | 41 |
| <b>Figure 6:</b> Percentage of Community Focus Group Participants that Agree with Statements Regarding Police     | 43 |
| <b>Figure 7:</b> Widows' Religious Affiliation  | 64 |
| <b>Figure 8:</b> Widows' Primary Occupation   | 65 |
| <b>Figure 9:</b> Widows' Experience with the Grant of Probate Process   | 71 |
| <b>Figure 10:</b> Widows' Experience with the Letter of Administration Process                                    | 72 |

# Key Terms

**Administrator General (AG):** The Administrator General's Office is a department under the Ministry of Justice and Constitutional Affairs with a mandate to administer estates, issue Certificates of No Objection, and to verify beneficiaries of estates among other related matters.

**Estate administration:** Lawfully dividing and distributing the property/estate of the deceased.

**Homestead:** The matrimonial home and surrounding gardens.

**Husband:** In this study, the term "husband" refers to the male partner of widows in legally recognized marriages, as well as the male partner in cohabiting relationships that were not officially recognized but in which partners are nonetheless socially and culturally viewed as husband and wife.

**Kibanja:** In the mailo land tenure system adopted in central Uganda, the government officially recognizes two major types of land ownership: titled ownership and kibanja ownership. Under this system, a titled land owner may own a large piece of land, while any number of kibanja holders may own occupancy rights to certain portions of that piece of land. While both titled land owners and kibanja owners "own" the land, they are often referred to respectively as "landlords" and "tenants."

**Local Council (LC) leader:** An elected official at the village ("LC1"), parish ("LC2"), sub-county ("LC3"), and district ("LC5") level. LC1 and LC2 leaders are influential in their communities, many times serving as the first point of contact when someone must interact with the justice system, a mediator under certain circumstances when a conflict arises in the community, and a witness to any real estate transfer within their jurisdiction.

**Property grabbing:** A layman's phrase used to describe the unlawful and coercive eviction of lawful landowners through the use of physical force, forgery, fraud, threats, intimidation, property destruction, and/or collective pressures.

**Public Justice System:** 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 to provide equal access to rights and due process. The public justice system is comprised of law enforcement; prosecutorial, judicial, and administrative bodies; local governments; and social service systems.

**Widow:** *For the purposes of this study*, any woman, age 18 or older at the time of the study, whether currently single, cohabiting, or remarried who has *ever lost*:

- A husband who she was legally married to; or
- A cohabiting partner<sup>1</sup>, whether children were born from the relationship or not; or
- The father of one of her children.

A widow under Ugandan law is one who has been lawfully married under a recognized Christian, civil, Muslim, customary, or Hindu marriage.

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<sup>1</sup>In the Ugandan context, "cohabiting" is living together, as if married, without being legally married.

# Executive Summary

**Background and Introduction:** “Property grabbing” occurs when individuals and/or families are removed from or lose access to their rightful property or homestead. This is characterized by the use of physical force, forgery, fraud, threats, intimidation, destruction, acts of violence, or pressure from the local community. In Uganda, widows and orphans are among the most vulnerable populations to property grabbing due to prevailing gender norms that favor adult men and a lack of capacity in the formal justice sector to respond to such crimes. As part of a program to combat property grabbing in Mukono County, Uganda, a baseline (2012–2013) and follow-up endline (2017) prevalence and justice system performance study was conducted to gauge any reduced victimization and performance improvements in the system. This report highlights the endline study results and the direct comparisons with the baseline study.

**Methods:** Three data collection methods achieved the study’s purpose and objectives:

- 1) A *countywide household prevalence survey with widows* in all villages in half of the randomly selected parishes in all sub-counties of Mukono County. At baseline, the sample was **1,806 widows** and at endline, **2,018 widows**.
- 2) A *Case File Review (CFR)*, conducted with cases closed between the years 2010–2012 for the baseline and 2010–2017 for the endline. In total, **68** criminal case files of property-grabbing related offenses were reviewed at baseline; at endline, this was **156** cases. At baseline, **119** administration cause case files were reviewed, and **96** at endline.
- 3) *Focus Group Discussions (FGDs) and Key Informant Interviews (KII)*, conducted with women and men in the targeted communities, as well as local leaders and justice system officials. At baseline, 13 FGDs were conducted with **118 respondents**, in addition to **13 KIIs**; at endline, 41 FGDs were held with **387 respondents**, in addition to **7 KIIs**.

**Results and Conclusions:** Compared to the 2012–2013 baseline study, this study found a significant decrease of nearly 50% in property grabbing among widows in Mukono County: 3.5% to 1.8% ( $p \leq 0.001$ ). Attempts of property grabbing also significantly reduced by approximately 50% from 4.8% to 2.3% ( $p \leq 0.001$ ). Furthermore, the level of violence in instances of property grabbing seems to be declining, evidenced by a 37% decrease in the presence of violence in property grabbing cases.

Generally, community members and widows in Mukono County articulated good knowledge on property grabbing, the existence of laws on inheritance and women’s right to land ownership, preventive measures, and how and where to seek help. Further, community members outside the project area had less comprehensive knowledge on property grabbing laws, rights, and/or legal processes. Cultural and gender norms favoring male inheritance and informal solutions to property grabbing remain prevalent in women’s understanding and experiences of inheritance practices. These norms, in addition to procedural barriers to prevention measures negatively impact the potential for change in behavior among community members.

Confidence in the formal justice system to provide justice equitably and fairly has increased, with more notable improvements in relation to police officers trained in property grabbing crimes. Community members in Mukono County expressed much higher levels of trust and confidence in the police’s ability to appropriately handle instances of property grabbing compared to community members outside the project area. Further results with the police were inhibited by the force’s lack of sufficient resources for proper investigations, leading to corruption and requests for “facilitation” from victims to continue their case in the justice system. Community members and justice officials have low confidence in the abilities of Local Council leaders to carry out their duties related to inheritance and property disputes; however, all stakeholders acknowledged the important role of Local Council leaders at the community level.

Finally, the endline also identified improvements, as well as remaining challenges, in the prosecution of property grabbing cases. There were more property grabbing cases overall in the system, and they were more easily located. Case files showed improvements in key documentation and better utilization of charges, but case progression rates seem to have slowed and officials continue to push victims to pursue civil remedies over criminal prosecution, despite the case being criminal in nature. While knowledge, confidence, and some engagement has improved, community members still view the system as difficult to access for the common person due to costs, lengthy timeframes for cases, language barriers, and limited protections for the large percentage of widows who are in relationships outside a formal marriage.

# 1 Introduction

“Property grabbing” is when individuals and/or families are removed from or lose access to their rightful land or homestead. Property grabbing usually involves the use of physical force, forgery, fraud, threats, intimidation, destruction, acts of violence, and/or pressure from the local community.

## 1.1 Background to Property Grabbing and the Ugandan Justice System's Response

“Property grabbing” is when individuals and/or families are removed from or lose access to their rightful land or homestead. Property grabbing usually involves the use of physical force, forgery, fraud, threats, intimidation, destruction, acts of violence, and/or pressure from the local community.

In Uganda, widows and orphans are the most vulnerable populations to property grabbing due to prevailing gender norms favoring adult men and relative impunity for those who commit this crime. Following the death of a male head of household, it is common for relatives, neighbors, and persons of authority to seize the property that belonged to the deceased, even if the widow co-owned the property with her husband and has a legal right to possession. Acts of property grabbing are illegal and in direct violation of prevailing inheritance and land ownership laws included in the Ugandan Penal Code.<sup>2</sup>

Land ownership is central to the survival and identity of many Ugandans. According to a 2014 study of land rights in Uganda, 87% of Uganda's population lives in rural areas, 85% of whom depend on subsistence agriculture for survival.<sup>3</sup> The significance of land ownership in Uganda results in frequent land disputes, even within families. For example, a 2016 report of justice issues in Uganda revealed that 36% of those surveyed had experienced a land dispute of some kind, making it the most prevalent justice issue in the country. 25% of identified land disputes are related to ownership, while another 22% are specifically due to property grabbing.<sup>4</sup>

Women remain particularly vulnerable to land insecurity in Uganda due to deeply seated gender norms, biases against women's ownership of land, and challenges accessing the protection of government duty bearers. Even though 90% of women living in rural areas depend on agriculture and are responsible for approximately 80% of Uganda's food production,<sup>5</sup> only 16% of agricultural land is owned by women.<sup>6</sup> Further, households headed by women, particularly widows and divorcees, are much more vulnerable to land conflict than male-headed households because clan structures and traditional marriage arrangements weaken women's claims to land ownership.<sup>7</sup>

Land conflict also tends to result in less favorable outcomes for women than for men.<sup>8</sup> For example, a 2013 Oxfam study found that approximately 30% of widows in northern Uganda had experienced property grabbing. They also found that women were more likely to experience property grabbing than men, as 68% of cohabiting women had experienced property grabbing as opposed to 25% of cohabiting men.<sup>9</sup> IJM's own research in Mukono County, Uganda, in 2012-2013 revealed that nearly one in three widows were the victims of property grabbing in their lifetimes.<sup>10</sup> Since the release of that research, little additional scholarship has been published on the Ugandan public justice

**From the beginning of Project Empaanyi in 2012 to its completion in 2017, there was a significant reduction in the prevalence of land theft in Mukono County (nearly 50%), as well as a drop in attempted land theft (more than 50%), and a decrease in land theft with violence (37%).**

system's response to property-grabbing related crimes. One related report emerged in 2016 from HiiL Innovating Justice, highlighting that the vast majority (82%) of those in land disputes primarily seek advice from Local Council leaders, while only 32% seek advice or information from the police. Further, 78% rely on Local Council leaders for the resolution of their land disputes, while only 21% rely on the courts for such resolution.<sup>11</sup>

The judicial system and other government entities vital to the protection of the vulnerable from property grabbing crimes suffer from inadequate resourcing and corruption, further preventing survivors of property grabbing from accessing the formal justice system. Among respondents from the 2017 East Africa Bribery Index, 54% reported that paying a bribe was the only way to access the services provided by the police, judiciary, and land services.<sup>12</sup>

## **1.2 Background to International Justice Mission in Mukono County, Uganda**

International Justice Mission (IJM) is a global human rights organization that protects the poor from violence by partnering with local authorities to rescue victims, bring criminals to justice, restore survivors, and strengthen justice systems. IJM has been assisting survivors of property grabbing in Uganda since the early 2000s. IJM's Kampala office has focused its interventions exclusively in Mukono County, a rural county outside of Kampala.

The program aimed to build capacity within the Ugandan justice system to respond to cases of property grabbing using a two-pronged approach. First, IJM collaborated with police, public prosecutors, community development officers, and other duty bearers to directly support individual victims and cases of property grabbing as they progressed through the criminal justice system. By working hand-in-hand to deliver justice to individual survivors of violence, IJM provided both classroom and field training, and mentoring to justice system officials. Second, government officials and IJM together employed targeted strategies to ensure that the public justice system is better able to independently prevent, deter, and respond to instances of property grabbing. Strategies included intensive and extended classroom and field trainings using actual cases as learning tools, curriculum development, coaching and mentoring on live cases, media campaigns, and community engagement. Taken together, IJM's program sought to (1) deter property grabbing by ensuring that the justice system would hold perpetrators accountable for their crimes and (2) reduce the overall vulnerability of widows and orphans to property grabbing.

IJM completed its program in Mukono County in September 2017. The learnings from this study informed the end-of-program evaluation on the program and will be incorporated into the organization's future programs to protect women and children from violence in Uganda and globally.

## 1.3 Study Objectives

The specific objectives of the study included:

- 1) To determine the prevalence and nature of property grabbing among widows in Mukono County;
- 2) To assess the knowledge of community members (including widows) of the basic principles of Ugandan succession law as well as their knowledge, attitudes, and behaviors regarding property grabbing;
- 3) To document the public's perception and confidence in the public justice system in effectively addressing property grabbing; and
- 4) To assess the performance of public justice system actors (local government leaders, police, AG, judges/courts, and prosecutors) in effectively addressing property grabbing in Mukono County, in order to compare the current state to the baseline study results conducted in 2012-2013.

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<sup>1</sup>International Justice Mission, Property Grabbing from Ugandan Widows and the Justice System Response (2014). More information on the nature of property grabbing and relevant laws in Uganda can be found in IJM's initial 2014 research study.

<sup>2</sup>Hannay, L. (2014). Women's Land Rights in Uganda. Landesa.

<sup>3</sup>HiiL Innovating Justice, Justice Needs in Uganda 2016 (2016).

<sup>4</sup>Hannay, L. (2014). Women's Land Rights in Uganda. Landesa.

<sup>5</sup>Gender, Institutions and Development Database 2014. (2014). Organisation for Economic Cooperation and Development.

<sup>6</sup>Adelman, S., & Peterman, A. (2014). Resettlement and Gender Dimensions of Land Rights in Post-Conflict Northern Uganda. *World Development*, 64(C), 583-596.

<sup>7</sup>Ibid.

<sup>8</sup>Burke, C., and Kobusingye, D. (2013). Securing Women's Land and Property Rights in Northern Uganda, Oxfam. Unpublished Working Paper.

<sup>9</sup>International Justice Mission, Property Grabbing from Ugandan Widows and the Justice System Response (2014).

<sup>10</sup>HiiL Innovating Justice, Justice Needs in Uganda 2016 (2016).

<sup>11</sup>Transparency International Kenya, et al., East Africa Bribery Index (2017).

## 2 Methods

The study team, including IJM staff and contracted local and international researchers, utilized multiple methods to accomplish the objectives of the study, mirroring the methodology from the baseline study in 2012–2013 as much as possible.

The study team, including IJM staff and contracted local and international researchers, utilized multiple methods to accomplish the objectives of the study, mirroring the methodology from the baseline study in 2012–2013 as much as possible. The contracted local research team collected all data. To understand the complexity and scale of property grabbing prevalence, the study included a repeat collection of a household-level survey with widows, including a narrative story-telling component, as well as focus group discussions with local community members. The study also included gathering information to assess the performance and perceptions of the justice system in Uganda with regard to property grabbing and estate administration, through a qualitative review of physical police and court files, focus group discussions, and key informant interviews with key stakeholders. This information was triangulated with responses from widows captured via the household survey on experiences with and knowledge of the justice system.

## 2.1 Countywide Household Prevalence Survey on Property Grabbing

### 2.1.1 Target Area and Population

The target area for the household survey spanned all of the mainland areas of Mukono County in Mukono District in central Uganda (see Figure 1). Like in the baseline, the study team conducted the survey in eight of the nine sub-counties of Mukono County.<sup>13</sup> Half of all parishes in each sub-county were randomly selected for the sample, covering all villages in the selected parishes.

The target population inclusion criteria included [a + b + c + (d or e)]:

- a. any woman,
- b. age 18 or older at the time of the study,
- c. ever widowed, whether currently single, cohabiting, or remarried
  - o who were legally married to the deceased; or
  - o who lost a cohabiting partner<sup>14</sup>, whether children were born from the relationship or not; or
  - o who lost the father of one of her children

AND either was:

- d. currently living in one of the targeted villages at the time of the survey, who had a husband/partner pass away while living in that village (“widows within”)<sup>15</sup> OR
- e. originally from one of the targeted villages who had a husband/partner pass away while living in the village and had since moved out of that village to a location within 100 kilometers of that original village (“migrated out” widow).<sup>16</sup>



Council Secretary for Women”<sup>18</sup>). The local research team explained the purpose of the study and the listing exercise specifically, as well as the definition of *widow* used in the study. The Local Council Chairman was then asked to list the full name, nickname, physical address, and contact phone number, where possible, of all widows in his/her village. The place of widowhood (widows “within” or “migrated in/out”) was also captured in the list. This first step resulted in a list of 3,588 women.

Second, each village’s list of widows was validated by a local women’s group from within the same village. The Local Council leaders assisted the enumeration team in doing so by contacting and mobilizing these women’s groups, but the original listing group did not participate in the validation exercise. A minimum of three to five members had to be in attendance to meet the validation requirements. The women’s group representatives often included the group’s chairperson, vice chairperson, treasurer, and other group members for a total of five validators. For the few villages with no established women’s group, the original listing group mobilized older men and women (a maximum of five people, with at least three of those being women) who had lived in the village for an extended period of time. In total, the validators added an additional 655 widow names, yielding a final widow listing of 4,382 names. (See Table 1 below for the number of widows originally listed, by sub-county.) Both the participating local leaders and community members were reimbursed for their time and transportation to and from the meeting place.<sup>19</sup>

**Table 1: Total Number of Widows Listed in Each Sub-County**

| Sub-County          | Total No. of Widows Listed in Sub-County |
|---------------------|--|
| Goma                | 693                                      |
| Kyampisi            | 713                                      |
| Mpatta              | 419                                      |
| Mpunge              | 194                                      |
| Mukono Town Council | 495                                      |
| Nakisunga           | 697                                      |
| Nama                | 612                                      |
| Ntenjeru            | 559                                      |
| <b>TOTAL</b>        | <b>4,382</b>                             |

The study team included all listed widows as part of the population, with specific classifications on whether they were “widows within” the village, “migrated in,” or “migrated out.” Of the 4,382 widows originally listed, 6% (n = 262) were classified as “migrated in” and 2.7% (n = 118) classified as “migrated out.” As the study intended to measure the prevalence of property grabbing among widows in Mukono County, all “migrated in” widows were subsequently taken out of the population.

From this reduced population size, the study’s data analyst determined the statistically significant sample size required for each sub-county using Krejcie and Morgan’s formula.<sup>20</sup> The required sample size for each sub-county was divided proportionally based on the respective widow size in each parish. The total sample size required for the study was 2,046 widow interviews. Using R, the data analyst generated the sampling frame from the population list, including a 30% buffer for potential misclassification, inability to locate, or unwillingness or inability to participate. The study team interviewed a total of 2,017 widows. See Table 2 for a breakdown by sub-county of sample and actual interviews conducted. Annex B describes the demographic characteristics of the 2,017 widows participating in the survey.

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**Table 2: Sample Size Required for Each Sub-County**

| <b>Sub-County</b>   | <b>Required Sample Size</b> | <b>Actual No. of Widows Interviewed</b> |
|---------------------|-----------------------------|---|
| Goma                | 323                         | 309                                     |
| Kyampisi            | 332                         | 340                                     |
| Mpatta              | 195                         | 183                                     |
| Mpunge              | 92                          | 92                                      |
| Mukono Town Council | 232                         | 227                                     |
| Nakisunga           | 325                         | 325                                     |
| Nama                | 285                         | 280                                     |
| Ntenjeru            | 262                         | 261                                     |
| <b>TOTAL</b>        | <b>2,046</b>                | <b>2,017</b>                            |

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### **2.1.3 Training of Enumerators and Pilot Exercises**

These same 15 enumerators, made up of individuals hired by the local research team’s fieldwork coordinator, conducted interviews with widows for the household survey.<sup>21</sup> They participated in two trainings, one for the widow listing, the second for the actual household survey with widows.

The first training for the widow listing exercise was a two-day training, provided by the local research team’s fieldwork coordinator and the IJM Kampala M&E Specialist. This training provided background information on IJM’s program, the overall purpose of the study, methods for listing, data collection, and data quality. The second day was a pilot in Ntawo, Nsambwe, and Nakabago villages to test the widow listing tool and become acquainted with the best way of addressing Local Council leaders and women’s group representatives. In each of the villages, enumerators held a short discussion with the Local Council leaders and women’s community groups to better understand how the community understood and perceived who was included in the term “widow,” as well as perceptions around widows’ vulnerability to property grabbing. These discussions refined the listing method as well as the phrasing of certain questions on the quantitative survey.

The second training was done to prepare the enumerators for the household survey with the widows. This four-day training included participator lecture-style learning coupled with formal and informal mock interviews, followed by two days of piloting the survey with the 32 widows that were listed during the widow listing pilot in Ntawo and Nakabago villages (who were not included in the study sample).<sup>22</sup> The training provided an overview of the IJM program and the overall purpose of the study, reviewed all questions and answer choices on the survey, and went through the survey on the mobile device. The training concluded with a debrief session and revision of the survey.

### **2.1.4 Data Collection Tools and Methods**

The data collection tool was nearly identical to the baseline household survey, with a few adaptations to capture widows’ exposure to particular IJM interventions and any outcomes related to these. The Luganda version of the survey was also updated in a few places to reflect a better translation, based on feedback from the baseline and piloting during the endline study. The paper survey was then scripted into an Excel-based data collection form called XLSForm and converted into a digital version. This version was uploaded on the online data collection server Kobo Toolbox. From there, the survey could be downloaded, opened, read, and filled in on mobile tablets. The mobile version was available in both English and Luganda.

