



JCU Gender Manual

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What is Gender?

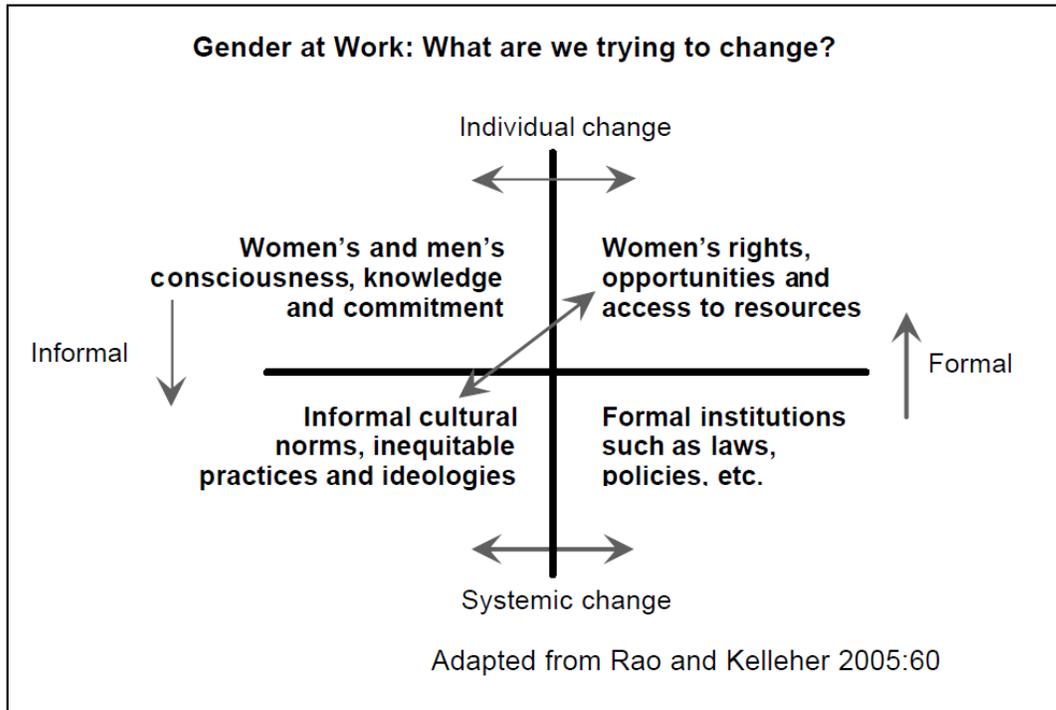
According to the World Health Organisation (WHO), “**Gender** refers to the socially constructed characteristics of women and men – such as norms, roles and relationships of and between groups of women and men. It varies from society to society and can be changed. While most people are born either male or female, they are taught appropriate norms and behaviors – including how they should interact with others of the same or opposite sex within households, communities and work places.”¹

Gender norms and customs influence our behavior, attitudes and thinking towards others around us in many ways that we are not consciously aware of. Unlike sex, though, which is biologically defined, gender norms are created and maintained by society and thus can be changed. Slowly and oftentimes not without resistance, but nevertheless they can be changed to ensure more equality and justice for all human being independently of their sex, race, religion or any other features.

Why a Gender Manual?

The first step to change norms and behaviors is to become aware of them and how they influence our actions. This manual aims to assist JCU staff in watching out and observing gender specific implications of legal disputes and their resolutions as well as raising awareness on gender issues among clients and the communities JCU works with. It is meant as a guideline to ensure that JCU interventions are gender sensitive and enhance people’s understanding of how inequality between men and women affect communities as a whole.

¹ World Health Organisation (WHO). <http://www.who.int/gender-equity-rights/understanding/gender-definition/en/> 17 July 2017



The above image illustrates the various areas of interventions, where gender norms can be addressed and influenced. For JCU, those fields represent the areas of “community outreach”, “provision of legal aid services” (individual changes above from left to right) and “training of duty bearers, Barazas” and “advocacy” (systemic change from left to right).

This Gender Manual aims to provide guidelines and suggestions as to how to implement gender sensitivity in the various fields of work.