For each interview, the study team used the contact details from the listing exercise, as copied in the sampling list, to locate the residence of the widow and administer the survey in Luganda at the widow’s house. After the enumerator

explained the purpose of his/her visit and gained informed consent through a signature on the tablet, he or she asked the widow to describe where she was born, how long she lived there, and why she moved from that place. Using provided prompt questions, this “story map” narrative continued organically until the widow discussed her current residence. The enumerator captured this narrative in English in a notebook, which was subsequently photographed as part of the mobile survey. The enumerator used this story map to build rapport with the respondent, to understand the details of the widow’s life and marriage/relationship from her perspective, and conduct data quality assurance with the quantitative survey. The full interaction with the survey participant included an introduction and informed consent, a handwritten collection of the widow’s “story map,” and an interview using the survey on the mobile device. The entire interaction lasted 1.5–2.0 hours on average. Total length depended on how much information the widow was able to recall, as well as the number of husbands the widow had lost and her respective land ownership. The survey was designed to capture information on up to three relationships with deceased husbands. See Annex C for information on accessing the survey data collection tool.

Many widows did not view themselves as victims of property grabbing or understand their circumstance in that way. Therefore, rather than directly asking the widows if they had been victims of property grabbing, enumerators were trained to assess the widow’s responses to a variety of different scenarios that would demonstrate whether she had been victimized by any of the various crimes in Uganda’s laws associated with the act of property grabbing.

The study team conducted data collection from September 14 to October 21, 2017. Once data collection was fully underway, the enumeration team attempted to interview every widow who was a part of the randomly selected sampling frame. In cases where the enumerators determined that the widow (1) had actually migrated into the village after her husband’s death elsewhere, (2) had migrated more than 100 kilometers away, (3) was deceased, (4) refused to participate, (5) did not speak the languages of the enumerators (English or Luganda), (6) was admitted to the hospital for a long period of time, (7) was unknown to the Local Council leaders or community representative assisting the enumerators in locating the widow’s homes, (8) had no clear location listed in the listing tool, or (9) was wrongly listed as a widow when she was not or did not identify herself in this way, the fieldwork coordinator immediately provided an alternate name to interview. For any other reason (e.g., the widow was working, away from the home, at a burial, etc.), the enumerators followed a strict protocol for obtaining a substitution; only after three separate attempts on three different days would a substitution be authorized.

To ensure the broadest capture of Mukono’s widow population, the enumerators used an additional method at the point of household survey data collection. At the end of each survey, the enumerator asked the widow if there were any women living or staying on her property or was otherwise within her household that met the study definition of a widow. A total of 27 additional widows were identified by sampled widows throughout the entirety of household data collection. The enumerators recorded their names and contact information, but no widows in this category were interviewed.

During the last week of survey data collection, the survey team focused on widows included in the sampling frame who had migrated away from their homes in the targeted villages after the husband’s death, with the goal of determining the rate at which they would be able to successfully locate these women. In total, 59 of the 118 “migrated out” widows were included in the sample for data collection. Enumerators were able to find and survey 28 of these widows, all of whose interviews are included in the data presented in the findings of this report.

### **2.1.5 Data Storage Techniques, Cleaning, and Quality**

The study design and implementation incorporated various data quality assurance (DQA) methods both during and following field data collection. In preparation for fieldwork, there were two primary DQA techniques. First, the survey design included an already-tested instrument, which was verified again with new enumerators and a subsequent pilot test with widows. Second, eligibility as an enumerator included a necessary track record of quality work in data collection.

During the survey, the local research team’s fieldwork coordinator monitored the incoming data on a daily basis and was responsible for checking the completeness and logic of survey answers before uploading the data to Kobo Toolbox, the cloud-based server. Especially during the early days of fieldwork, the coordinator randomly checked surveys for inconsistencies in the answers given. Further, during debrief sessions each morning of data collection, enumerators exchanged tablets to check for consistent flow and that logical answer choices were filled in to meet the instituted data quality standards before they could submit the surveys to the central server. For surveys with inconsistent or illogical

answer choices, the enumerators were required to revisit the respective widows to obtain the accurate information. One validation feature added to the survey was the inability to change data after submitting a survey to the server. Only the leaders of the local research team could update the data if errors were found.

Additionally, the fieldwork coordinator physically observed enumerators conducting surveys with widows to ensure proper implementation of the survey procedure and questions. He then highlighted any issues to the entire group of enumerators in the next day's debrief. This enabled the enumerators to adjust accordingly. Lastly, the fieldwork coordinator conducted random call-backs to widows interviewed, asking a small set of questions similar to the ones in the survey tool. He compared their answers on the call to the answers obtained by the enumerator for consistency. Any errors, questions, or inconsistencies were discussed individually, as well as in the team debrief, as applicable. Overall, the quality of the data collected and delivered for analysis was of an acceptable standard.

### 2.1.6 Data Cleaning and Analysis

The local research team performed data cleaning to ensure strong coordination with the fieldwork coordinator and the proper transfer of data from the mobile surveys to the cloud and then into an Excel database. The analysis of the data collected through the countywide household survey was jointly performed by two external statisticians.<sup>23</sup> They used the statistical software R to conduct frequency analyses, complicated cross-tabulations, various statistical tests for correlations, and comparison statistics with the baseline study.

The formula used for determining victimization is as follows: legal eligibility through marriage type (i) and land ownership (ii) + successful property grabbing of the homestead or other land (iii). More specifically, widows had to have:

- (i) a legal right to:
  - inherit the property through a legally recognized marriage (category 1 widow) or
  - occupy the property through the rights of her children (category 2 widow);
- (ii) owned or co-owned the property with her husband or her husband owned the property at the time of the husband's death (versus renting); and
- (iii) successful property grabbing:
  - no longer owned or lived on the homestead or another piece of land *in its entirety* at the time of the survey or
  - been removed from the homestead or other land or had the property taken at *any* point in the past.

The percentages presented in section three regarding victimization are calculated out of all widows interviewed, not only widows with legal eligibility to the property and land, in order to represent the most comprehensive and locally accepted definition of widowhood. Consequently, the figures presented underestimate the prevalence of property grabbing as the study includes widows in the denominator that are recognized locally but not by law.

### 2.1.7 Limitations

The survey methods include a range of limitations that should be noted when interpreting the analysis and results and when applying the results to other contexts. Many of these limitations are similar to those defined in the baseline study.

#### Recall bias among respondents

The most substantial limitation in the endline study with the greatest effect on the study results was respondent recall. During data collection, many women could not recall dates (years) of birth, marriages, death, or property grabbing events or details about these events. This caused difficulty when comparing dates for validation or indicator calculations. In an attempt to better understand the depth of recall issues, the IJM technical expert for the study

compared the story maps and surveys of a subset of widows who were interviewed in both the baseline and endline surveys. In some cases, their stories differed from baseline to endline. It is possible that their experiences actually did change in the last four years; however, it is also possible that this was a mistake in recall or that women told incomplete versions of their story both at baseline and endline, so both versions may be accurate or inaccurate. Because of these possibilities, the study team was not able to determine whether the baseline or endline was the more accurate portrayal of these women's stories. Therefore, the findings presented in this report reflect the narratives widows shared with enumerators during the endline, without omission or revision.

While the estimates of prevalence of property grabbing, both successful and unsuccessful, are affected by this limitation, the main conclusions from the study are based on a recall timeframe that provides the most reliability. In future studies, the methods and study timeframe will need to allow for a more in-depth understanding of each woman's situational nuances. For any woman classified as a victim or potential victim, a follow-up interview should be required to confirm the victimization and gain more details of the circumstances of the abuse. For future studies, it would be best to plan a quasi-experimental program design with control and intervention areas in order to have the best chance at understanding contribution of the program and provide greater clarity on the weight of these biases.

### **Community-level participatory model for population creation**

Even though the baseline survey also used a community-level participatory model, the endline still revealed challenges in its application, as the population data on widows remained uncomprehensive. The baseline survey assumed that community leaders and members knew their communities better than any other source of documentation. While this method proved to be sufficient, it was not without the following limitations:

- Due to time and resource constraints, the listing exercises in each village were conducted in one day by one enumerator and relied on the memory and recall of the Local Council leaders and women's group members. While the enumeration teams gave prior notice and explanation of the exercise to Local Council leaders and exchanged cell phone numbers in the event leaders remembered more names, there were some instances where additional names of widows were given to enumerators during data collection, well after the sampling frame had been created.
- Women from the community highlighted several social and cultural views about the term widow (“*namwandu*” in Luganda) that may have affected the team's ability to create a true listing of all widows in the villages (the “population” used to create the sample):
  - o Widows are pictured to be older women, so young women are not easily or immediately thought of as widows. Some younger widows vehemently deny their widowhood.
  - o A stigma is often associated with being called a widow. Widows are often assumed to be HIV positive. Also, members of the community shared that these women are sometimes thought to have been involved with witchcraft or were themselves “be-witched.”
  - o The label can also inhibit an attempt to pursue another relationship. In circumstances where a woman has remarried or is seeking a relationship, some widows may not self-identify or refuse to acknowledge ever being a widow.

While these considerations could have affected the population listing exercise, only two women refused to identify as a widow at the point of survey.

- The listing exercises conducted in urban areas were far more difficult than in the rural areas. The towns are more populated, and community leaders often do not know every person in the area. Community groups often could not speak about entire sections within the town, as they only knew their section. This became evident when urban women's community groups could only validate a small number of widows on the original listing for their town but also identified up to 80% more widows who were not included on the original listing. An additional community group was consulted whenever this happened.
- Duplication of widows also occurred in the listing for two reasons: (1) some women were known by some in the village by their nickname, “*Namwandu [First Name]*” or “*Mama [First Name]*”; and (2) widows moved to nearby villages and were listed in both places, as the community was not yet aware of the move. Since the same enumerators conducted both the listing and the survey and were assigned names for the parish, they

were able to recognize and solve for duplication errors in the villages selected for surveying. However, the level of duplication across the entire population listing was unexplored.

### **Locating widows in urban areas and who had migrated**

Finding widows living in the more urban areas was challenging as these women are more mobile than those living in rural areas. Therefore, enumerators made more replacements of these urban-based widows than rural ones, and the effects of that substitution are unknown.

Many women who have been victims of property grabbing relocate, making it a challenge to find them. The sampling frame contained 118 “migrated out” widows, 61 of which made it into the sample for surveying. However, the enumeration teams were not able to locate many of these widows, and the replacements were taken from the entire universe, not a pool of only “migrated out” widows. Therefore, in the end, only 28 “migrated out” widows were surveyed and included in the results.

## **2.2 Case File Review of Criminal Property Grabbing and Estate Administration Cases**

Two different types of closed files were reviewed through the Case File Review method: criminal case files dealing with property grabbing related charges and administration cause files in which applicants filed a case to administer a deceased person’s estate.<sup>24</sup> A team made up of lawyers, law students, and legal experts (the “legal CFR research team”) conducted the review, largely replicating the methods of the baseline study conducted in 2012-2013.<sup>25</sup> Data collection occurred between September 11 and October 4, 2017.

### **2.2.1 Sampling and Data Collection Method for Reviewing Cases**

The purpose of this file review was to gather evidence on the performance of the police and courts in processing criminal property grabbing cases and, to a lesser extent, on the performance of the respective courts in processing administration cause cases.<sup>26</sup>

### **Criminal Property Grabbing Cases**

The selection criteria for the criminal property grabbing case file review included any case:

- Where the crime occurred in Mukono County;
- Opened and closed between 2010-2017 (at the time of the study);<sup>27</sup>
- With a female complainant;<sup>28</sup> and
- Containing at least one “property-grabbing related charge”:<sup>29</sup> intermeddling, eviction or attempted eviction of widows or children; fraudulently destroying or converting trust (estate) property; forgery of a will or other legal documents; forgery of a Grant of Probate, Certificate of No Objection, Letter of Administration, or other judicial or government document; concealing or stealing a will; concealing a deed; destroying a deed; destroying or damaging a will; damaging survey and boundary marks; removing boundary marks; malicious injury of property) or one of the complimentary charges that was analyzed for property grabbing (threatening violence, criminal trespass, theft, bribery/corruption, assault causing physical injury, and murder).

Collaborating police officers in the Mukono and Naggalama police stations physically searched the archives for all files meeting the above criteria. The local research team then sifted through these pre-sorted files to create the “universe” of files from which to sample. These two stations were intentionally selected because Mukono holds files from seven of the eight sub-counties in the project area, and Naggalama holds files from the other sub-county in the project area.

At Mukono Police Station, the legal team opened a total of 347 closed case files, of which 152 cases met the required criteria for review. At Naggalama Police Station, the team opened 315 case files, of which 64 met the criteria (see Table

3). Due to time constraints in reviewing files, the findings presented in this report concentrate on 104 of the 152 cases from Mukono and 52 of the 64 cases from Naggalama. During data collection, the review team randomly selected files to review out of those that met the criteria.

**Table 3: No. of Criminal Prosecution Files Reviewed at Police Stations**

| Police Station   | Year         | Population | No. of files that met selection criteria/reviewed |
|------------------|--------------|------------|---|
| <b>Mukono</b>    | 2017         | 8          | 4   |
|                  | 2016         | 22         | 11  |
|                  | 2015         | 52         | 19  |
|                  | 2014         | 108        | 34  |
|                  | 2013         | 85         | 16  |
|                  | 2012         | 50         | 16  |
|                  | 2011         | 20         | 4   |
|                  | 2010         | 2          | 0   |
|                  | <b>Total</b> | <b>347</b> | <b>104</b>  |
| <b>Naggalama</b> | 2017         | 15         | 6   |
|                  | 2016         | 58         | 14  |
|                  | 2015         | 60         | 12  |
|                  | 2014         | 67         | 8   |
|                  | 2013         | 42         | 5   |
|                  | 2012         | 40         | 3   |
|                  | 2011         | 27         | 4   |
|                  | 2010         | 6          | 0   |
| <b>Total</b>     | <b>315</b>   | <b>52</b>  |   |

To capture information on the judicial proceedings in each criminal case, the study team used the case identification numbers and Resident State Attorney sanction date to locate the corresponding court files in the Mukono Chief Magistrates' Court registry and archives, as well as the registry and archives in Nakifuma Court. Due to several challenges encountered at the court registries and archives, including non-corresponding criminal record book and court case file numbers, missing files, and disorganization of the archived files, the legal case file review research team was only able to trace 13 of the files reviewed at the police stations to the courts, reviewing six files at Mukono and seven at Nakifuma.

### Administration Cause Cases

The selection criteria for the administration cause case file review included any case:

- For which the physical file was present within the select court archives;
- Opened and closed (i.e., adjudicated) between January 2010 and September 2017 (the time of the study)<sup>30</sup>; and
- With a female applicant.

The study team listed the administration cause cases from those physical files present within the archives at both the Mukono Chief Magistrates' Court and Jinja High Court.<sup>31</sup> A total of 96 case files were reviewed at the two courts, 59 in Mukono and 37 in Jinja. In the baseline, the study team traced the relevant files back to the Administrator General's Office; however, in the endline, since the program did not implement capacity building activities with the AG's Office over the last four years, this part of the file review was not repeated.

## 2.2.2 Training, Data Collection and Quality Assurance Methods, and Data Analysis

IJM trained the local legal CFR research team on the Case File Review listing and data collection methods and tools and data entry forms. Mock case files were developed for training purposes.

The study team replicated the baseline study data collection methods and tools but revised each based on experiential knowledge from both IJM and the local research team. The joint team spent one day at Mukono Court piloting the method and tool on real criminal and administration cause case files from the archives and refined the tool on this basis. This pilot further refined the tool. All tools were written in English, with all data captured in English, completed by hand on the printed tools. Data entry clerks then inputted the data from the hard copies of the completed Case File Review tools into Formsite, an online data collection platform. See Annex D for links to the Case File Review data collection tools.

Quality assurance was implemented at two levels with the file review. The Case File Review Project Lead from the local research team conducted oversight of all reviewers. Local IJM staff accompanied the local research team on several occasions to conduct data quality assurance and assist with locating case files in the courts. IJM also oversaw data entry and ensured accurate and efficient entry. The CFR Project Lead and IJM jointly conducted data cleaning and verified the accuracy between the hard copy and the electronic data. After entry into Formsite, the dataset was exported into Excel for further cleaning and analysis.

## 2.2.3 Limitations

Key limitations for this method include:

- The Case File Review only included closed or adjudicated cases that were able to be physically located by either the relevant justice system officials/staff or study team members. Therefore, this review is not fully representative of the performance of the respective justice system actors in these cases, as it does not include any review of cases unable to be found in the archives or currently open.
- The review of case files could only document and review what information was physically in the file. Many files had significant information or documents missing. This may or may not be indicative that the information was at some point present in the file. Thus, the findings should be viewed through this lens.
- When tracking the cases from the police stations to the courts, the disorganization of the archives at the courts and the number of missing cases caused significant challenges in locating the complementary file. Therefore, the key findings around court performance should be balanced with this process-related finding.

## 2.3 Stakeholder Interviews

### 2.3.1 Target Audience

Focus group discussions and key informant interviews complemented the countywide household prevalence survey and the case file review. The breadth of qualitative data collection increased from the baseline study, as this type of qualitative information highlights nuanced changes over time not captured by quantitative data alone. The study team held focus group discussions with groups of men and women from rural and urban areas, Local Council leaders, religious leaders, and police from Mukono County, as well as court clerks, state attorneys, and staff from the Chief Administrative Officer's (CAO's) office in Mukono County. The study team conducted key informant interviews with purposively selected individuals whose positions in the government and roles in the criminal justice or estate administration process allowed them to contribute rich information toward the study objectives.

### 2.3.2 Data Collection Tools and Methods

The data collection tools included a semi-structured discussion and interview guide, along with a brief knowledge and perceptions questionnaire for some focus group participants. IJM developed the guides in English, and all discussions and interviews were conducted in English, except for the community member focus groups, which were conducted in Luganda.

The local facilitator/interviewer explained the study purpose to each participant and asked for verbal or written consent for their participation (see Annex E for further information on how to access the focus group discussion and key informant interview guides, including the informed consent statements). Note-takers accompanying the facilitators/interviewers took rigorous notes and, when logistically possible, audio recorded the interview on their smartphones with the participants' consent. The team used the notes and audio files to create summary reports shortly after the interview for the qualitative analyst.

The research team conducted 41 focus group discussions with a total of 387 participants, 212 males and 175 females (see Table 4 for distribution of participants). The local research team collaborated with the Local Council leaders to mobilize groups of men and women for the focus group discussions with community members, as well as other participants in some of IJM's programs. For all other focus groups, IJM assisted the local research team in making connections with the relevant justice system actors.

The research team conducted key informant interviews with seven officials working in law enforcement, public prosecutions, and the judiciary. Table 4 outlines the exact positions interviewed for the study.

The local research team transcribed all focus group discussions and interviews in English and attached summary notes for the external qualitative analyst.

### 2.3.3 Data Analysis

Analysis of the qualitative data was guided by the overarching goal of understanding (1) the various stakeholders' current knowledge, attitudes, views/experiences, and practices/behaviors regarding inheritance and property grabbing, and (2) how, if at all, these have changed over time since the baseline study. The qualitative analyst determined key thematic findings through a content analysis of the data from the summary report and written transcripts of each focus group discussion and key informant interviews. The analyst discussed emerging themes and patterns with experienced IJM staff throughout the analysis process.

### 2.3.4 Limitations

The main limitation of the qualitative element of data collection was the inability to hold focus groups with communities in all sub-counties of Mukono County due to limited funding. Thus, the data collected is not representative of the entire project area and can only be used to complement, illustrate, or contextualize more statistically significant and generalizable findings from the household survey.

The eight focus groups held outside the project area were to assist in understanding any differences between these areas and where project interventions took place; however, because there was no baseline or case-control design in place from the beginning of the program, any differences should be interpreted accordingly.

Table 4: Distribution of FGD Participants

| #                                 | FGD/Interview Category                     | Type          |                                   | Male       | Female     | TOTAL      |
|-----------------------------------|--|---------------|-----------------------------------|------------|------------|------------|
| Focus Group Discussions           | Community Members                          | Rural         | Project Area                      | 48         | 63         | 111        |
|                                   |  |               | Outside Project Area              | 19         | 25         | 44         |
|                                   |  | Urban-mixed   | Project Area                      | 31         | 32         | 63         |
|                                   |  |               | Outside Project Area              | 17         | 20         | 37         |
|                                   | Christian Leaders                          | Urban-mixed   |                                   | 12         | 0          | 12         |
|                                   | Muslim Leaders                             | Urban-mixed   |                                   | 10         | 0          | 10         |
|                                   | Court Clerks Mukono                        | Urban         |                                   | 3          | 1          | 4          |
|                                   | Court Clerks Jinja                         | Urban         |                                   | 1          | 5          | 6          |
|                                   | State Attorneys Mukono                     | Urban         |                                   | 2          | 3          | 5          |
|                                   | Local Council Leaders                      | Urban-mixed   |                                   | 22         | 5          | 27         |
|                                   |  | Rural         |                                   | 8          | 4          | 12         |
|                                   | Police                                     | Urban-mixed   | Uniformed, trained by IJM         | 6          | 4          | 10         |
|                                   |  |               | Non-uniformed, trained by IJM     | 10         | 0          | 10         |
|                                   |  |               | Uniformed, not trained by IJM     | 6          | 4          | 10         |
|                                   |  |               | Non-uniformed, not trained by IJM | 8          | 3          | 11         |
|                                   | CAO Office Staff                           | PJS Officials |                                   | 5          | 3          | 8          |
|                                   | Family Court Magistrate, Mukono            | PJS Official  |                                   | 1          | 0          | 1          |
|                                   | Director of Public Prosecutions            | PJS Official  |                                   | 1          | 0          | 1          |
|                                   | Chief Magistrate, Mukono                   | PJS Official  |                                   | 0          | 1          | 1          |
|                                   | Previous District Police Commander, Mukono | PJS Official  |                                   | 1          | 0          | 1          |
| OCCID, Naggalama                  | PJS Official                               |               | 1                                 | 0          | 1          |            |
| Resident State Attorney, Mukono   | PJS Official                               |               | 0                                 | 1          | 1          |            |
| Resident State Attorney, Nakifuma | PJS Official                               |               | 0                                 | 1          | 1          |            |
| <b>TOTAL</b>                      |  |               |                                   | <b>212</b> | <b>175</b> | <b>387</b> |

## An external evaluation found that the reduction in land theft was connected to IJM’s capacity building and mentoring of public justice system actors.

<sup>13</sup>Koome Islands make up one sub-county in Mukono County. Due to their difficulty in access, the islands were eliminated from the sample.

<sup>14</sup>In the Ugandan context, “cohabiting” is living together, as if married, without being legally married.

<sup>15</sup>This widow group “d” was considered “widows within.”

<sup>16</sup>This widow group “e” was considered “migrated out” widows. If a widow was classified as “migrated out” and moved to another village that happened to be another targeted village, that woman still kept her original classification. “Migrated out” widows who had relocated to a place beyond 100 kilometers were excluded from the target population. Women who were living in one of the targeted villages at the time of the survey but had been widowed before moving into that village were considered “migrated in” widows and were excluded from the target population. “Migrated in” widows, who were widowed outside one of the targeted villages and then moved into a target village as a widow, were also excluded from the study. This was to balance the inclusion of “migrated out” widows.

<sup>17</sup>For a list of all villages and parishes sampled, please see Annex A.

<sup>18</sup>The LC<sub>1</sub> Secretary for Women is a role designated exclusively for women under the LC Council. It is a full-time position and elected by the registered voters of the village. The core mandate for the LC<sub>1</sub> Secretary for Women is to represent women’s affairs and interests in the LC<sub>1</sub> Council. By Ugandan law, one third of the positions in the LC<sub>1</sub> council should be filled by women.

<sup>19</sup>The LC Chairperson was given UGX 10,000 (US \$4) to be shared among the original listers as reimbursement for travel and time. The group of community members assisting in validation of the widow list were also given UGX 30,000 in the form of mobile air time for reimbursement of travel and time. This was shared equally among the group.

<sup>20</sup>Krejcie and Morgan’s formula:  $s = X^2 NP(1 - P) \div d^2 (N - 1) + X^2 P(1 - P)$ , where  $s$  = required sample size;  $X^2$  = the table value of chi-square for 1 degree of freedom at the desired confidence level (3.841);  $N$  = the population size;  $P$  = the population proportion (.05); and  $d$  = the degree of accuracy expressed as a proportion (.05).

<sup>21</sup>Selection criteria used: at least BSc level; prior experiences as enumerator, preferably with (mobile) data collection; speaking English and Luganda; familiar with smartphones/tablets; culturally sensitive—able to deal with sensitive issues surrounding widows and loss in an appropriate way; age: 25 years or older; preference for female enumerators.

<sup>22</sup>Names of the villages visited during the survey pilot: Nakabago and Ntawo.

<sup>23</sup>Kyle Vincent and Zixin Nie were contracted to determine the sampling strategy and conduct statistical analysis for the household survey.

<sup>24</sup>An estate in this case refers to all the property that belonged to a deceased person. “Administering an estate” signifies all the processes that any person(s) with permission from court may undertake in order to make sure that the property of the deceased is fully transferred to those it is rightfully supposed to go to or that the property is used for the benefit of those who are supposed to benefit from such property.

<sup>25</sup>The local CFR research team was led by Lillian Achola and accompanied by a team of lawyers and legal experts.

<sup>26</sup>In the baseline, the file review included some at the Administrator General’s (AG’s) office. Because the program did not pursue many activities with the AG’s office, IJM did not conduct a full endline file review at the AG’s office.

<sup>27</sup>The criminal case file review sought to cover court cases closed in particular during the period 2014–2017, so the strategy was to look at police cases opened in the period 2010–2017, taking the case incubation period into account.

<sup>28</sup>The study also included male orphans and male complainants reporting on behalf of the widows, as there was concern during the initial gathering of files that selecting only women complainants would not yield sufficient cases for the sample.

<sup>29</sup>While the Ugandan Penal Code and other statutes do not provide for a specific offense called “property grabbing,” the law does contain provisions outlawing the full host of enabling crimes commonly associated with property grabbing outlined here.

<sup>30</sup>The administrative cause file review sought to cover court cases closed in the period 2014–2017, so the strategy was to look at files opened between January 2010 and present day, taking the typical case incubation period into account.

<sup>31</sup>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 of first instance for the administration of large estates and all offenses, as well as an appellate court charged with reviewing decisions arising from the Magistrate Court. Thus, the Case File Review covered both Mukono Chief Magistrates’ Court and Jinja High Court.

# 3 Results

This study found that the prevalence of property grabbing among widows in Mukono County dropped significantly from baseline (2012-2013) to endline (2017).



Discussion of the key findings of the endline study is structured topically, integrating data from all three methods and including baseline-endline comparison analysis where applicable.

### 3.1 Prevalence of Property Grabbing Among Widows

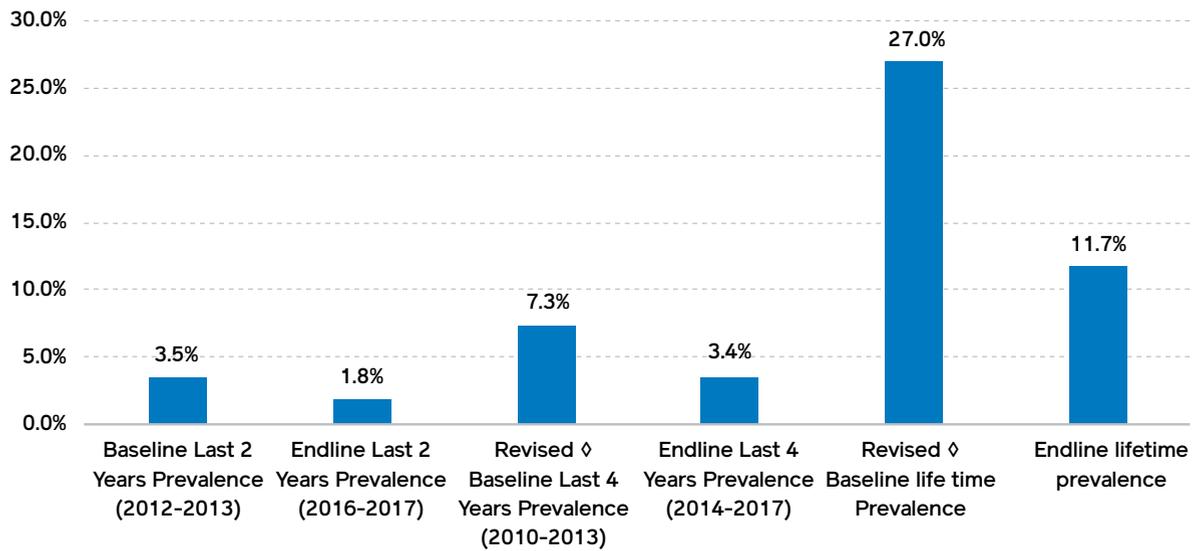
Prevalence of property grabbing among widows in Mukono County dropped significantly from baseline (2012-2013) to endline (2017). There was also a statistically significant reduction in attempted property grabbing among widows during this time period. Both reductions were near 50%.

#### Successful Property Grabbing Events

Overall, the household survey among widows in Mukono shows a decreasing trend from baseline to endline in the prevalence of property grabbing. Successful property grabbing events in the last two years reduced by 48.6% from 3.5% at baseline and 1.8% at endline. This change was statistically significant ( $p \leq 0.001$ ). Successful property grabbing in the last four years has also significantly decreased (7.5% to 3.4%). Lifetime prevalence of property grabbing<sup>32</sup> was measured at both baseline and endline, but due to limitations around widow's recall, common for this type of population and type of study,<sup>33</sup> more recent experiences are more reliable for understanding changes in prevalence over the project period.

Figure 2 below illustrates the key indicators of prevalence, across various catchment periods. For exact numbers, standard errors, and 95% confidence intervals, see Table 18 in Annex F.

**Figure 2: Key Prevalence Figures, Successful Property Grabbing**

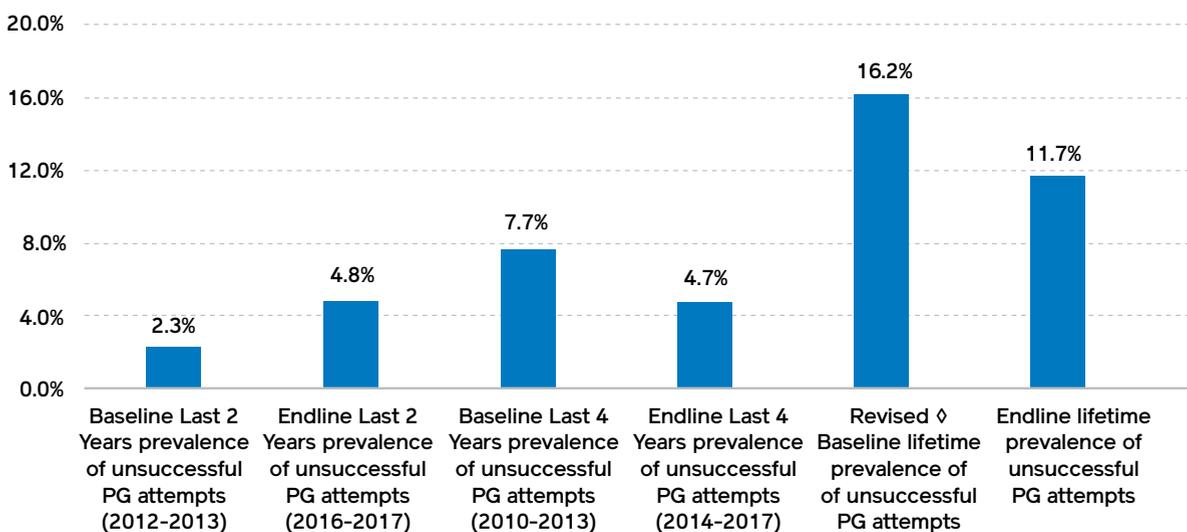


◇ To better demonstrate change between baseline and endline, the sub-counties were weighted based on widow population size within each parish. This weighting exercise in addition to formula recalibrations created “revised” baseline figures.

### Attempted Property Grabbing Events

In order to fully understand the extent of property grabbing, widows were not only asked about successful property grabbing events (meaning an actual removal from their land or property for a period of time), but also attempts to steal their property (i.e., events in which actions were taken to try to remove the widow from the land, but the widow maintained ownership and possession). If a widow who met the above victimization criteria experienced attempts

**Figure 3: Key Prevalence Figures, Attempted Property Grabbing**



◇ To better demonstrate change between baseline and endline, the sub-counties were weighted based on widow population size within each parish. This weighting exercise in addition to formula recalibrations created “revised” baseline figures.

on her land but never lost even a part of her property or land at any point in time, she was considered a victim of “attempted” property grabbing. As IJM’s casework has highlighted over the years, many victims of successful property grabbing are first victims of attempted property grabbing (some violent), and those attempts then escalate over time until they finally result in “success” if there is no intervention. Therefore, the prevalence of attempted property grabbing not only demonstrates the need for continued intervention on behalf of widows but is also symptomatic of potential future victimization.

Overall, the trend of attempted property grabbing also declined. At baseline, the percentage of widows reporting attempted property grabbing between 2012–2013 was 4.8% and at endline, the percentage reporting attempts between 2016–2017 was 2.3%. This was a 52.1% statistically significant reduction ( $p \leq 0.001$ ). Figure 3 illustrates the key prevalence indicators for attempts, disaggregated into various catchment periods (see Table 19 in Annex F for exact numbers, standard errors, and 95% confidence intervals for these figures). Similar to prevalence of successful property grabbing, these indicators are limited by widows’ recall bias and differences in enumerator teams, so the most reliable measure of change over time is experiences in the last two years.

### 3.2 The Violent Nature of Property Grabbing

Violent property grabbing has likely reduced in the last two years, displaced with more non-violent forms of property grabbing such as documentation fraud and intermeddling in the administration of estates.

The combined study methods provide much insight into the changing nature of property grabbing from widows. The baseline household survey revealed that a portion of the widows who experienced property grabbing in the last two years had experienced some form of violence or intimidation (see Table 5 below). In many cases, the widow recounted to the enumerator about experiencing violence that either influenced her decision to move or caused/forced her to

**Table 5: Circumstances Around Property Grabbing Events in the Last Two Years**

| Question   | Percentage of successful PG events that involved these circumstances |                  |         | Percentage of attempted PG events that involved these circumstances |                  |         |
|--|--|------------------|---------|---|------------------|---------|
|  | Baseline   | Endline          | P-value | Baseline  | Endline          | P-value |
| Threats made to the widow or her children                                    | 36.5%<br>(23/63)   | 51.4%<br>(19/37) | 0.177   | 34.8%<br>(31/89)  | 48.9%<br>(23/47) | 0.139   |
| Physical abuse to the widow or her children                                  | 12.7%<br>(8/63)  | 18.9%<br>(7/37)  | 0.56    | 10.1%<br>(9/89)   | 8.5%<br>(4/47)   | 0.706   |
| Sexual abuse to the widow or her children                                    | 3.2%<br>(2/63)   | 2.7%<br>(1/37)   | 0.898   | 0.0%<br>(0/89)  | 2.1%<br>(1/47)   | 0.32    |
| Attempts on the widow’s life   | 22.2%<br>(14/63)   | 29.7%<br>(11/37) | 0.553   | 13.5%<br>(12/89)  | 23.4%<br>(11/47) | 0.203   |
| Destruction of the widow’s home, crops, or anything on her land              | 27.0%<br>(17/63)   | 29.7%<br>(11/37) | 0.897   | 11.2%<br>(10/89)  | 19.2%<br>(9/47)  | 0.276   |
| Arson or attempted arson of the widow’s home, crops, or anything on the land | 6.3%<br>(4/63)   | 8.1%<br>(3/37)   | 0.803   | 1.1%<br>(1/89)  | 0.0%<br>(0/47)   | 0.32    |

Note: Given the level of violence surrounding successful and attempted property grabbing events, it should be noted that widows who experienced any type of serious physical assault or injury leading to death would not be included in the household survey and thus, their experiences unaccounted for in this table.

leave the land or property. These instances of violence ranged from verbal threats to physical and sexual violence to mass destruction of her land or property. While the endline cohort of widows show a seemingly higher percentage of accompanying threats, physical and sexual abuse, destruction of property, and arson than the victims in the baseline cohort, the differences are not statistically significant (as shown by the p-values all greater than 0.05). The lack of statistical significance reveals a limitation of sample size rather than a conclusion that there has been no meaningful change in the level of violence associated with property grabbing among the general population of widows. Thus, the case file review and qualitative measures become more important in understanding the current nature of property grabbing.

In focus group discussions, community members agreed that almost everyone will report property grabbing attempts to the police if violence is involved. Given this common narrative among the community, the case file review, which analyzes the data from these reported cases, is the most indicative of the current nature of property grabbing, as well as any changes over the last few years.

In the baseline case file review, 52.9% (36/68) of property-grabbing related cases filed by the police included a charge indicative of some form of criminal violence (e.g., threatening violence, malicious damage, arson, injury to animal, murder, etc.). In the endline, 33.3% (52/156) of cases involved violent crime, with more recent cases predicated on documentation fraud and intermeddling of an estate. This represents a 37.0% statistically significant reduction from baseline to endline ( $p \leq 0.001$  level) in number of property grabbing cases characterized by violence. Additionally, justice officials validated this finding during the key informant interviews. Police mentioned property grabbers changing tactics to be more “cunning.” One resident state attorney believed the cases coming for prosecution involved less violence than in the past, and one magistrate recalled that the main property-grabbing related offenses in court are criminal trespass and altering of boundaries, both non-violent offenses. Therefore, it is likely that violent property grabbing has declined over the last few years.

### 3.3 Community Level Knowledge and Understanding of Inheritance and Property Grabbing

#### 3.3.1 Knowledge and Understanding of Community Members

Men and women in the community demonstrated good knowledge on property grabbing, preventive measures against property grabbing, and how to seek help. However, cultural and procedural barriers impact the ability to move from knowledge to action. Community members outside Mukono County had less specific and comprehensive knowledge on property grabbing and expressed no consistent or trustworthy pathway for help.

Overall, men and women in the community in Mukono County self-report having increased knowledge about property grabbing and inheritance rights. In the focus group discussions, community members offered extensive views on and understanding of property grabbing, naming the many offenses and unlawful acts and describing clearly what it is, how it manifests, and how to prevent it. Both men and women acknowledged that property grabbing can include violence and sometimes witchcraft.<sup>34</sup> Community members in Mukono County knew their rights regarding property and felt a greater sense of empowerment because they could speak about the issue of property grabbing, emphasizing the unlawful and unjust character of it.

Both men and women considered property grabbing as an abuse of power and criminal in nature under the appropriate circumstances. Any associated act of violence was also consistently considered a crime. Discussants’ narratives characterizing property grabbing varied depending on their personal circumstances, gender, vulnerabilities, and dependencies. Women discussed the need for laws to provide protection for cohabiting relationships, as they felt powerless and insecure due to the cultural acceptance of having multiple wives. Men equally condemned property grabbing, but highlighted more instances involving collusion of authorities, politicians, and “the ones with money.” While the overwhelming majority of community members stated that both men and women should be allowed to own land (87.8%,  $n = 129/147$ ), there were still sentiments expressed by men that their ownership rights should take precedent over those of women. Some men expressed concern about his clan losing rights to his land when his widow remarries.

Community members also demonstrated knowledge on measures to prevent property grabbing including will writing, land documentation, and marriage formalization. Women in particular also mentioned the sensitization and training of men, education of children on proper inheritance, and more meaningful punishments for those who commit property grabbing as preventative factors. Will writing was the most commonly cited prevention measure. All groups articulated the importance of wills and that the ideal process includes having witnesses and distributing several copies to various authorities and trusted persons. Despite strong knowledge regarding will writing, many cited cultural and procedural barriers to documenting their wills, including (1) myths around wills bringing death, (2) problems caused by knowledge of the will's contents, (3) the ease of manipulation and falsification of wills, (4) that wills are often lost, even in the hands of authorities after property grabbing incidents, and (5) the fact that norms can still be used to argue that a will is not according to the desire of the deceased. A few men voiced concerns about how will writing could expose other (secret) relationships.