With increasing experience and gender analysis of JCU work, this manual should be updated and adjusted accordingly. It is a living document feeding on JCU staff’s experiences and learnings in the field.

Women’s Rights in Uganda – JCU experience

General

On a general note, JCU has observed over the years that women suffer much more injustices from within their own families and pressure to accept informal “settlements” that usually favor the male parties to any conflict.

Even actors in the formal justice sector (most specifically the police) tend to consider violations of women's and girls' rights – even severe crimes such as defilement and rape – as “family matters” to be settled “amicably”, which women are more likely to consent to in order to avoid stigmatization in the community. Consequently, women's faith in both formal and informal dispute resolution authorities is low as is their confidence and determination to pursue justice. Their situation is further complicated by economic dependency and illiteracy. Another factor contributing to women's disadvantage in legal matters is their focus on providing for others long before women dare or think of addressing their own needs.

On every level, customary beliefs and norms allow interference, discrimination and injustices to women. At the same time, they foster women's economic dependency on men through early marriage, discrimination in education and other forms of domination. For example, a World Bank assessment of gender and economic growth in Uganda notes that Enterprises headed by women are much more likely to be subject to harassment, including requests to pay bribes and threats of closure; women are seen as “soft targets.”²

Land

JCU experience shows that while men frequently battle with boundary and sales conflicts, women encounter most challenges in regards to land within their own families, which deny them access to land (see also succession law). The custom of multiple marriages further contributes to the intra-family conflict when it comes to the division of land. Even if land is given to women sometimes, they are not allowed full control over it and in some cases, even if women use their own money to purchase land, the agreement will show their husbands' names. At the same time, men frequently sell land without consulting their female partners/wives.

Furthermore, women's interest seems to focus on maintaining land, preventing its sale or mortgaging, to secure habitat and food security. Since most conflicts arise within families, women are much more reluctant to pursue their right to land through the court system and tend to resign when matters cannot be solved through mediation.

On an underlying level, it can be said that while men do have conflicts over land, their right to land per se is never questioned, whereas in many cases, customary beliefs and discrimination of women leads to the denial of women's very right to land. This strongly affects women's motivation to seek legal aid. Often the women who do come to JCU have

² Amanda Ellis et al. Gender and Economic Growth in Uganda. Unleashing the Power of Women. World Bank. 2006.

been encouraged by a male relative, who has an interest in the matter himself. Thus, JCU has to show sensitivity and establish what the actual interest of the woman client is.

Gender-Based Violence

According to the Uganda Bureau of Statistics report on Gender Based Violence, “[g]ender violence is widespread in Uganda. [...] According to the 2006 Uganda Demographic and Health Survey, at least 61 percent of all married women have experienced physical violence within their households - 31 percent had experienced the violence within the past 12 months.”³

In regards to sexual violence within relationships, the report goes on to say that “[t]he incidence of women who have experienced sexual violence differs markedly across regions. Eastern Uganda has the highest rates of sexual violence (31 percent), followed by Western Uganda (25 percent), while both Central and Northern Uganda have prevalence rates below 20 percent. The incidence of violence—especially violence of a physical nature, may be driven by cultural beliefs. Some of the cultural ethos glorify violence, and in some cases equate violence with a display of love or affection. Due to cultural norms, marital disagreements, even where violence occurs, are considered a private matter and not a public issue. Consequently, if violence is initiated, it can recur without any outside involvement.”⁴

In addition to the physical violence, women suffer from GBV in the form of economic deprivation. This takes the form of lack of maintenance for both wife and children, chasing them away from the matrimonial home and family land. These trends are common during beginning of school terms, when school fees are due.

JCU has noted an increased willingness to report cases of domestic violence due to extensive outreach activities and sensitization on the matter. However, due to the formal authorities’ lack of adequate reaction to reports, women’s confidence in Police remains very low and women needs continuous and intensive support.

JCU focuses on sensitizing both duty-bearers (such as police and prison officers, local council members and cultural leaders) and communities on the Domestic Violence Act, the rights of women and children to be free from violence and the importance of combating GBV for healthy communities to change this phenomenon.