Land documentation was also noted as a prevention measure among both men and women. There were a few mentions of the need to sort out issues around busuulu tickets (documentation of annual rent payment), as kibanja-held land<sup>35</sup> was viewed as more vulnerable to property grabbing. Women in particular mentioned that men should inform their wives about their land assets, as without this knowledge, they are unable to prepare or understand their due inheritance.

Formalization of marriage was a recognized measure among community members to prevent property grabbing; however, most did not view it as a widely applicable solution because of the widespread practice of polygamy and the often prohibitive costs associated with “introducing your wife/husband” (a cultural marriage ceremony held prior to or in lieu of a religious ceremony).

Other measures proposed by women to combat property grabbing included ending the impunity of property grabbers and having such punishments made public. Men stated this also but more emphasized the need to “put people to shame.” While women did not provide specific recommendations regarding the kinds of desired sanctions, the determining factor for many women and some men was public knowledge of the sanctions. Relatedly, in order to increase public knowledge about criminal cases, a recommendation emerged from the groups to have IJM or another body inform communities of the progress of property grabbing cases.

The main differences in community level knowledge and understanding among groups within and outside the project area included:

- 1) Community members outside the project area could equally express the various manifestations of property grabbing compared to those in the project area, but they could not articulate the criminal nature of those manifestations.
- 2) Will writing was the main prevention measure mentioned by community members outside the project area. Very few outside the project area discussed land documentation or marriage formalization. Only groups outside the project area recommended sensitizing clans and clan heads as a preventative mechanism.
- 3) Community members in the project area articulated solutions to the barriers around prevention measures, while those outside the project area did not.
- 4) Outside the project area, the main response to property grabbing was to involve the Local Council and the clan. However, high levels of corruption among all types and levels of authorities seem to frustrate efforts for redress, and they expressed no consistent pathway or authority to trust for help.

### 3.3.2 Knowledge and Understanding of Widows

There has been significant knowledge gain among widows surrounding the existence of laws on inheritance and women's right to land ownership. They show an adequate understanding of the rights in their own relationships and protective factors against property grabbing. However, cultural and gender norms still prevail in widows' understanding and experiences of inheritance practices.

A first step in protecting widows from property grabbing is their own knowledge on the national laws around inheritance and succession and their rights, as well as effective ways to prevent property grabbing. During the

household survey, enumerators read a series of statements to gauge the widow's knowledge of relevant laws, understanding of inheritance entitlements, and prevention mechanisms. Some of the statements required a declaration of "true or false" and others "agree or disagree."

Widows' knowledge on the existence of laws on inheritance and women's right to own land has significantly improved from the baseline survey to endline (see Table 6). They also showed correct knowledge of their inheritance rights in their own personal situations. Based on a cross-tabulation between widow categorizations and knowledge of each woman's specific rights to their husband's property, over 97.9% in each widow category accurately knew their rights. Meaning, 97.1% of non-legal widows (category 3) reported accurately that they did not have legal rights to the deceased husband's property, and 97.2% and 97.1% of widows falling into category 1 and 2 respectively accurately identified their rights to the property.

**Table 6: Indicators of Widows' Knowledge of the Relevant Laws**

| Indicators   | Baseline<br>(N = 1,806) | Endline<br>(N = 2,018)  |
|--|-------------------------|-------------------------|
| % of widows who correctly viewed this statement was FALSE:<br>Ugandan law does not allow women to own land.  | 76.9%<br>(n = 1,388)    | 80.8%***<br>(n = 1,631) |
| % of widows who correctly viewed this statement was FALSE:<br>The law in Uganda is silent on succession-related issues and matters related to inheritance. | 29.2%<br>(n = 527)      | 51.3%***<br>(n = 1,036) |

\*\*\* Statistically significant change at the  $p \leq 0.001$  level.

In terms of understanding inheritance entitlements, Table 7 shows mixed findings. Widows showed an improved understanding around the entitlements of the administrator (statement 6) and who can distribute the property lawfully (statement 7), but the accuracy rate is only slightly over majority. However, the more general trend emerging from these statements is that cultural and gender norms are still affecting widows' understanding of what family members are legally entitled to property inheritance. While the intention of these statements was to gauge knowledge and understanding on the legality of inheritance practices, widows interpreted these based on their experience rather

**Table 7: Indicators of Widows' Understanding of Inheritance Entitlements**

| Indicators   | Baseline<br>(N = 1,806) | Endline<br>(N = 2,018)  |
|--|-------------------------|-------------------------|
| 3 % of widows who said this statement was TRUE:<br>All biological children of the deceased person are entitled to benefit from a share of the man's estate.                                      | 97.1%<br>(n = 1,753)    | 91.6%***<br>(n = 1,849) |
| 4 % of widows who said this statement was TRUE:<br>Children of the deceased have a legal right to live in the principal residence.   | 95.9%<br>(n = 1,732)    | 91.4%***<br>(n = 1,844) |
| 5 % of widows who said this statement was FALSE:<br>When a father dies, the male children are entitled to a larger share of the estate than female children.                                     | 48.5%<br>(n = 876)      | 44.5%*<br>(n = 899)     |
| 6 % of widows who said this statement was FALSE:<br>The administrator approved by the Administrator General (AG) or Court is entitled to keep the majority of the estate property.               | 45.9%<br>(n = 829)      | 52.8%***<br>(n = 1,066) |
| 7 % of widows who said this statement was FALSE:<br>Even if the will names an executor, the deceased man's sons, father, and brother all have a right to distribute his property once he passes. | 52.9%<br>(n = 956)      | 60.5%***<br>(n = 1,221) |

\*\*\* Statistically significant change at the  $p \leq 0.001$  level.

\* Statistically significant change at the  $p \leq 0.05$  level.

than on the knowledge base of what was supposed to happen according to the law. This indicates that, in particular, children of non-legal spouses (statements 3 and 4) and female children (statement 5) are still experiencing cultural and gender biases against women and girls.

The prevalence of cultural norms against women and girls is further supported by reported experiences shown in Table 8. In relation to children’s inheritance, widows indicated a positive improvement between baseline and endline in equalizing the distribution of property among male and female children ( $p \leq 0.05$  level); however, the overall percentage was still low at 35.3%. Additionally, while nearly all widows at both baseline (98.6%, 1,749/1,806) and endline (97.2%, 1,961/2,018) believed women should be allowed to own property, their experiences prove otherwise in inheriting property. One possible solution to shift these norms is to include more women as estate administrators or part of the distribution process. However, the survey reveals that only roughly one-fifth of widows at both baseline and endline (no meaningful change) reported women to be involved in the distribution of estates. Lastly, communities are largely still treating property grabbing as a family matter rather than a criminal act (statement 9), which upholds cultural and gender norms inconsistent with national laws.

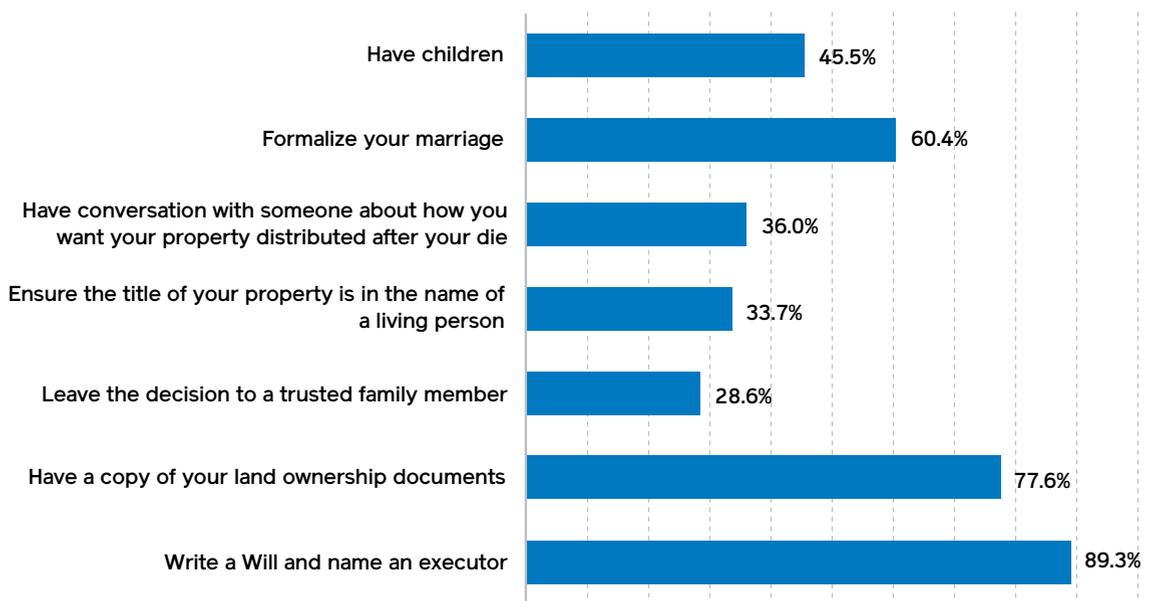
**Table 8: Indicators of Widows’ Experiences Related to Inheritance and Property Grabbing**

| Indicators  | Baseline<br>(N = 1,806) | Endline<br>(N = 2,018) |
|---|-------------------------|------------------------|
| % of widows who <b>DISAGREED</b> with this statement:<br>In your village, when a man dies, the male children often take all or at least more of the deceased’s property and estate than the female children. (Q714) | 30.5%<br>(n = 550)      | 35.3%*<br>(n = 712)    |
| % of widows who <b>DISAGREED</b> with this statement:<br>In your village, property grabbing is not considered to be a crime, but rather a family matter. (Q716)   | 60.9%<br>(n = 1,100)    | 48.8%***<br>(n = 984)  |

\*\*\* Statistically significant change at the  $p \leq 0.001$  level.

\* Statistically significant change at the  $p \leq 0.05$  level.

**Figure 4: Widows’ Views on Measures to Prevent Property Grabbing**



In terms of prevention of property grabbing, widows demonstrated good knowledge of protective factors (i.e., writing wills, documentation of land, and formalizing and documenting marriage). 89.3% of all surveyed widows identified “writing a will and naming an executor” as a “good way to protect property from grabbing,” which was the most commonly selected answer choice on this survey question. On the baseline this was 86.0%. Other common answers were documentation of land ownership (77.6%) and marriage formalization (60.4%). “Having children” is still viewed as a highly protective factor by widows (45.5%) at the endline, which is indicative of the remaining cultural values’ effects on inheritance practices. See Figure 4 for a disaggregation of all the responses given by widows for good protections against property grabbing.

### 3.4 Perceptions, Confidence, and Performance of Justice System Authorities in Addressing Property Grabbing

Trained Local Council leaders showed improved knowledge and confidence on property grabbing, laws, prevention measures, and how to engage the justice system and estate administration processes. While these leaders are the perceived and experienced gatekeepers to the justice system, widows, the wider community, and other justice officials generally expressed low confidence in their abilities to effectively address property grabbing.

According to most behavior change theories, knowledge gain occurs first, then perceptions and attitudes change, and, after these changes are realized, practices and behaviors change individually and more broadly. To gauge perceptions, confidence, and views on performance of the main two “first responders” in property grabbing situations, the study utilized three methods and four target audiences: (1) household survey, through widows’ assessment of confidence-related statements; (2) discussion questions in the focus groups with community members (in and outside the project area) and justice system officials; and (3) interviews with key informants in the justice system. The two sections below summarize the emerging themes stemming from this information on Local Council leaders and police.

#### 3.4.1 Local Council Leaders

The household survey asked widows if they agreed or disagreed with a series of statements related to these leaders’ ability to provide protection against property grabbing. Confidence in Local Council leaders seems to have decreased between baseline and endline, according to the data presented in Table 9. Fewer widows reported confidence in Local Council leaders to refer and support their property grabbing reports to police, and more widows reported that leaders were giving preferential treatment to men over women and children in property grabbing disputes. Both of these changes were statistically significant ( $p \leq 0.001$  level). While not a significant change between the two data collection efforts, widows also either still experienced Local Council leaders asking for facilitation or bribes or the perception remained that this monetary requirement would be requested of them if the women engaged with them.

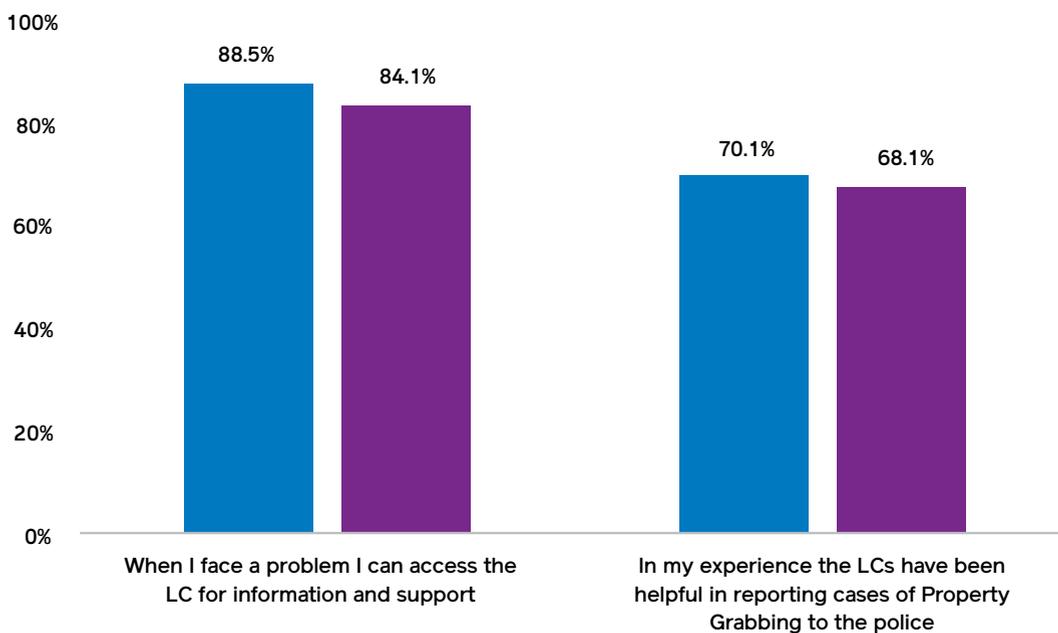
Table 9: Indicators of Widows’ Confidence in Local Council Leaders

| Indicators of Confidence   | Baseline<br>(N = 1,806) | Endline<br>(N = 2,018) |
|--|-------------------------|------------------------|
| % of widows who <b>AGREED</b> with this statement: “If I were a victim of property grabbing, I feel confident that my Local Council leader would report my matter to the police station.”                          | 84.8%<br>(n = 1532)     | 74.4%***<br>(n = 1502) |
| % of widows who <b>DISAGREED</b> with this statement: “Local Council leaders often give preference to men over women and children in property disputes.”   | 52.6%<br>(n = 950)      | 44.2%***<br>(n = 891)  |
| % of widows who <b>DISAGREED</b> with this statement: “Local Council Leaders will request ‘facilitation fees’ or bribes in order to resolve property disputes or provide documentation for estate administration.” | 32.3%<br>(n = 584)      | 28.4%<br>(n = 573)     |

\*\*\* Statistically significant change at the  $p \leq 0.001$  level.

Male and female community members expressed quite low confidence in Local Council leaders. While community members reported on a short questionnaire rather high rates of access and usage of Local Council leaders for information and support, it was evident from the focus group narratives that most people do not find these leaders trustworthy. They simply 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 and ordered to “follow the procedures.” Even when local leaders are following the customs of the area, they engage the Local Council leader. The courts also sometimes reportedly “go off what the Local Council leader says.” Therefore, even though the common sentiment expressed about Local Council leaders is one of perceived corruption, community members find it difficult to avoid them if they want to engage in any sort of process for resolution. Communities in the project area did report higher levels of access to Local Council leaders (88.5% vs. 84.1% respectively), as well as higher levels of assistance in reporting property grabbing to police (70.1% vs. 68.1%), than communities outside the project area (see Figure 5). Neither were statistically significant differences.

**Figure 5: Percentage of Community Focus Group Participants that Agree with Statements Regarding Local Council Leaders**



Distrust in the Local Council leaders was a common narrative in and outside the project area, citing issues of corruption, taking sides with the one who had more money or power, or being involved in the grabbing itself. Many cited having “lost trust due to past experience” and that they will “not go again when there is a similar case.”

As the police are the next step in the justice system for instances of property grabbing, the focus groups with uniformed and non-uniformed police and an interview with the OCCID in Naggalama asked specifically about their views on Local Council leaders. These officials also have a generally low perception of Local Council leaders and low confidence in their ability to appropriately address property grabbing in accordance with the law. The police officers acknowledged the significant role of Local Council leaders at the village level but strongly expressed a need for their increased capacity and sensitization. The common sentiment was that these leaders still do not understand their role in addressing property grabbing and continue to treat it as a family issue by intervening in cases and only referring cases to the police when there is violence or they “fail to resolve” the situation. Furthermore, in two of the four participating groups of police officers, there was explicit mention of Local Council leaders “conniving with relatives” to grab land and property from widows, revealing a distrust in the guidance and resolution they might be providing to victims.

Local Council leaders themselves articulated strong knowledge regarding property grabbing and the ways it manifests in communities, laws that combat its various forms, prevention measures, and the process for engaging both the

criminal justice system and estate administration processes. These leaders, most of whom were trained by IJM, expressed a confidence in addressing property grabbing due to the tools and skills they had been given. Many of them expressed pride in how men and women in their communities have responded to their knowledge and actions: writing wills, “introducing” their wives/husbands (formalizing marriage), documenting their land, and resolving property disputes with authorities before escalation and violence. In several groups, the challenge of “facilitation” came up, naming this as a barrier to being effective or to spreading information and having a broader reach to communities outside of their immediate areas.

The Local Council leaders also validated the theme emerging out of community member focus groups that they are the “go-to” authority at the community level. However, they also voiced frustration with their role in both customary and formal justice systems in seeking justice for widows and orphans. They cited corruption within both processes: (1) clans do not respect the ownership rights of women and girls (100% of participating Local Council leaders stated that women should be allowed to own land); and (2) courts, in particular, were bribable (except in the cases where IJM has trained the magistrates). In a short questionnaire in advance of the focus groups, 14.8% (4/27) of Local Council leaders had more trust in local customary law over the formal justice system in resolving property grabbing. While the majority had more confidence in the formal justice system, the vulnerable are still denied justice “in the form of substantial delays, missing files, high monetary requirements for engagement, and baseless judgments due to ‘lack of understanding of the ground (community).’” These leaders also provided insights into and validated the constraints expressed by community members in their pursuit of prevention measures and 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.

### 3.4.2 Police

There is general improvement in the perception of and confidence in police trained in property grabbing related crimes. Community members, widows, other justice officials, and police themselves express challenges around resources for proper investigations, which continues to inhibit reporting, trust, and case progress. Trained police officers have greater knowledge and confidence and report a changed view of property grabbing from being familial to criminal in nature.

Similar to the above section, widows, community members generally, and key informants all provided their perceptions of and confidence in the police’s response to property grabbing crimes.

Table 10 reveals mixed findings around widows’ confidence in the police to effectively address property grabbing. Widows reported a significant increase in police accepting cases of property grabbing cases as criminal (but still only slightly over 50%), instead of dismissing them as family matters. However, there was a significant decrease in widows’ confidence that the police would listen to and investigate their property grabbing complaints. This is likely due to police’s inability to conduct investigations without additional resources. Furthermore, there was no change in widows’ reporting of police requests for facilitation or bribes to provide investigative services—the overwhelming majority of widows reported these requested “fees” to be commonplace.

**Table 10: Indicators of Widows’ Confidence in the Police**

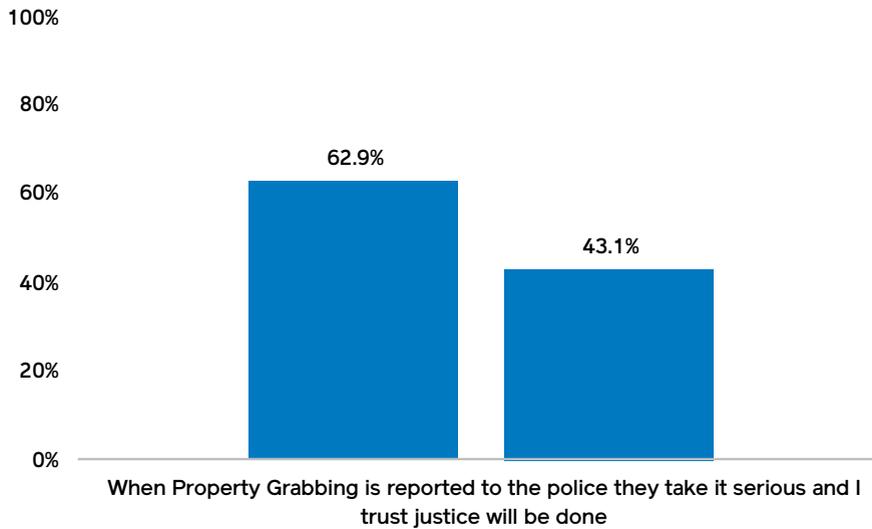
| Indicators of Confidence   | Baseline<br>(N = 1,806) | Endline<br>(N = 2,018) |
|--|-------------------------|------------------------|
| % of widows who <b>DISAGREED</b> with this statement: “Police often refuse to investigate property grabbing cases because they are family matters.”                          | 40.8%<br>(n = 737)      | 50.5%***<br>(n = 1020) |
| % of widows who <b>AGREED</b> with this statement: “If I were a victim of property grabbing, I feel confident that the police would listen to and investigate my complaint.” | 56.5%<br>(n = 1021)     | 43.5%***<br>(n = 877)  |
| % of widows who <b>DISAGREED</b> with this statement: “Police often accept or request bribes or ‘facilitation fees’ in order to investigate cases of property grabbing.”     | 12.2%<br>(n = 220)      | 11.1%<br>(n = 223)     |

\*\*\* Statistically significant change at the  $p \leq 0.001$  level.

Community members reported a trend that more people are now going to the police for assistance with property grabbing claims, but that there was still a lot of fear around engaging with the police: “The police are good, but there are some corrupt ones.” Most discussants agreed that in the case of “bloodshed” or other violence, people go directly to the police. Outside of these scenarios, community members described how most people go to the police when the Local Council leader or clan “fails” to bring resolution to the case.

One of the questions on the short questionnaire preceding focus groups was whether community members agreed or disagreed with this statement: “When property grabbing is reported to the police, they take it seriously, and I trust justice will be done.” In the project area (Mukono County), 62.9% of community members (88/140) agreed with the statement, while in communities outside the project area, only 43.1% (31/72) agreed (see Figure 6). This was a statistically significant change ( $p < 0.01$ ). More trust and confidence in the police dealing with reported property grabbing cases was one of the main differences that emerged in the discussions with communities in and outside the project area. Very few discussants in the communities outside the project area mentioned police as an option for intervention.

**Figure 6: Percentage of Community Focus Group Participants that Agree with Statements Regarding Police**



Nonetheless, while many community members believe the police can help, others perceived and/or have experienced the police requiring money and transport in order to provide the needed help, including registering cases and coming to villages for investigation: “You need finances to make these systems work.”

In the focus groups with Local Council leaders, they too expressed confidence in the police’s ability to respond well to property grabbing, but only those police that have been trained by IJM. These officers in particular, proactively promote prevention and protective measures in relation to property grabbing, according to Local Council leaders. This included arresting offenders and providing security for victims. In fact, 96.3% (26/27) of participating Local Council leaders felt it was always recommended to report property grabbing to the police. The main critiques highlighted by Local Council leaders on police performance were similar to those highlighted by community members: the lack of sufficient resources inhibits their ability to conduct proper and timely investigations and active sensitization in communities. The officers “do not rush to communities.” They ask for money and fuel for transport to come to the ground. According to the Local Council leaders, people would run to the police for help, but the “corruption there is too much.” In the areas where IJM supported property grabbing desks at police posts, Local Council leaders noted fewer monetary asks from police to victims.

Prosecutorial and court officials, including state attorneys, resident state attorneys, the Director of Public Prosecutions, and magistrates, also expressed views on Mukono County police’s performance around property grabbing. They reported that some cases of property grabbing are well-documented, and others are not. From the prosecutorial

perspective, often the police conduct poor investigations, fail to gather items of evidentiary value, fail to get witnesses, and compromise witnesses in the course of investigations. This all results in the resident state attorneys sending files back to the police, which further delays the cases. The attorneys reported very few situations of insufficient investigations or documentation in cases where police were supported by IJM. From the court perspective, police are sometimes perceived as disinterested in visiting crime scenes, testifying in court, or knowing how the cases conclude in court. Further, magistrates reported police omitting important information for prosecution and recalling information in court that was not documented in the case files.

Prosecutorial officials perceived police to be “well accessible” to victims of property grabbing. They also stated that some officers do not view property grabbing as a criminal offense, as they are from these same villages and culture; rather, police have only changed their views after training. Magistrates perceive the police to still be difficult for community members to access due to requiring “facilitation” in the form of transportation to the crime scene, as well as taking sides in the investigation. Recommendations from both groups for police included 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 better do their work.” This aligns with the views of community members and Local Council leaders.

Both police officers who had specific training on property grabbing and those with no training participated in focus groups. Trained police officers articulated both greater knowledge and confidence in their ability to appropriately respond to property grabbing compared to officers with no training. Untrained officers referred to property grabbing as a “community issue” (rather than a family matter) and described their investigative strategy as beginning with consultation of the Local Council leaders to get a clear picture of the case. Trained officers admitted a change in their actions, stating they used to refer people to civil court or advise them to sit with their family and resolve the matter. Now, they “do not encourage mediation for crimes” and voiced frustration with prosecution officials for refusing cases for criminal court. Despite clear gains in knowledge regarding the criminality of property grabbing, police leadership still advocated for continued alternative dispute resolution (ADR) mechanisms for property grabbing but affirmed that “prosecution needs to be available and strong when this [ADR] fails.”

All officers mentioned real challenges with investigations. The quality, exhaustiveness, and length of investigation remains dependent on availability of resources, and officers admitted they often did not have the resources to investigate properly or in a timely manner, leading to loopholes in the files, delays, and challenges for the attorneys and courts. Officers stated that their services should be free of charge but then cited how a case from start to finish could cost up to approximately UGX 200,000 (=USD 52) 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.

### 3.5 Reporting of Property Grabbing to Authorities

There was a statistically significant increase from baseline to endline in widows’ stated intention to seek help on inheritance or property grabbing issues from authorities in the formal justice system over the informal system. Almost no widows stated an intention to report to police previously, but at the endline, this stated intention significantly increased to 21.0%. Among victims of property grabbing in the last two years, 32.4% of widows reported the crime to any authority, with the majority reporting to the Local Council.

Reporting property grabbing to authorities was one of the main behaviors targeted for change in the project area over the course of IJM’s program. As evidenced above, the qualitative data collected describes some of the challenges expressed by community members and observed by justice system officials regarding reporting. The household survey included questions in order to better understand widows’ attitudes and behaviors around reporting crimes. When asked who is the first authority to seek if assistance is needed to protect their inheritance or estate administration (*prevention approach*), the top three answers provided by widows were: Local Council leader = 76.8% (1548/2,016)<sup>36</sup>, police = 21.0% (424/2,016), and clan head = 7.0% (141/2,016). At the baseline, 82.6% (1492/1,806) of widows replied with Local Council leader, 11.3% (204/1,806) said clan head, and 0.1% (2/1,806) said police. The increase in the number of widows stating they would seek help from the police is a statistically significant change (p-value <0.001).

| <b>Authority to protect inheritance or estate administration</b> | <b>Baseline<br/>(N = 1,806)</b> | <b>Endline<br/>(N = 2,016)</b> |
|--|---------------------------------|--------------------------------|
| Local Council  | 82.6%<br>(n = 1492)             | 76.8%<br>(n = 1548)            |
| Police   | 0.1%<br>(n = 2)                 | 21.0%***<br>(n = 424)          |
| Clan Head  | 11.3%<br>(n = 204)              | 7.0%<br>(n = 141)              |

\*\*\* Statistically significant change at the  $p \leq 0.001$  level.

Additionally, when widows were asked in the endline survey who crimes of property grabbing should be reported to<sup>37</sup> (*response approach*), the two overwhelming responses were Local Council leaders (85.3%,  $n = 1719/2015$ ) and police (61.4%,  $n = 1238/2015$ ). At baseline, these percentages were 86.0% (1554/1806) and 56.0% (1012/1806) respectively. Again, the number of widows stating they would report property grabbing crimes to police has changed significantly ( $p \leq 0.001$ ) over the last few years, validating some of the qualitative research findings around higher confidence levels, even with all the barriers described.

| <b>Intended Reporting Authority</b> | <b>Baseline<br/>(N = 1,806)</b> | <b>Endline<br/>(N = 2,015)</b> |
|-------------------------------------|---------------------------------|--------------------------------|
| Local Council                       | 86.0%<br>(n = 1554)             | 85.3%<br>(n = 1719)            |
| Police                              | 56.0%<br>(n = 1012)             | 61.4%<br>(n = 1238)            |

In the focus groups, Local Council leaders and police officers described how they believed widows and community members reported property grabbing to authorities more often than in the past. According to the household survey, 32.4% of widows (12/37) who were victims of property grabbing in the last two years (2016-2017) reported the crime to any authority, of which 10 (27.0%) reported to a formal justice system authority. Widows most commonly reported to Local Council leaders: 9 of the 12 widows who reported property grabbing crimes reported to the Local Council leader. One of these nine widows also reported to the police—she was the only widow who claimed to report to the police. At baseline, 39.7% of widows (25/63) who experienced property grabbing in the last two years (2012-2013) reported to any authority, of which 23 (36.5%) were to a formal justice system authority; 9.5% (6/63) reported to the police. In the endline cohort, none of the victims who experienced property grabbing in the last two years engaged the justice system by “attempting to prosecute” the perpetrator, or more commonly known as “taking the perpetrator to court.” In the baseline cohort, 15.9% (10/63) of victims in the last two years attempted to take the perpetrator to court. These sample sizes were too small to determine if the differences were meaningful changes.

For widows who did not report instances of property grabbing ( $n = 25$ ), only seven provided reasons for not reporting: three did not want to involve legal authorities and preferred to move on from the dispute, one compromised with the people who took the land, one did not know who to report to, and one did not have money to report. While not easily comparable due to very low response rate at the endline, the most common reason provided at baseline was not knowing that property grabbing as a crime (56.1%).

### 3.6 Performance of the Justice System in Managing and Executing on Property Grabbing Cases

Three methods provide insights into the overall performance of the justice system in managing and executing property grabbing cases: focus groups with community members, key informant interviews with justice officials, and the case file review of property grabbing cases entering the justice system.

### 3.6.1 Views from Community Members and Justice Officials

Community members have experienced the formal justice system as providing final, equitable, and fair justice in property grabbing cases. However, tensions between the customary and formal justice system exist due to persistent cultural norms and performance issues within the formal justice system. Cohabiting relationships are not well protected under law, which leaves the majority of women vulnerable. The formal justice system still remains inaccessible to many due to facilitation costs, corruption, lengthy case timeframes, and language barriers.

Community members participating in the focus groups articulated a tension between the customary or informal justice system and the formal justice system arising from cultural norms and performance challenges within the justice system. With regard to social and cultural norms, the informal system (e.g., clan leaders, village chiefs, and other traditional leaders upholding long-held community norms) generally does not allow women or girls to inherit or own land. However, according to community members, the formal justice system does not offer enough protection to the many widows living outside a legal marriage (a result of the common cultural practice of men having multiple wives), making it difficult for women to claim their right to property. Therefore, the only access to some form of justice for these women comes from the informal justice system. Community members prefer the informal system's "confidentiality in that everything stays within the clan" and how well decision-makers know the family and issue. On the other hand, property grabbers also prefer engaging the informal system because there is no fear of punishment, and they typically hold greater power in the community compared to women. While some report there to be peace and unity within the family after clan-led resolutions, others say the traditional system has been corrupted from one of protection to one motivated by greed.

Assessing the performance of the formal public justice system, community members stated that "there is justice" with the formal system, as the resolutions are "final" and there is equality and fairness in the decisions made. However, many community members report the formal justice system to still be inaccessible, due to costs, length of time to resolution, 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—identified two issues impeding performance: (1) lengthy times to deliver justice on property grabbing cases and (2) corruption and/or facilitation (in the form of asking for money to carry-out mandated duties).

Community members are not served well or consistently by either system. They reported pursuing one route, then another with few positive outcomes. The trend toward trusting and utilizing the formal justice system over the informal system was evident from the focus groups in Mukono County (45.9% n = 68/148), whereas this was not the case in the groups outside the project area (42.0%, n = 29/69). However, the inconsistent performance of the formal justice system negatively affected their views and confidence in the formal system, challenging their new knowledge and beliefs around accessing justice.

### 3.6.2 Performance in Reported Cases for Criminal Prosecution

Performance in reported cases of property grabbing revealed mixed results. There were more cases in the system at endline, more case files located, increases in key documentation, and better utilization of charges. Yet, the case files also revealed longer investigations and more scheduled court appearances. Despite causing overall longer case timelines, these plausible performance improvements led to higher rates of cases reaching judgment. Unfortunately, officials continue to push for civil remedies over criminal charges.

The case file review provided the most reliable assessment of performance of the justice system in criminal prosecution of property grabbing. Out of the 156 property grabbing cases reviewed in Mukono and Naggalama, 75.6% of cases were investigated by officers trained by IJM. The police independently managed 128 cases (82.1% of total), with IJM only involved in 28 cases. Overall, there were more cases in the system for review at the endline compared with baseline, and more cases were physically located in the police stations and courts.

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 Resident State Attorney (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 Resident District Commissioner<sup>38</sup> 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 closed due to missing vital documents.

Out of these 156 cases, 24.4% (38/156) had sanctioned charges. The RSA had not sanctioned the charges in the other 118 cases as of the time of this study, mostly due to the reasons listed above. Out of those 118 cases, 9.3% (11/118) had arrests without a subsequent sanction. These arrests that were not later sanctioned with charges by prosecutors were most often made on the day or within a few days of the complaint, though a few were conducted up to two months

**Table 11: Property-Grabbing Related Complaints/Charges Within Criminal Case Files**

| Complaints/Charges                                   | Mukono<br>(N = 104) | Naggalama<br>(N = 52) | Total<br>(N = 156) |
|--|---------------------|-----------------------|--------------------|
| <b>Criminal trespass</b>                             | 28.8%<br>(n = 30)   | 40.4%<br>(n = 21)     | 32.7%<br>(n = 51)  |
| <b>Intermeddling with the estate of the deceased</b> | 27.9%<br>(n = 29)   | 30.8%<br>(n = 16)     | 28.8%<br>(n = 45)  |
| <b>Malicious damage to property</b>                  | 16.3%<br>(n = 17)   | 26.9%<br>(n = 14)     | 19.9%<br>(n = 31)  |
| <b>Threatening violence</b>                          | 16.3%<br>(n = 17)   | 11.5%<br>(n = 6)      | 14.7%<br>(n = 23)  |
| <b>Forgery of a will/ title /sale agreement</b>      | 10.6%<br>(n = 11)   | 3.8%<br>(n = 2)       | 8.3%<br>(n = 13)   |
| <b>Eviction</b>                                      | 6.7%<br>(n = 7)     | 9.6%<br>(n = 5)       | 7.7%<br>(n = 12)   |
| <b>Concealing a deed/title</b>                       | 10.6%<br>(n = 11)   | 0.0%<br>(n = 0)       | 7.1%<br>(n = 11)   |
| <b>Other</b>   | 5.8%<br>(n = 9)     | 3.8%<br>(n = 2)       | 7.1%<br>(n = 11)   |
| <b>Obtaining money by false pretenses</b>            | 5.8%<br>(n = 6)     | 5.8%<br>(n = 3)       | 5.8%<br>(n = 9)    |
| <b>Removing boundary markers</b>                     | 2.9%<br>(n = 3)     | 3.8%<br>(n = 2)       | 3.2%<br>(n = 5)    |
| <b>Beating/Assault</b>                               | 3.8%<br>(n = 4)     | 1.9%<br>(n = 1)       | 3.2%<br>(n = 5)    |
| <b>Failure to file court inventory</b>               | 3.8%<br>(n = 4)     | 0.0%<br>(n = 0)       | 2.6%<br>(n = 4)    |
| <b>Unlawful occupation of another’s land</b>         | 1.9%<br>(n = 2)     | 3.8%<br>(n = 2)       | 2.6%<br>(n = 4)    |
| <b>Forgery of a LOA or GOP</b>                       | 2.9%<br>(n = 3)     | 0.0%<br>(n = 0)       | 1.9%<br>(n = 3)    |
| <b>Stealing</b>                                      | 1.9%<br>(n = 2)     | 0.0%<br>(n = 0)       | 1.3%<br>(n = 2)    |
| <b>“Property Grabbing”</b>                           | 1.0%<br>(n = 1)     | 0.0%<br>(n = 0)       | 0.6%<br>(n = 1)    |

after the complaint was made. The charges found in these files are found in Table 11. Note that there was only 1 complaint (0.6%) written as “property grabbing,” which is not an official offense under the Penal Code or any other statutes—this case was opened in 2011, prior to the initial baseline study. Comparatively, there were eight cases in the baseline (11.8%) where police officers recorded “property grabbing” as the offense committed. Additionally, in the baseline study, 20.6% (14/68) of property grabbing cases had more than one charge written into the file. At the endline, this significantly increased to 40.4% (63/156) ( $p < 0.01$ ). Taken together, these changes since the baseline reveal better utilization of existing laws and increased understanding of potential charges that could be asserted against perpetrators of property grabbing.

Another measure of police and court performance is the presence of proper documentation in the physical case file. In comparing baseline review to endline review, there was a general positive trend in the number of key documents present in the files. Table 12 compares documentation from baseline to endline (see Table 20 in Annex F for the full list of documents in the endline case file review). There were increases in documentation of victim statements, witness statements, and suspect statements; however, there was a decrease in charge sheets, but there were only 38 cases with sanctioned charges at endline. Since the numbers were low, the percent change on any documentation was not statistically significant.

**Table 12: Comparison of Key Document in Criminal Property Grabbing Files**

| Contents of the File | Baseline Total<br>(N = 68) | Endline Total<br>(N = 156) | Percent<br>Change |
|----------------------|----------------------------|----------------------------|-------------------|
| Charge Sheet         | 27.9%                      | 21.2%                      | -24.1%            |
| Victim Statement(s)  | 91.2%                      | 99.4%                      | 9.0%              |
| Witness Statement(s) | 75.0%                      | 75.6%                      | 0.8%              |
| Suspect Statement(s) | 50.0%                      | 66.7%                      | 33.4%             |
| Documentary Evidence | ---                        | 59.0%                      | ---               |
| Sketch Plan          | ---                        | 16.7%                      | ---               |

Case progression rates are another measure of police and court performance. These indicators have limitations, as they are only able to be calculated in the cases where both the document is accessible, and its corresponding date is located and legible. While the sample size is too small to make conclusions between baseline and endline, Table 13 shows the investigations stage in property grabbing cases to be slowing over time. This could be due to a variety of both positive and negative reasons including higher standards for the cases entering the system, more thorough investigations, increased dialogue and collaboration between police and prosecutors, backlog of cases, industrial actions (strikes) by key public justice system officials including prosecutors, etc.

Given that there were no cases in the baseline that reached a final judgment, there is limited data for comparison around the prosecution and judicial stages. One data point is the average number of scheduled appearances, which was 16.3 (ranging from 4 to 29 appearances).<sup>39</sup> There was an increase, generally, in cases getting to a final judgment (acquittal or conviction), which would be a marker of performance improvement in the system. There were no cases in the baseline that reached a final judgment; three cases entered into the prosecution stage but ended in dismissal for unidentifiable reasons. Taking these three cases’ average length of time from case opening to dismissal (344 days) as a proxy measure for comparison, it seems the overall time for case adjudication is relatively similar but to a more conclusive outcome. This could be a positive indicator for court performance, as with lengthier investigations and evidence collection, the court had a shorter time for adjudication and still managed to dispose of the cases with a final judgment instead of a withdrawal or dismissal. Overall, while the sample size limits the ability to make conclusions, it is plausible that investigative and judicial/court performance were on a positive trend, but this comes with lengthier investigations, more scheduled appearances, and slightly longer case timeframes overall. This could feel burdensome to justice system staff and those affected by the crime, a frustration expressed in the focus group discussions and key informant interviews.