³ Uganda Bureau of Statistics, Ministry Of Finance, Planning and Economic Development. Gender Based Violence Survey – 2009, last modified 2014.

⁴ Ibid.

Succession Law

Women and girls are widely discriminated against when it comes to inheriting property and land. Even those who receive some inheritance, usually do not get an equal share to their male counterparts. Many women are not aware of their own rights to inheritance. In addition, lack of knowledge about the legal forms of marriage and its benefits – specifically her right to inheritance – as well as polygamy put women in even further disadvantage when they become widows. In addition, women are discouraged to make wills of their own. Continuous awareness raising is necessary to change this.

Child Maintenance

Child maintenance issues usually increase at the beginning of school terms when fees are due. In some areas, though, JCU has seen a decline where women have been empowered to realize that they are not required to hand over all income to their husband, but keep part of it to cover essential family costs. JCU experience shows that MoUs that grant women fixed assets such as land or harvest shares are more successful than agreements on monthly payments, which often are honored to a very limited extend if at all.

Marriage and Divorce

Overall, women still lack knowledge and awareness of the importance of legally formalized marriages, which exposes them to injustice and economic deprivation. However, JCU registers a trend to increased knowledge and interest of women to formalize their marriages. An important aspect hereby is the custom of bride prices that foster men’s conviction that wives are “owned” rather than equal partners with equal rights in a marriage.

Mainstreaming Gender in JCU work

JCU Internal Policies

The basis for gender mainstreaming is created at the institutional level. No organization or institution can reasonably claim to pursue gender equality in their work if their own systems, composition and procedures do not reflect the same.

JCU aims to guarantee gender equality within her institutional framework targeting the following areas:

Steering Committee

The Steering Committee is the highest overseeing body and management level of JCU. As such it plays a vital role in providing strategic leadership and overseeing the implementation of the Strategic Plan. Gender equality requires that the Steering Committee be composed of an equal number of men and women. The Technical Sub-committee in charge of programme implementation and M&E should regularly monitor implementation and adherence to the Gender Manual. Orientation of new Committee members on gender issues upon appointment is a form of ensuring gender-sensitive oversight.

Recruiting

JCU is an equal opportunity employer. Provided that candidates are equally qualified, decisions are made considering the gender balance. JCU takes special care to ensure that a gender balance is provided among legal staff to be able to respond to gender specific needs and allow sensitive cases to be handled by a female or male staff according to the specifics of the case.

Orientation

New staff to JCU undergo an orientation period as laid out in the HR manual. Mandatory element is an introduction to “gender” and its implication for JCU’s work as well as an orientation of the present manual. This manual is a compulsory addition to the JCU PI Handbook. Every Centre has at least one printed copies available at any point in time. In addition, every staff receives a soft copy upon joining JCU.

Staff Management

Initial gender training was held for all JCU staff on August 8, 2017 at the JCU Annual Retreat at Esella Country Hotel, Kampala.

Additionally, JCU ensures that staff are continuously trained on understanding gender, facilitating outreaches considering gender-specific needs and reporting on gender issues to the degree that it allows gender disaggregated data (GDD) in addition to sex disaggregated data (SDD).

JCU also maintains a system of flexibility to allow parents to respond to emergencies occurring in their families. Safe and private space for mothers to nurse their babies is to be provided at every Centre and provisions taken to ensure participation of nursing mothers at all events (both staff and clients).

Gender Focal Point

This manual proposes a gender focal point within JCU to be the number one contact for any staff on gender issues. The focal point should be a source of information and guidance on gender issues regarding the implementation of the JCU Strategic Plan and at the same time serve as an ombudsperson and counsellor to staff raising concerns of gender discrimination or similar within JCU.

Research & Advocacy

At the time of creation of the present manual, substantive information on gender implications or an in-depth analysis of gender implications of JCU's legal aid and outreach work is not sufficiently available. The upgrade of JCU's Information Management System, however, should enable JCU to extract more in-depth information about legal issues and the specific implications for men and women.