Table 13: Indicators of Case Progression in PG Criminal Cases

| Indicators of Case Progression                        | Mukono         |                 | Naggalama      |                | TOTAL                    |                            |
|---|----------------|-----------------|----------------|----------------|--------------------------|----------------------------|
|   | Baseline       | Endline         | Baseline       | Endline        | Baseline                 | Endline                    |
| Number of days from case opening to RSA sanction date | 62<br>(n = 25) | 141<br>(n = 21) | 84<br>(n = 9)  | 91<br>(n = 11) | 68<br>(n = 34)           | 124<br>(n = 32)            |
|   |                |                 |                |                | <i>Min-Max:</i><br>1-559 | <i>Min-Max:</i><br>2-390   |
| Number of days from case opening to arrest dates      | 11<br>(n = 18) | 153<br>(n = 17) | 8<br>(n = 19)  | 20<br>(n = 9)  | 13<br>(n = 27)           | 107<br>(n = 26)            |
|   |                |                 |                |                | <i>Min-Max:</i><br>0-107 | <i>Min-Max:</i><br>0-1081  |
| Number of days from RSA sanction to final judgment    | ---<br>(n = 0) | 376<br>(n = 3)  | ---<br>(n = 0) | 55<br>(n = 2)  | ---<br>(n = 0)*          | 248<br>(n = 5)             |
|   |                |                 |                |                | <i>Min-Max:</i><br>---   | <i>Min-Max:</i><br>35-468  |
| Number of days from case opening to final judgment    | ---<br>(n = 0) | 458<br>(n = 4)  | ---<br>(n = 0) | 224<br>(n = 2) | ---<br>(n = 0)*          | 380<br>(n = 6)             |
|   |                |                 |                |                | <i>Min-Max:</i><br>---   | <i>Min-Max:</i><br>193-665 |

\* There were no cases that reached a final judgment (either an acquittal or conviction). There were three cases in Mukono which ended in dismissal. The average number of days between RSA sanction and the dismissal for these three cases was 340. The average number of days between case opening and the dismissal for these three cases was 344.

Note: There were more cases that reached these critical points, however, for a number of cases, the dates associated with these points were not able to be located in the files.

Case outcomes, another strong indicator of performance, seem to have improved from baseline to endline. In total, 32 cases proceeded to court, but the study team was only able to trace and locate 13 files (40.6%) from the police stations to the courts. Of these 13 cases that were traced to court, 5 reached a final judgment with at least 1 suspect: 4 suspects were convicted and 2 were acquitted.

Those cases that did not reach a final judgment ended with these final case statuses: seven suspects had dismissals/ discharges and four had withdrawals. The reasons listed for these temporary conclusions included “due to a pending outcome of a civil suit,” “promotion for reconciliation,” “pending re-arrest of the suspect,” a “want for prosecution,” and “awaiting evidence.”

For more data on trial outcomes in 58 property grabbing cases reviewed only at court, see Annex F.

The endline study found an increase in knowledge among widows of their inheritance rights, and a significant increase to 21% of widows stating their intention to report land theft to police, from almost none in the baseline.

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<sup>34</sup>The lifetime prevalence of widows in the endline cohort was 11.7%, which is significantly lower than the lifetime prevalence of widows measured in the baseline survey (26.9%). The study team was not expecting such a decrease, as victimization in the past cannot be altered. This led the team to interrogate the source of the discrepancy and therefore, as noted in the method's limitations section, to investigate the methods, results, and literature for explanations. After determining: (1) There were only few statistically significant differences on key characteristics between the baseline and endline widow cohorts; and (2) the implementation fidelity was similar between the two catchments (same sampling strategy, same survey, same translation of questions, similar data quality checks), the study team concluded the discrepancies have delineated from changes in widows' reported experiences (some of which is affected by recall bias) and differences in enumeration teams.

<sup>35</sup>Patten, S. Soc Psychiatry Psychiatr Epidemiol (2003) 38: 290; Int J Methods Psychiatr Res. 2012 Sep; 21(3): 169-184.

<sup>36</sup>Many other stakeholders participating in the qualitative research—women and men, victims and perpetrators, and officials—referred to witchcraft in

property grabbing. One police officer stated in the discussion that witchcraft is often involved but noted it is "*difficult to find evidence*." The study team noted that witchcraft is often used as a pretext to control or explain situations that persons cannot control.

<sup>35</sup>For more information on the mailo land tenure system in Central Uganda and resulting documentation, please see Annex B.

<sup>36</sup>While the overall sample size of the household survey is 2018, a few participants did not answer all questions pertinent to them, so N varies slightly throughout the data analysis depending on the variable.

<sup>37</sup>Widows could provide more than one answer, so the percentages for each authority will exceed 100%.

<sup>38</sup>A Resident District Commissioner is a local government leader appointed by the president.

<sup>39</sup>The three cases in the baseline study that had a final case status (all of "dismissal") and had dates in the file had an average of 9 scheduled appearances (ranging from 7 to 11 appearances).

# 4 Conclusions and Discussion

The conclusions and discussion are divided into four main sections, in line with the objectives of the study.



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#### **4.1 Prevalence and Nature of Property Grabbing Among Widows in Mukono County**

Land security remains a cornerstone for livelihood sustainability in Uganda. Women generally, and widows and orphans specifically, are particularly vulnerable to land insecurity. According to the household survey facilitated by IJM in Mukono County outlined in this report, property grabbing among widows shows a decreasing trend from the first measurement in 2012-2013. Specifically, this endline study demonstrated statistically significant reductions (approximately 50%) between 2013 and 2017 in both successful and attempted property grabbing. Due to recall bias and enumerator team differences, the exact point estimate changes should be interpreted with caution.

Property grabbing can be violent and coercive, with reports in the baseline of high rates of violence, including attempted murder. The case file review findings in this endline study showed a significant reduction in cases of property grabbing accompanied with violent acts, with the balance leaning toward more cases characterized by intermeddling and document fraud. While the survey among all widows was not able to triangulate this data point due to low sample size, a range of justice officials validated the likely downward trend in violent property grabbing.

#### **4.2 Community Level Knowledge, Attitudes, and Behaviors Regarding Property Grabbing**

Both the general community and widows in Mukono County articulated good knowledge about property grabbing, the existence of laws on inheritance and women's right to land ownership, preventive measures, and how and where to seek help. Widows in particular expressed an understanding of their rights in their own relationships and protective factors against property grabbing. Cultural and gender norms remain prevalent in women's understanding and experiences of inheritance practices. Procedural barriers still impact the ability of mostly women, but also men, to translate their new knowledge into action, most specifically in realizing prevention measures. The most notable differences in those communities outside of the project area were around the lack of detail and comprehensiveness of their property grabbing knowledge, including on prevention measures, appropriate reporting mechanisms, and the degree of distrust in both traditional leaders and the justice system.

**An external evaluation found that IJM's work contributed to the decrease in prevalence and the increase in public justice system performance.**

### **4.3 Perception and Confidence in the Justice System Authorities in Addressing Property Grabbing**

The two “first responder” authorities of the formal justice system are Local Council leaders and police officers. Trained Local Council leaders as well as trained police officers showed improved knowledge and confidence in addressing property grabbing cases. Local Council leaders referenced property grabbing laws, prevention measures, and how to engage the justice system and estate administration processes. While community members and justice officials recognized Local Council leaders as gatekeepers to the formal system and believed they had an important role at village level, they also expressed low confidence in these leaders, mainly due to issues of facilitation and corruption.

There was a general improvement in the perception of and confidence in police officers who had been trained to address property grabbing. The most common challenge inhibiting police is the lack of resources to conduct proper investigations or respond effectively on their duties. This inhibits case progress and overall performance perception of police among other justice officials, as well as trust and reporting among widows and general community members.

### **4.4 Performance of the Justice System in Addressing Property Grabbing**

Overall, there were improvements, setbacks, and remaining challenges in the performance of the justice system in addressing property grabbing. Even though community members felt the formal justice system was final, equitable, and fair, it is still inaccessible in many ways due to the costs required at each step of engagement, corruption, delays and lengthy cases, incomplete protection of the large number of women in cohabiting relationships, and language barriers. Cultural and social norms and procedural barriers leave the system vulnerable to losing the momentum gained from some of the improvements achieved during the project period.

Additionally, the review of property grabbing cases reported in Mukono County revealed mixed results on performance of the system. There were more cases overall in the system for the review and more physical files were located. Cases files showed improvements in key documentation in the files and better utilization of charges. Cases also ended in more conclusive outcomes, possibly due to longer investigation periods and more court hearings, which also lengthened the overall case period. A continuing negative finding was court officials requesting that parties resolve criminal actions with civil remedies.

# Annex



## Annex A: Comprehensive List of Sampled Parishes and Villages

| SUB-COUNTY              | PARISH                  | VILLAGE           |
|-------------------------|-------------------------|-------------------|
| MUKONO CENTRAL DIVISION | NAMUMIRA – ANTHONY WARD | NAMUMIRA          |
|                         |                         | KAVULE            |
|                         |                         | GUNGA             |
|                         |                         | BASIIMA – KIKOOZA |
|                         |                         | KITEGA            |
|                         |                         | ANTHONY           |
|                         |                         | KIGOMBYA          |
|                         |                         | DDANDIRA          |
|                         |                         | NSUUBE A          |
|                         |                         | LOWER NABUTI      |
|                         |                         | CENTRAL NABUTI    |
|                         |                         | LWEZA             |
|                         |                         | GULU WARD         |
|                         | KITETE                  |                   |
|                         | TOTAL                   |                   |
|                         | HAM – MUKASA            |                   |
|                         | KASANGALABI             |                   |
|                         | KIRANGIRA               |                   |
|                         | NGANDU                  |                   |
|                         | GULU A                  |                   |
| GOMA                    | MISINDYE                | COLLINE           |
|                         |                         | AGIP              |
|                         |                         | KIGOMBYA NORTH    |
|                         |                         | NAMWOYA           |
|                         |                         | LUMULI            |
|                         |                         | JOGGO             |
|                         |                         | GOMA – MISINDYE   |
|                         | SONDE                   |                   |
|                         | BUKERERE                | JINJA – NABUSUGWE |
|                         |                         | BUKERERE          |
|                         |                         | KAGALA            |
|                         |                         | KIWONGO – NAMWEZI |
|                         |                         | NAKAGERE          |
|                         |                         |                   |

| SUB-COUNTY | PARISH       | VILLAGE              |
|------------|--------------|----------------------|
|            |              | NAMASIGEI            |
|            |              | NYANJA               |
|            |              | KYESEREKA            |
|            |              | MAWANGALA            |
|            |              | PAPPATI – NANTONKO   |
|            | NANTABULIRWA | NAMILYANGO – KISENYI |
|            |              | SENYI – DDEGEYA      |
|            |              | KITALE               |
|            |              | KOLO – BUWANYI       |
|            |              | NANTABULIRWA         |
|            |              | KIWANGA – LWANDA     |
|            |              | KIWANGA – MAWOOTTO   |
|            |              | KIWANGA – KASOKOSO   |
| KYAMPISI   | KABEMBE      | KABEMBE              |
|            |              | KALEBEERA A          |
|            |              | KALEBEERA B          |
|            |              | KATEETE              |
|            |              | KATEGA               |
|            |              | KIKANDWA             |
|            |              | KIMOTE               |
|            |              | KIYUNGA              |
|            |              | LUGAMBA              |
|            |              | MBALIGA              |
|            |              | MIGGO                |
|            | DDUNDU       | BANUTAKUDDE          |
|            |              | BUNTABA              |
|            |              | DUNDU                |
|            |              | KALAGALA – DUNDU     |
|            |              | KASAAYI A            |
|            |              | KASAAYI B            |
|            |              | KIRYAMULI            |
|            |              | KYOGA                |
|            |              | MISOMBWA             |
|            |              | NAKASAJJA            |
|            |              | NAKUMBO – DUNDU      |
|            |              | NAKOOBA              |

**SUB-COUNTY**

**PARISH**

**VILLAGE**

|          |        |                      |          |                  |
|----------|--------|----------------------|----------|------------------|
|          | NTONTO | KASANGA              |          |                  |
|          |        | KASENENE             |          |                  |
|          |        | KONERO               |          |                  |
|          |        | KWABA                |          |                  |
|          |        | LUGOZI               |          |                  |
|          |        | LUSANJA              |          |                  |
|          |        | MULUNGIOMU           |          |                  |
|          |        | NAKUMBO – NTONTO     |          |                  |
|          |        | NAMASUMBI – KIGOGOLA |          |                  |
|          |        | NATEETE              |          |                  |
|          |        | NTONTO               |          |                  |
| NAMA     | BULIKA | BULIKA               |          |                  |
|          |        | LUTENGO A            |          |                  |
|          |        | LUTENGO B            |          |                  |
|          |        | NAMULUGWE            |          |                  |
|          |        | WABUNUNU             |          |                  |
|          |        | WAKISO               |          |                  |
|          |        | MPOMA                | BUYUKI   |                  |
|          |        |                      |          | KIBOOBA          |
|          |        |                      |          | KISOWERA         |
|          |        |                      |          | KITUBA           |
|          |        |                      |          | LUKOJJO          |
| LUWUNGA  |        |                      |          |                  |
| MABUYE   |        |                      |          |                  |
| MPOMA    |        |                      |          |                  |
| NALYA    |        |                      |          |                  |
| NAMA 1   |        |                      |          |                  |
| NAMA 2   |        |                      |          |                  |
|          |        | NKOOKI               |          |                  |
|          |        | NSANVU               |          |                  |
|          |        | NAMAWOJJOLO          | BULIGOBE |                  |
|          |        |                      |          | BWEFULUMYA EAST  |
|          |        |                      |          | BWEFULUMYA WEST  |
|          |        |                      |          | NAMAWOJJOLO EAST |
|          |        |                      |          | NAMAWOJJOLO WEST |
| WALUSUBI |        |                      |          |                  |
| WANJEYO  |        |                      |          |                  |

| SUB-COUNTY | PARISH     | VILLAGE               |                 |
|------------|------------|-----------------------|-----------------|
| NAKISUNGA  | KIYOOLA    | SUNGA – BANA          |                 |
|            |            | BUMBUJJA – MBEYA      |                 |
|            |            | BUZZU                 |                 |
|            |            | KISOZI                |                 |
|            |            | KIYOOLA               |                 |
|            |            | BANDA – NANTUULA      |                 |
|            |            | NASSAKA               |                 |
|            |            | NSONGA                |                 |
|            | KYABALOGO  | BANDA – BUGENDERADALA |                 |
|            |            | BANDA – KYANDA AZA    |                 |
|            |            | LUSERA                |                 |
|            |            | NAKISUNGA             |                 |
|            |            | NAMAKWA               |                 |
|            |            | NTAKAFUNVU            |                 |
|            |            | BUZIRANJOVU           |                 |
|            | NAMAYIBA   | KAKUBA – KIYANJA      |                 |
|            |            | KATUBA                |                 |
|            |            | KITYABULE             |                 |
|            |            | LUBUGUMU LC1          |                 |
|            |            | LUWULE                |                 |
|            |            | NAMAYIBA              |                 |
|            |            | SSANGA                |                 |
|            |            | MANGALUBA             |                 |
|            |            | NAMUYENJE             | KIWUGO          |
|            |            |                       | NAKOOSI         |
|            | NAMUYENJE  |                       |                 |
|            | NANGWA     |                       |                 |
|            | KYAWAMBOGO |                       |                 |
|            |            |                       |                 |
|            | NTENJERU   | NSANJA                | KIZAALA BUGANDA |
|            |            |                       | KATOSI BWANGA   |
|            |            |                       | KATOSI CENTRAL  |
|            |            |                       | NSANJA          |
| GONVE      |            |                       |                 |
| KIKUUTA    |            |                       |                 |
| KALENGERA  |            |                       |                 |
| KIZAALA    |            |                       |                 |
| KIKONA     |            |                       |                 |
| BUGONGE    |            |                       |                 |

**SUB-COUNTY**

|               | <b>PARISH</b>   | <b>VILLAGE</b>   |
|---------------|-----------------|------------------|
|               | <b>TERERE</b>   | <b>TERERE</b>    |
|               |                 | NZO – BUTININDI  |
|               |                 | BUNANKANDA       |
|               | <b>SSAAYI</b>   | <b>KAZO</b>      |
|               |                 | LUTE             |
|               |                 | MAZIBA           |
|               |                 | MAVUNIKE         |
|               |                 | SSAAYI           |
|               |                 | NAKIBINGA        |
|               |                 | KITUUZA          |
|               |                 | NAKASUKU         |
|               |                 | KALAGALA         |
| <b>MPATTA</b> | <b>KABANGA</b>  | <b>SSUNGU</b>    |
|               |                 | BUTERE           |
|               |                 | KABANGA          |
|               |                 | GGOBERO          |
|               | <b>TTABA</b>    | <b>BWANIKA</b>   |
|               |                 | TTABA            |
|               |                 | BUWUNGA          |
|               |                 | MPENJA           |
|               |                 | SOWE             |
|               | <b>MPATTA</b>   | <b>MPATTA</b>    |
|               |                 | BUKULE           |
|               |                 | NTUNDA           |
|               | <b>KIYANJA</b>  | <b>BULIKOOSA</b> |
|               |                 | BANGA            |
|               |                 | KIYANJA          |
|               |                 | KAWUNA           |
| <b>MPUNGE</b> | <b>NGOMBERE</b> | <b>NGOMBERE</b>  |
|               |                 | KIKUBO           |
|               |                 | MPALE            |
|               |                 | KAGULU           |
|               |                 | BUWUJJA – MBEYA  |
|               | <b>MBAZI</b>    | <b>SANGO</b>     |
|               |                 | MBAZI            |
|               |                 | KAMWANYI         |
|               |                 | BULEBI           |

## Annex B: Characteristics of Survey Participants, Widows

### Types of Widows

Under the Constitution of the Republic of Uganda and the Succession Act, legal widows have a right to a share of the property of the deceased. The countywide household prevalence study surveyed any woman who: (1) the community identified as a widow and (2) self-reported the death of a husband/partner or the father of one of her children in her lifetime. For the purposes of understanding property grabbing victimization, each reported relationship was characterized by whether the woman would have any legal rights to the land, property, or homestead. Therefore, the analysis of the data categorized these women into the three different types of widows outlined below. The survey captured information on up to three deceased husbands/partners per widow surveyed, resulting in data on a total of 2,253 relationships. Each relationship could be classified differently.

**Category 1—Widow legally recognized through marriage:** Any woman who lost a spouse, whose legally recognized relationship was formalized through a customary/traditional, civil, Christian, or Muslim (or “Mohammedan”) marriage. Of all relationships reported by widows in the survey, 62.1% (1,399/2,253) fell into this category.

**Category 2—Widow legally recognized through children:** Any woman who lost a cohabiting partner whose relationship was not formalized or officially documented but had children with the deceased who were 0 to 17 years old at the time of his death and was caring for at least one of these children at that time. Of all relationships reported by widows in the survey, 24.5% (551/2,253) fell into this category.

**Category 3—Widow not legally recognized:** Any woman who lost a cohabiting partner, whose relationship was not formalized or officially documented, *and* either did not have children with the deceased or the children were of majority at the time of his death. Of all relationships reported by widows in the survey, 13.4% (303/2,253) fell into this category.

Under current Ugandan Succession Law, widows falling into category 1 have certain rights to the land and property associated with the relationship. Widows falling into category 2 can occupy the property if their biological children with the deceased are still minors at the time of the husband’s death, as these children have legal right to occupy the land and stay with their living parent in the home. Widows falling into category 3 do not have *any* legally recognized rights in the absence of an explicit sale or gift from the owner (e.g., being named as a beneficiary in a will). While the study interviewed all community-identified and self-identified widows, the widow’s relationship must have fallen within the category 1 and category 2 to be considered a victim of property grabbing. The determination of eligibility followed a formula that verified the critical points of the stipulations found in the Succession Act and Children’s Act. The demographics are characteristic of all widows living in Mukono County, irrespective of legal categorization.

### Relationship Type

Uganda legally recognizes multiple types of marriage, including customary, civil, Christian, Muslim, and Hindu. At the time of the interview, 94.4% of widows were single, 5.5% were cohabiting, and 0.1% (n = 3) were legally married.