In addition, this manual proposes exploring research (data and trends) of the following areas to create a basis for improved advocacy. JCU's advocacy aims to reform existing and create new laws and practices that strengthen gender equality. The list is not exhaustive:

- Satisfaction of women with informal dispute resolution
- Prevalence of GBV in JCU covered districts
- Treatment of mothers in prison/police detention centres / Presence of physical facilities that cater to women's gender needs.
- Prevalence of denial to land & property
- Child marriage and defilement
- Specific labor law challenges for women

For all advocacy and IEC activities, the following question should be considered:

- What efforts have been made to include the target of communications in planning, development or decision-making on the different content areas or messages? Have you considered consultations and collaborative work with different community groups?
- Does the communication use language that is gender sensitive/ gender neutral (not always referring to the male) and is easily understood? (plain language, no legal jargon, alternative formats such as graphics and cartoons)
- Do photographs or graphics depict both women and men and reflect the diversity of the population who will use the legal aid service?

- Are legal aid communications and materials being distributed through women's organizations or community groups that work with other marginalized groups? ⁵

At the same time, JCU will consider participating in campaigns that advocate for gender sensitive laws and policies and strengthen partnerships with organisations and institutions supporting gender equality.

Outreach

JCU recognizes that raising awareness is not a one-off provision of information, but an ongoing process involving all stakeholders. The Strategic Plan aims at gaining access to communities at every possible level, from targeted, mobilized community outreaches, spontaneous outreach sessions at key locations such as hospitals, places of worship or saving group meeting to community Barazas involving local duty-bearers to radio and TV spot messages and talk shows.

Generally, when planning any outreach or advocacy activity, the following questions will help ensuring gender equality in participation:

- How will attendance be managed to ensure men and women's equal participation?
- If women are underrepresented, how will you ensure the female perspective will be considered?
- Will there be time for discussion on the different perspectives of women and men? Does the activity give women an opportunity to be heard and to address issues important and relevant for women, particularly where they form part of a marginalized group?
- What has been done to encourage women's participation? [Transportation, child care, safety concerns] ⁶
- How do we follow up on women's issues raised?

It is a fact that in most households men control the finances independently of who generates the income. This often leads to the challenge of women not being able to participate at outreaches or honor court appointments, as they do not have the necessary funds for transport. JCU should consider providing transport refunds where such a situations occurs and the woman's participation can thus be facilitated.

Community Based Volunteers (CBVs) are an important asset to JCU in the field and can play a crucial role in reaching out to women at those locations they are frequently found.

⁵ Ian Morrison and Chantal Tie. Legal Aid Gender Equality Reference Tool. Canadian Bar Association. p. 6

⁶ Ibid.

Depending on local customs and family situations, some women may be afraid or prohibited from attending an outreach. JCU can consider producing material with the toll-free numbers that can easily be hidden by the recipients and used at a time they escape observation.

Women's Outreach

Many local cultures and customs inhibit women from participating at public sessions or, if they do, from speaking freely in the presence of men. JCU has therefore carried out specific outreaches for women, where they can address and voice their concerns and learn about their legal rights and pathways to claim them.

Special care is to be taken by the facilitators of these outreaches to establish rapport and create a conducive environment that encourages women to talk about sensitive issues without fear of reprisals or shame. CBVs can be key to ensuring gender balance (if, for example, the conducting paralegal is male, the CBV should be a female) and privacy to allow women to speak about their cases.

Community outreach

In addition to the Women's outreaches, facilitators of community outreaches should always aim to achieve a gender balance at community outreaches during mobilization. Independently of who the audience is, gender specific issues within the respective topic should always be mentioned and awareness of both men and women raised about the equality of both sexes before the law. It is equally important to raise men's awareness on gender issues to perpetually change cultural norms and customs.

JCU's experience has also shown that women need additional encouragement to speak out in the presence of men. Facilitators of community outreaches should take initiative to encourage women to raise their concerns.

Prison outreach

Women in prison face additional challenges to men, mostly due to their biological functions and their role as primary caretaker for their children. For one, sanitary conditions and the lack of facilities affect women more, especially during their time of the month. Pregnant women are much more vulnerable to health problems and risks during pregnancy and delivery. Finally, the situation of mothers, especially of infants, in jail have severe implications for the health and well-being of those children.