When asked about prior relationships, surveyed widows reported that 46.1% of relationships were customary/traditional marriages, 20.4% were religious marriages (Christian or Muslim), and 30.2% were cohabiting relationships. Table 14 provides a breakdown of the widows surveyed by relationship type.

In 63.8% of these relationships, the widow reported having co-wives, meaning her husband/partner had another relationship. Additionally, in 72.8% of these relationships, the widow reported that her deceased husband/partner had children with someone other than her.

**Table 14: Widows' Relationship Types**

|                                  | No. of marriages/<br>relationships | % of Total    | Category 1<br>Widow | Category 2<br>Widow | Category 3<br>Widow |
|----------------------------------|------------------------------------|---------------|---------------------|---------------------|---------------------|
| Customary/traditional            | 1037                               | 46.0%         | 1002                | 0                   | 35                  |
| Civil                            | 1                                  | 0.04%         | 1                   | 0                   | 0                   |
| Christian                        | 298                                | 13.2%         | 282                 | 0                   | 16                  |
| Muslim                           | 163                                | 7.2%          | 114                 | 0                   | 49                  |
| Cohabitation                     | 680                                | 30.2%         | 0                   | 507                 | 173                 |
| Had children but no cohabitation | 74                                 | 3.3%          | 0                   | 44                  | 30                  |
| <b>TOTAL</b>                     | <b>2,253*</b>                      | <b>100.0%</b> | <b>1399</b>         | <b>551</b>          | <b>303</b>          |

Source: Household survey

\*The total number of relationships exceeds the total number of widows surveyed as a portion of widows lost more than one husband/partner in their lifetime.

As shown in Table 15, most widows who indicated being in a formalized marriage also reported that they had the proper documentation of their marriage. The exception was Muslim marriages, where only 69.9% had the necessary documentation to demonstrate a legal marriage.

**Table 15: Formalized Marriage Documentation**

|   | No. of marriages | % with proper<br>documentation |
|---|------------------|--------------------------------|
| Customary/traditional ( <i>partial bride price</i> )  | 1037             | 96.6%                          |
| Civil ( <i>certificate from CAO/Registrar</i> )       | 1                | 100%                           |
| Christian ( <i>marriage certificate from church</i> ) | 298              | 94.6%                          |
| Muslim ( <i>marriage certificate from mosque</i> )    | 163              | 69.9%                          |

Source: Household survey

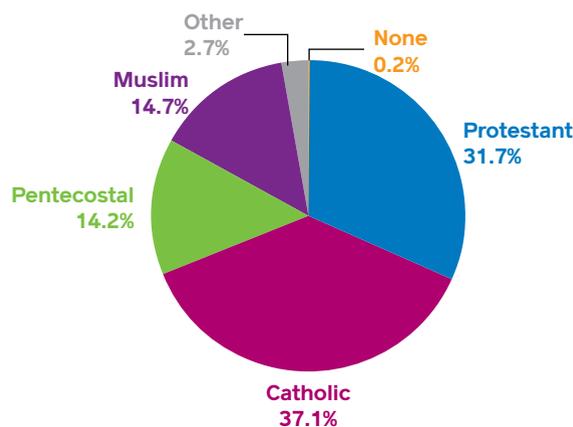
## Age and Caregiving Capacity

The mean age of widows surveyed was 57.9 years. The maximum age recorded was 104 years and the minimum recorded was 16 years (n = 1, who was recorded at listing as over 18 years). The mean number of years the widows have been living in their current place is about 41.3 years. On average, these widows were taking care of 2.8 children. The highest number of children a widow reported caring for was 22.

## Religious and Tribal Affiliation

All but four of the widows listed an affiliation with some kind of religion. The large majority (85.6%) identified themselves as some form of Christian (including Seventh-Day Adventist, which was the most common answer marked under "Other"), with 14.0% identifying as Muslim. These findings were similar to the 2012-2013 baseline survey.

Figure 7: Widows' Religious Affiliation



As the Buganda (tribe in Central Uganda) composes the largest percentage of the population in Mukono County, it is not surprising that 71.4% of the widows surveyed were Buganda.<sup>40</sup> A range of other tribes from Uganda were represented in the county (3.8% Busoga, 1.5% Ankole, and 14.4% other), and 8.7% of widows surveyed came from outside of Uganda (Burundi, Rwanda, Kenya, Tanzania, etc.).

### Literacy and Education Level

Over one-fifth (21.6%) of widows reported that they never attended a school. Nearly half (47.9%) completed some but not all of primary school, with only 12.9% completing primary school. Similarly, 10.0% completed some but not all of secondary O level (S1-S4), with another 3.6% completing all of secondary O level. Only 0.4% widows completed secondary A level (S5-S6). Of the rest, 1.9% had vocational training, and 1.4% of widows completed diploma/university level.

In total, 60.7% of widows' self-reported reading literacy in their mother tongue, 15.7% self-reported reading literacy in English, and 38.2% reported an inability to read in either language.

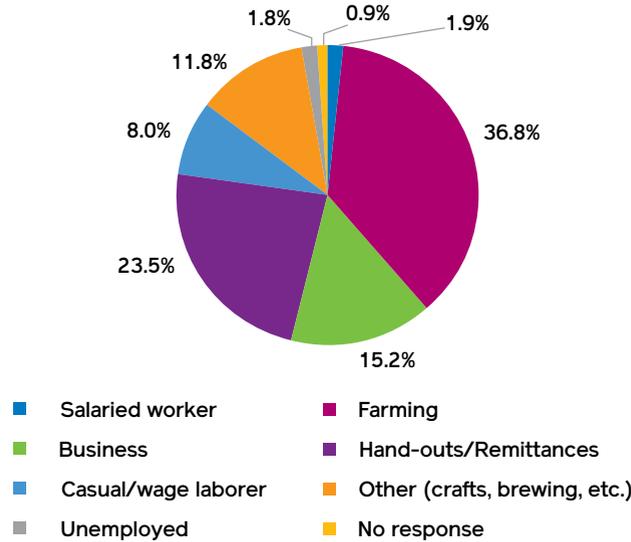
### HIV Status

According to the Uganda AIDS Indicator Survey Report published by the Ministry of Health (2011), "HIV prevalence is highest among those who are widowed." In 2016-2017, 7.6% of women aged 15-64 years old nationally were HIV positive.<sup>41</sup> However, data from 2011 reveals a higher prevalence rate among women: 32.4% of widows aged 15-49 years old were HIV positive.<sup>42</sup> In this study, 62.0% of widows (1251/2017) reported that they had been tested for HIV, and of those tested, 21.9% (274/1251) reported that they were HIV positive. The difference is most likely due to the age range, as it's plausible that more women are HIV positive in their later years.

### Occupation and Income

The majority of widows held primary occupations in farming, with 36.8% reporting either farming crops (33.2%) or raising livestock (3.6%) as their livelihood (see Figure 8). This is lower than the Uganda National Household Survey 2009/2010 reports, which found 65% of households involved in agricultural activity, perhaps because of the proximity of Mukono County to Kampala.<sup>43</sup> About 15.2% of widows reported that they were involved in "business," with only 3.0% of those requiring a skill for operation (such as tailoring) as opposed to selling goods or products via market stall, kiosk, or by the roadside. Only 1.9% of widows were salaried workers and 8.0% reported being "casual/wage laborers." In the baseline study, a little more than one-third reported "no income" but then provided amounts for the monthly income question. In preparation for the endline study, the study team learned these were "hand-outs/remittances" and thus, the answer choice was added; 23.5% of widows selected this as their main form of income. Only 1.8% reported being unemployed and looking for employment at the time of survey.

Figure 8: Widows' Primary Occupation



### Marital Land Ownership and Documentation

In the mailo land tenure system adopted in central Uganda, the government officially recognizes two major types of land ownership: titled ownership and kibanja ownership. Under this system, a titled land owner may own a large piece of land, while any number of kibanja holders may own occupancy rights to certain portions of that piece of land. The kibanja owner's right to occupy the land is hereditary and can also be assigned with the consent of the landlord. While both titled land owners and kibanja owners "own" the land, they are often referred to respectively as "landlords" and "tenants." The best evidence (i.e., legally recognized documentation) of titled land ownership is a government issued title to the land. The best evidence of kibanja ownership is a busuulu ticket (i.e., a receipt of annual ground rent payment) signed by the underlying titled land owner.

In 79.9% (1,801/2,253<sup>44</sup>) of relationships, the widows reported living on a homestead that was owned by the husband/partner and/or the widow at the time of the husband's death. Of those homesteads owned, 73.5% were kibanja and 16.9% were titled land (1.2% reported "leasehold"; 5.4% reported "other"; and 3.0% had "No response").<sup>45</sup> The percentage of widows reporting homestead land ownership, as well as the types of ownership (kibanja versus titled land), were similar to the baseline study results. During the endline survey, enumerators asked widows to describe any and all forms of documentation proving ownership of their land. Widows could report more than one form, so the percentages reported are not mutually exclusive. At endline, only 35.6% of the widows claimed to have the best evidence of the ownership of their homestead. This was slightly down from 39.3%. Similar to the baseline, the documentation rates varied with ownership class, with 54.8% of title owners reporting having the best evidence of documentation (i.e., a title) of their land ownership, as opposed to 31.1% of kibanja owners (i.e., busuulu tickets). While a low number of kibanja holders had the best evidence, 50.3% of couple relationships had purchase agreements for their homesteads, which is another good form of ownership documentation.

Additionally, in 24.0% of all relationships (469), either the husband/partner and/or the widow owned land other than the homestead (called "other land" in this study). These other pieces of land were mostly used for cultivation and farming, and most were held as kibanja. In total, only 30.4% of the couples claimed to have the best evidence of their ownership of the other land. Again, the documentation rates greatly varied with ownership class, with 80.2% of title owners reporting having the best evidence of documentation (i.e., a title) of their land ownership, as opposed to only 19.6% of kibanja (i.e., busuulu tickets).

See Table 16 and Table 17 for further breakdown of the widow's land ownership of the homestead and other pieces of land, disaggregated between titled land and kibanja. Most of the changes from baseline to endline were reductions in any documentation, many of which were statistically significant. However, of those relationships that had any

documentation, the number with the best documentation increased for kibanja-owned homesteads (38.5% [394/1023] at baseline compared to 47.6% [412/865] at endline) and stayed relatively stable for title-owned homesteads (84.3% [199/236] at baseline compared to 83.5% [167/200] at endline). For other land, the documentation for kibanja ownership decreased from 31.1% (174/559) at baseline to 23% (73/318) at endline, and again stayed relatively stable for title-owned other land (83.6% [112/134] at baseline compared to 83.3% [65/78] at endline).

**Table 16: Homestead Documentation**

| Documentation level | Homestead          |                       |                      |                        |
|---------------------|--------------------|-----------------------|----------------------|------------------------|
|                     | Titled land        |                       | Kibanja              |                        |
|                     | Baseline           | Endline               | Baseline             | Endline                |
| Any documentation   | 95.5%<br>(236/247) | 65.5%***<br>(200/305) | 81.2%<br>(1023/1260) | 65.4%***<br>(865/1323) |
| Best documentation  | 80.6%<br>(199/247) | 54.8%***<br>(167/305) | 31.3%<br>(394/1260)  | 31.1%<br>(412/1323)    |

\*\*\* Statistically significant change at the  $p \leq 0.001$  level.

**Table 17: Other Land Documentation**

| Documentation level | Other land         |                  |                    |                       |
|---------------------|--------------------|------------------|--------------------|-----------------------|
|                     | Titled land        |                  | Kibanja            |                       |
|                     | Baseline           | Endline          | Baseline           | Endline               |
| Any documentation   | 93.1%<br>(134/144) | 96.3%<br>(78/81) | 95.4%<br>(559/586) | 85.3%***<br>(318/373) |
| Best documentation  | 77.8%<br>(112/144) | 80.2%<br>(65/81) | 29.7%<br>(174/586) | 19.6%***<br>(73/373)  |

\*\*\* Statistically significant change at the  $p \leq 0.001$  level.

<sup>40</sup>University of Pennsylvania. "Uganda - Ethnic Groups." <http://www.africa.upenn.edu/NEH/u-ethn.html>.

<sup>41</sup>World Health Organization. (2017) "Uganda Population-Based HIV Impact Assessment." <http://www.afro.who.int/sites/default/files/2017-08/UPHIA%20Uganda%20factsheet.pdf>.

<sup>42</sup>Ministry of Health. (2011) "Results from the 2011 Uganda AIDS Indicator Survey." [http://health.go.ug/docs/UAIS\\_2011\\_FACT\\_SHEET.pdf](http://health.go.ug/docs/UAIS_2011_FACT_SHEET.pdf).

<sup>43</sup>Uganda Bureau of Statistics. (2010) "Uganda National Household Survey 2009/2010." [https://www.ubos.org/wp-content/uploads/publications/03\\_2018UNHS\\_2009\\_2010\\_socio-economic\\_Report.pdf](https://www.ubos.org/wp-content/uploads/publications/03_2018UNHS_2009_2010_socio-economic_Report.pdf).

<sup>44</sup>Not all widows answered the question and therefore, the denominator only includes those who answered the question on ownership of a homestead.

<sup>45</sup>31.4% of tenured land in Uganda is titled (freehold 18.6%, mailo 9.2%, leasehold 3.6%) according to this 2010 study from the Ministry of Lands: <http://www.ubos.org/onlinefiles/uploads/ubos/pdf%20documents/PNSD/2010MLHUDStatAbst.pdf>. The percentage of kibanja-held land for the general population is difficult to determine, but mailo, and thereby the kibanja system, only exists in central Uganda and therefore the Uganda-wide percentage of kibanja land will be lower than what is reported among widows in Mukono.

## Annex C: Countywide Household Survey Tool for Widows

We would be more than happy to share with you the countywide household survey tool conducted with widows. It is written in both English and Luganda. Please email [contact@ijm.org](mailto:contact@ijm.org) to request a copy of the tool, including the informed consent statement, using the subject line “Requesting copy of Household Survey for Widows in Mukono County, 2017 Prevalence Study, IJM Uganda.”

## Annex D: Data Collection Tools for Case File Review

### Case File Review Data Collection Tools

We would be more than happy to share with you any and all of the case file review tools. Please email [contact@ijm.org](mailto:contact@ijm.org) to request a copy of the tools and include in the subject line “Requesting copy of Case File Review Tools, 2017 PJS Performance Study, IJM Uganda.” Specify in the body of the email whether you are interested in the criminal prosecution case file review tool, which analyzes property grabbing cases in the police stations and courts, or the administration cause case file review tool, which analyzes cases in the courts for application to be an estate’s administrator.

### Quality Criteria Ranking Table

For assessment of witness/victim statements in Case File Review.

### Quality Criteria Ranking Table

For Criminal Police Case File Reviews

## VICTIM & WITNESS STATEMENTS

|   |  |   |   |
|---|--|---|---|
| <p><b>1 POOR</b></p> <p>Statement does not provide even the basic details regarding the date and place of occurrence, witnesses (age, sex, relationship to victim), ownership (type of land, how the land was acquired), and/or it is unclear what value this statement can add to the case.</p> <p>Statement fails to paint a picture of what occurred because the appropriate/necessary questions were not asked.</p> | <p><b>2 FAIR</b></p> <p>Statement provides basic details regarding relevant facts about the date and place of occurrence, witnesses (age, sex, relationship to victim), ownership (type of land, how the land was acquired), but is generally lacking in specific detail.</p> <p>Statement paints only a very basic picture of what occurred; many specific details are missing because many appropriate/necessary questions were not asked.</p> | <p><b>3 GOOD</b></p> <p>Statement is mostly thorough, including all relevant facts regarding the date and place of occurrence, witnesses (age, sex, relationship to victim), ownership (type of land, how the land was acquired), but may lack some details. It appears that several follow-up questions were appropriate, but not asked. Statement names all documented evidence.</p> <p>Statement paints a good picture of what occurred, though some details may be missing; most of the appropriate/necessary questions were asked of the witness/victim.</p> | <p><b>4 EXCELLENT</b></p> <p>Statement has excellent detail, including all relevant facts regarding date and place of occurrence, witnesses (age, sex, relationship to victim), ownership (type of land, how the land was acquired). Statement names all documented evidence. There are no missing details.</p> <p>Statement paints a clear picture of everything the witness saw/heard/ knows about the offense and the people involved; all appropriate/necessary questions were asked of the witness/victim.</p> |
|---|--|---|---|

## Annex E: Focus Group Discussion and Key Informant Interview Tools

We would be more than happy to share with you the countywide household survey tool conducted with widows. It is written in both English and Luganda. Please email [contact@ijm.org](mailto:contact@ijm.org) to request a copy of the tool, including the informed consent statement, using the subject line “Requesting copy of Household Survey for Widows in Mukono County, 2017 Prevalence Study, IJM Uganda.”

## Annex F: Other Tables and Figures

Table 18: Key Prevalence Figures, Successful Property Grabbing

| Indicator   | Prevalence Point Estimate | Standard Error | Lower Bound – Upper Bound 95% Confidence Interval |
|---|---------------------------|----------------|---|
| <i>Revised</i> ◇ Baseline lifetime prevalence                 | 27.0%<br>(488/1,806)      | 0.9%           | 25.1 – 28.8%                                      |
| Endline lifetime prevalence                                   | 11.7%***<br>(237/2,018)   | 0.6%           | 10.5 – 13.0%                                      |
| <i>Revised</i> ◇ Baseline Last 4 Years prevalence (2010–2013) | 7.3%<br>(132/1,806)       | 0.6%           | 6.3 – 8.7%  |
| Endline Last 4 Years prevalence (2014–2017)                   | 3.4%***<br>(68/2,018)     | 0.4%           | 2.7 – 4.0%  |
| Baseline Last 2 Years Prevalence (2012–2013)                  | 3.5%<br>(63/1,806)        | 0.4%           | 2.6 – 4.4%  |
| Endline Last 2 Years Prevalence (2016–2017)                   | 1.8%***<br>(37/2,018)     | 0.3%           | 1.2 – 2.4%  |

\*\*\* Statistically significant change at the  $p \leq 0.001$  level.

◇ To better demonstrate change between baseline and endline, the sub-counties were weighted based on widow population size within each parish. This weighting exercise in addition to formula recalibrations created “revised” baseline figures

**Table 19: Key Prevalence Figures, Attempted Property Grabbing**

| Indicator   | Prevalence Point Estimate | Standard Error | Lower Bound – Upper Bound 95% Confidence Interval |
|---|---------------------------|----------------|---|
| Revised <sup>◇</sup> Baseline lifetime prevalence of attempted PG | 16.2%<br>(294/1,806)      | 0.8%           | 14.6 – 17.7%                                      |
| Endline lifetime prevalence of attempted PG                       | 11.7%***<br>(236/2,018)   | 0.6%           | 10.5 – 13.0%                                      |
| Baseline Last 4 Years prevalence of attempted PG                  | 7.7%<br>(139/1,806)       | 0.6%           | 6.6 – 8.8%  |
| Endline Last 4 Years prevalence of attempted PG                   | 4.7%***<br>(95/2,018)     | 0.4%           | 3.9 – 5.5%  |
| Baseline Last 2 Years prevalence of attempted PG (2012–2013)      | 4.9%<br>(89/1,806)        | 0.5%           | 3.9 – 5.8%  |
| Endline Last 2 Years prevalence of attempted PG (2016–2017)       | 2.3%***<br>(47/2,018)     | 0.3%           | 1.7 – 3.0%  |

\*\*\* Statistically significant change at the  $p \leq 0.001$  level.

<sup>◇</sup> To better demonstrate change between baseline and endline, the sub-counties were weighted based on widow population size within each parish. This weighting exercise in addition to formula recalibrations created “revised” baseline figures.

**Table 20: Documents Found in Criminal Property Grabbing Case Files**

| Contents of the File                                 | Mukono<br>(N = 104) | Naggalama<br>(N = 52) | Total<br>(N = 156) |
|--|---------------------|-----------------------|--------------------|
| Local Council Letter of Introduction                 | 15.4%<br>(n = 16)   | 21.2%<br>(n = 11)     | 17.3%<br>(n = 27)  |
| Charge Sheet   | 24.0%<br>(n = 25)   | 15.4%<br>(n = 8)      | 21.2%<br>(n = 33)  |
| Arrest Warrant(s)                                    | 1.9%<br>(n = 2)     | 0.0%<br>(n = 0)       | 1.3%<br>(n = 2)    |
| Police Bond Form                                     | 17.3%<br>(n = 18)   | 50.0%<br>(n = 26)     | 28.2%<br>(n = 44)  |
| Victim Statement(s)                                  | 99.0%<br>(n = 103)  | 100.0%<br>(n = 52)    | 99.4%<br>(n = 155) |
| Witness Statement(s)                                 | 67.3%<br>(n = 70)   | 92.3%<br>(n = 48)     | 75.6%<br>(n = 118) |
| Suspect Statement(s)                                 | 63.5%<br>(n = 66)   | 73.1%<br>(n = 38)     | 66.7%<br>(n = 104) |
| Brief Facts of the Case                              | 30.8%<br>(n = 32)   | 25.0%<br>(n = 13)     | 28.8%<br>(n = 45)  |
| Documentary Evidence                                 | 61.5%<br>(n = 64)   | 53.8%<br>(n = 28)     | 59.0%<br>(n = 92)  |
| Exhibit Slip Describing Physical Evidence Collection | 9.6%<br>(n = 10)    | 11.5%<br>(n = 6)      | 10.3%<br>(n = 16)  |
| Police Form 3 (Request & Medical Examination Report) | 1.9%<br>(n = 2)     | 0.0%<br>(n = 0)       | 1.3%<br>(n = 2)    |
| Sketch Plan  | 19.2%<br>(n = 20)   | 11.5%<br>(n = 6)      | 16.7%<br>(n = 26)  |

Note: This table shows the documents physically found in the files at the time of the endline review, disaggregated by station. If a document was not found in the file, it does not necessarily mean the document was not completed for that case. Overall, the statements and documentary evidence were the most commonly found items across the files.

## Additional Court File Review

As noted in the methods section, there were 58 cases that were reviewed only at the court. Of these, 13 were from Nakifuma Court and the remaining 45 were from the Mukono Magistrate's Court. In total, 51 of the cases had male accused persons. The average number of scheduled appearances was 12.1 (n=57), with a range from 1 to 40 appearances. 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 outcome was unknown. Of the 20 convictions, 16 (80.0%) accused received jail time ranging from two months (for a charge of malicious damage to property and, in a separate 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 who received 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. Four of these convictions included jail time, although one was a sentence of eight hours of community service and six months jail time in the event of failure to comply with the community service ruling and the other sentence was a fine of 50,000 UGX, 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<sup>46</sup> and 43 months<sup>47</sup> respectively. The fifth IJM case resulted in an acquittal.

## Annex G: Widows' Experiences with Estate Administration

The estate administration process is critical for passing the legal ownership of the deceased's estate to the lawful beneficiaries. A key part of this process is the issuing of a document that determines who may distribute the estate of the deceased to the beneficiaries of the will. In cases where there is a will that clearly states the executor who is intended to distribute the estate, this person will be granted a Grant of Probate (GOP) by court. In cases where there is no will, the will does not mention an executor, or the executor refuses to administer the estate, a Letter of Administration (LOA) is granted to a person who has been agreed upon by the family. The process of acquiring letters of administration requires notifying the Administrator General's (AG) office of the death. The AG's office or his representative, the Chief Adminstrating Officer, then facilitates a meeting among the family to decide who shall administer the estate. When the family has nominated an administrator, this person receives a Certificate of No Objection (CONO) from the AG. With the CONO, the nominated administrator can apply for Letters of Administration at court. When the Letters of Administration (LOA) are granted, the administrator distributes the estate of the deceased to the rightful beneficiaries. Widows with proof of marriage can apply for LOAs directly at court without requiring a CONO. In practice, however, the CONO is usually stated as a requirement by court. This is intended to protect the interests of children born outside of a marriage, whose interests may not be represented by the widow. Six months after receiving a LOA or GOP, the grantee must provide court with an inventory of all the properties of the deceased that have been brought under charge of the administrator. One year after the LOA or GOP, the grantee must file an account of how he/she has distributed the estate to the beneficiaries. The study included two methods that provided data on the process of and experiences with estate administration: the case file review and household survey among widows. The results below are based on the findings of these data collection efforts.

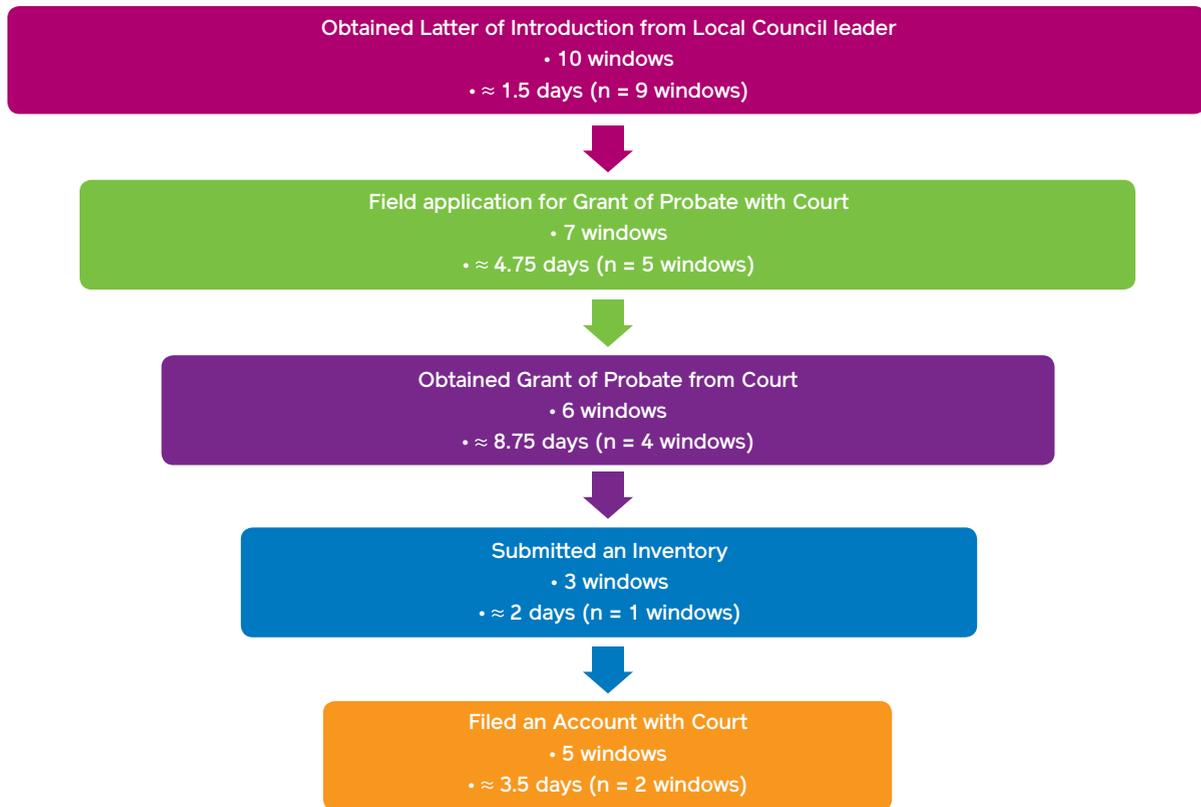
### Widows' Experiences Engaging with the Administrator General's Office

Knowledge among widows about the role of the Administrator General's Office has improved over time: in response to a question about which government officials assist with estate administration, at baseline, 22.6% (409/1806) correctly listed the Administrator General as one of their answers, and at endline, this rose to 37.9% (764/2,017). Based on the household survey, however, this knowledge has not yet turned into action. At baseline, only 27 widows (or 1.3% of the 2,068 relationships/marriages) attempted to engage the Administrator General's Office in the formal process of administering their husband's estate. At endline, this increased to 1.5% (24/2,246 relationships/marriages). While a slight increase, the level of engagement is still extremely low.

In the endline survey, widows self-reported that in 28.0% of their relationships (500/1,785), their husband/partner left a will before he died. In the baseline survey, this figure was 27.0% (555/2,058 relationships). At baseline, the estate administration process was reportedly confusing for widows, community members, and the officials administering

the process. As shown in Figure 9, more women (n = 10) attempted the process of obtaining a Grant of Probate in the endline than baseline (n = 7). Due to the low sample size, no real conclusions about the time taken for each step can be made. The general finding is that this process is underutilized and not well understood. The low number of widows going through the Grant of Probate process could also be indicative of the low frequency with which men put their spouses as executors of their will, as the Administrator General’s Office advises against it to avoid conflicts of interest in the case of polygamous marriages.

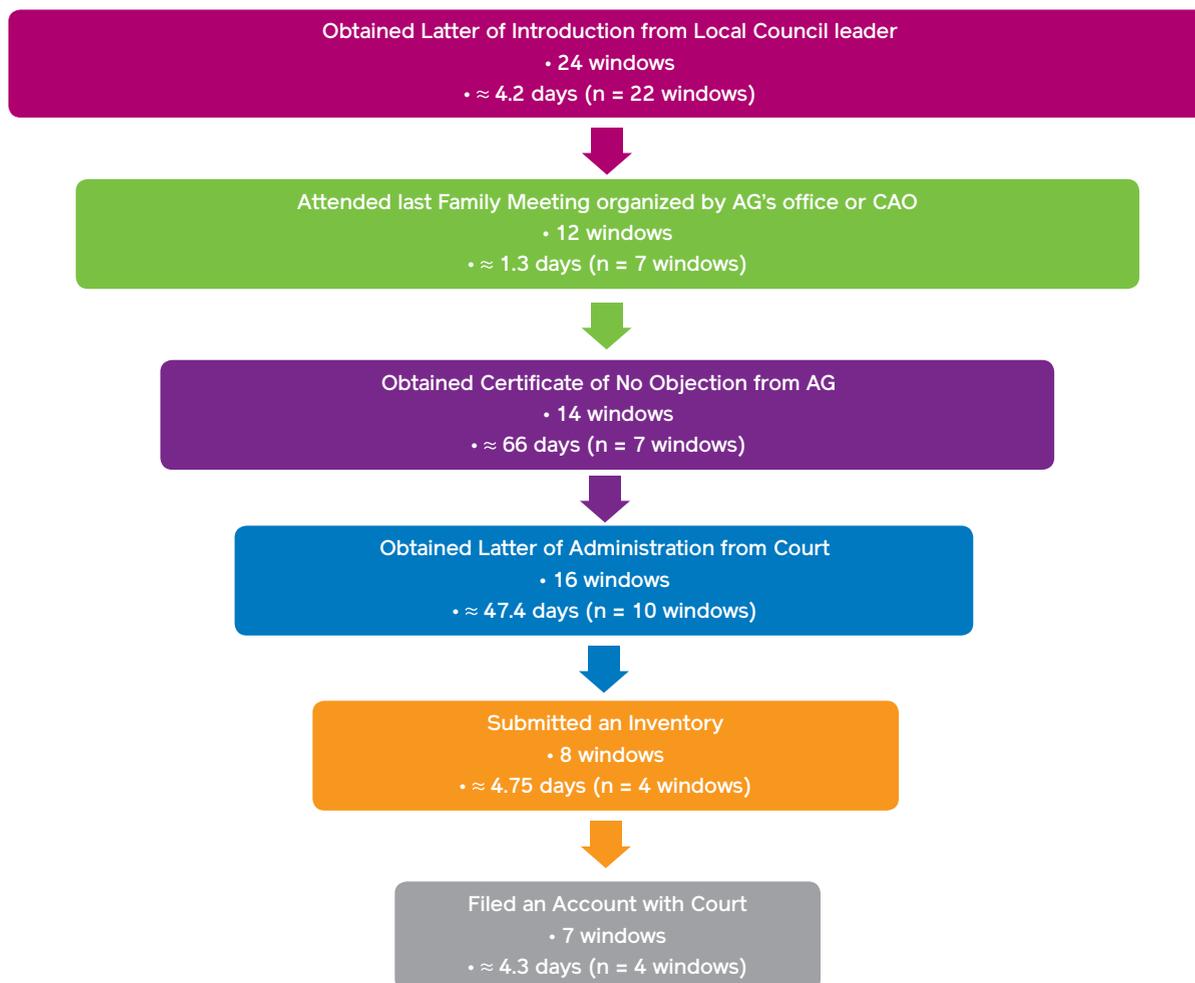
**Figure 9: Widows’ Experience with the Grant of Probate Process**



In 2.5% (32/1,283) of cases where the deceased did not leave a will or the will did not name an executor, the widow attempted to become an administrator of their deceased husband’s estate. At baseline, this was higher: in 4.9% (46/939) of such relationships, the widow attempted to become an administrator. Furthermore, at the endline, 28.2% of widows who did not attempt to become an administrator (274/970) stated it was because they did not know what “becoming an administrator” meant or what the process was. This finding points to a continued lack of understanding among widows around the purpose and process of estate administration.

Figure 10 outlines the experience of the 24 widows who attempted the process to obtain a Letter of Administration. The sample size is again very low, which demonstrates an overall lack of engagement in the process; however, from these self-reports by widows, the time to obtain a CONO from the AG’s office takes the longest amount of time, at an average of 66 days (ranging from one day to one year). The fact that widows are still going through process of obtaining a CONO could mean they experienced an inconsistency in the exemption of this step or that these widows cannot demonstrate adequate documentation of a legal marriage.

Figure 10: Widows' Experience with the Letter of Administration Process



### Case File Review of Administration Cause Files

In total, the study team collected data from 96 administration cause case files: 59 at Mukono Magistrate's Court and 37 at Jinja High Court. The values of the estates ranged from 5 million to 500 million UGX. All files were applications for Letters of Administration, meaning either the deceased did not leave a legal will, the will did not mention an executor, or the executor named in the will rescinded their duty. The majority of the cases had only one applicant on the file (n = 64, 66.7%), however, the other 32 files had between two and five applicants. Of the 96 files reviewed, 7 estates (7.3%) had wills, all without an executor, and 89 did not. All seven of these cases without an executor went through the Letter of Administration process instead of the Grant of Probate process given the lack of an executor. In the baseline, 2.5% of cases (3/119) involved estates that had wills.

Overall, the process of locating the files for review improved from baseline to endline. At the time of the baseline study, "the hard copy file archives at both Mukono Court and Jinja High Court were disorganized, and the physical state of files was very poor." In mid-2013, a joint team from the judiciary and IJM re-organized the administration cause archives in Mukono and Jinja. During the endline study, the study team found the archives in both courts organized clearly according to year, all files clearly labeled with a court case number on the outside of the file, and the majority of files organized in order within the year. The quality of the physical files had improved from baseline, but the CFR research team recommended a stronger enforcement for keeping all the documentation in files. Additionally, in the

baseline study, 42 of the files (35.3%) reviewed were found in the Computerized Case Administration System (CCAS), all of which were cases from Jinja High Court; none of Mukono's cases were in the electronic database. At endline, 71.9% of the total cases reviewed (69/96) were found in CCAS, 61.0% (36/59) of those found in Mukono and 89.2% (33/37) of those found in Jinja. The level and depth of systemization was so different from baseline to endline that the endline study was able to generate the sampling frame from CCAS rather than solely relying on hardcopy registers.

During the file review, documents deemed necessary for cases to proceed were more consistently present in the endline review than the baseline review. For example, 23.3% of cases in the baseline were missing the required letter from the applicant's Local Council, whereas at the endline, 11.5% of cases were missing the required letter. Additionally, 16.4% of cases lacked the formal petition for the Letter of Administration at baseline, which decreased to 1.0% in the endline. The rate of the presence of three other required documents—a newspaper advert, inventory form, and account form—remained generally the same. The newspaper advert, which is required to prove public notice was provided in order to allow for any objections to an application, was present in 79% of cases in the baseline and 76% of the cases in the endline. Second, presence of the inventory form remained at 1.0% or less for both periods. Third, the account form was missing in 100% of cases in both the baseline and the endline. See Table 21 for a complete list of the document contents found in the endline review of cases.

The baseline review also revealed the percentage of widows that went to the AG's office for a CONO to be more than one-third (34.5%, n = 40). Legally married widows are given an exemption from this requirement. Therefore, either the exemption was inconsistently applied at that time or the widow applicants were not legally married. In the endline, the percentage of widows with CONOs in their files had decreased to 26%, with only 11.9% in Mukono. This could be indicative of an improvement in the application of the exemption or an increase in marriage formalization.

**Table 21: Documents Found in Administration Cause Case Files**

| <b>Contents of the File</b>           | <b>Mukono<br/>(N = 59)</b> | <b>Jinja<br/>(N = 37)</b> | <b>Total<br/>(N = 96)</b> |
|---------------------------------------|----------------------------|---------------------------|---------------------------|
| Identification of Applicant           | 59.3%<br>(n = 35)          | 91.9%<br>(n = 34)         | 71.9%<br>(n = 69)         |
| Petition for Letter of Administration | 100.0%<br>(n = 59)         | 97.3%<br>(n = 36)         | 99.0%<br>(n = 95)         |
| Will                                  | 5.1%<br>(n = 3)            | 10.8%<br>(n = 4)          | 7.3%<br>(n = 7)           |
| Letter from the Local Council         | 91.2%<br>(n = 52)          | 89.2%<br>(n = 33)         | 88.5%<br>(n = 85)         |
| Certificate of No Objection           | 11.9%<br>(n = 7)           | 48.6%<br>(n = 18)         | 26.0%<br>(n = 25)         |
| Letter of Administration              | 94.9%<br>(n = 56)          | 94.6%<br>(n = 35)         | 94.8%<br>(n = 91)         |
| Newspaper Advert                      | 64.4%<br>(n = 38)          | 94.6%<br>(n = 35)         | 76.0%<br>(n = 73)         |
| Inventory Form                        | 1.7%<br>(n = 1)            | 0.0%<br>(n = 0)           | 1.0%<br>(n = 1)           |
| Account Form                          | 0.0%<br>(n = 0)            | 0.0%<br>(n = 0)           | 0.0%<br>(n = 0)           |

The endline study revealed a slight overall improvement from the baseline in the time of the Letter of Introduction (one of the first key steps) to receipt of Letter of Administration (236 days to 213 days). See Table 22 for a more detailed breakdown by court. From the time of the petition of the Letter of Administration to the receipt of the document, the number of days increased from 88 at baseline to 106 at endline. Also, the number of days from identification of applicant (at court) to receipt of the Letter of Administration increased from 34 to 55 days; however, the maximum amount of days taken to receive a Letter of Administration was cut nearly in half from that of the baseline (797 to 365 days).

**Table 22: Indicators of Case Progression in Administration Cause Cases**

| Indicators of Case Progression  | Mukono Court    |                 | Jinja Court     |                 | TOTAL                        |                              |
|---|-----------------|-----------------|-----------------|-----------------|------------------------------|------------------------------|
|   | Baseline        | Endline         | Baseline        | Endline         | Baseline                     | Endline                      |
| Number of days from Letter of Introduction from LC to Receipt of Letter of Administration (LOA) | 238<br>(n = 47) | 236<br>(n = 49) | 233<br>(n = 35) | 176<br>(n = 30) | 236<br>(n = 82)              | 213<br>(n = 79)              |
|   |                 |                 |                 |                 | <i>Min-Max:</i><br>0 – 3,187 | <i>Min-Max:</i><br>0 – 3,262 |
| Number of days from Petition of LOA to Receipt of LOA   | 71<br>(n = 52)  | 88<br>(n = 49)  | 112<br>(n = 37) | 134<br>(n = 32) | 88<br>(n = 89)               | 106<br>(n = 81)              |
|   |                 |                 |                 |                 | <i>Min-Max:</i><br>0 – 788   | <i>Min-Max:</i><br>0 – 1,099 |
| Number of days from Identification of Applicant at Court to LOA                                 | 30<br>(n = 44)  | 33<br>(n = 29)  | 40<br>(n = 31)  | 76<br>(n = 29)  | 34<br>(n = 75)               | 55<br>(n = 58)               |
|   |                 |                 |                 |                 | <i>Min-Max:</i><br>0 – 797   | <i>Min-Max:</i><br>0 – 365   |

Note: There were more cases that reached these critical points, however, for a number of cases, the dates associated with these points were not able to be located in the files.

In the baseline study in Mukono, many administration cause files listed on the court register could not be located or were recorded “missing.” While the endline did not look for administration cause cases using the register, the study team was able to record AG Cause Numbers for 33 cases using the court file alone.



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