Women are also often subject to sexual harassment by prison staff.

JCU outreach facilitators are encouraged to sensitize prison authorities on the need to hold separate outreach sessions for men and women to allow gender-specific issues to be addressed

and create a safer environment for women to raise sensitive issues. They should also pay special attention to the conditions under which these vulnerable groups are held and strive to get comprehensive data on the prevalence of pregnant women and infant mothers and the treatment they receive.

Police Detention Centers

While the majority of suspects held in police detention centres are men, women, too, are being held and, as in prisons, face additional challenges when confined. JCU paralegals need to be sensitized and look out especially for the needs of detained women, especially pregnant women and nursing mothers and in relation to sanitary needs.

Example: According to Ugandan law, child-to-child sex is a criminal offence. So is defilement and aggravated defilement. However, there are significant differences in the quality and severity of damage between these cases. A 17-year-old girl and a 17-year-old boy who engage in consensual sex may create some moral irritation in outsiders, but won't cause any emotional and/or physical damage to anyone, whereas a teacher forcing a student into a sexual act commits a severe and heinous crime.

An outreach officer should therefore give the appropriate weight to both questions. In the above case, if the question asked is whether it is an offence for two minors to have consensual sex, the answer could be that yes, according to Ugandan law, it is a criminal offence. But once you have both completed 18 years you are free to engage in a sexual relationship. It is advisable, though, to use condom to protect yourself and your partner from disease and pregnancy.

On the question of a teacher "forcing a girl to fall in love" (how it is often phrased), the officer should emphasize that not only is this a criminal act, but it is a very severe crime called aggravated defilement that can be punished by death or life imprisonment. It is the right of every child to be free from ANY form of physical and/or sexual harassment. At the same time, it is important to note that boys, too, can be defiled by men and women and that the crime is the same. JCU offers to accompany any child reporting such a case to the relevant authorities to make sure the case is pursued and the child protected.

School outreach

JCU outreaches in schools have brought up the main issues that affect students, namely refusal of parents to provide school fees, child labor and sexual abuse. Most worryingly are cases of defilement through school staff and the lack of meals provided by some schools.

JCU's challenge in conducting outreaches at school is the dependence on school authorities to determine how much time is available for the outreach. In most cases, time is too short to allow for separate sessions for boys and girls. However, outreach officers are encouraged to sensitize head teachers on the importance to create safe spaces for children to speak about sensitive issues and encourage authorities to provide that space.

At the same time, it should be considered that questions raised by children – especially in relation to defilement, corporal punishment at schools and other forms of violence against children – even if asked in general terms, are a

form of communicating to the outreach facilitator that, indeed, these crimes are being committed against them. It is of highest important, therefore, to not limit yourself to providing accurate legal information, but to emphasize the severity of these crimes, the right of every child to be free from physical and sexual violence and to follow up with the child on the specific allegations. If a case is reported, the child should not be left to report the case to the head teacher or any other authority alone, but should always be accompanied by JCU and, in addition, referred to an institution that provides support to victims of violence.

Of all outreaches, school outreaches can be considered the most sensitive as they engage with children, the most vulnerable and dependent segment of society. Outreach officers need to be aware that equally or even more important than the legal accuracy of information is the way this information is communicated to the child.

JCU HR Development should provide regular trainings to outreach officers on how to facilitate outreaches and address sensitive issues to ensure maximum comprehension and confidence of her audience. It is imperative to guarantee confidentiality and privacy to any person wishing to speak out about her or his experience of violence or any other concerns for their safety.

Barazas

The overall objective of Barazas as a form of extended outreach with the presence of local duty-bearers is to bridge the demand and supply sides of justice by creating a platform for accountability by the different government institutions and Civil Society Organizations (CSOs) involved in the administration of Justice through open and interactive dialogues with the communities.

To ensure a maximum of participation by both men and women, care must be taken when choosing both location and time, so that the event is easily accessible to all community members. At the same time, preparation and budgeting for Barazas should include provisions to facilitate participation of Persons with Disabilities, providing transport and/or wheelchairs to the physically disabled and other equipment as to facilitate participation of blind/deaf and otherwise impaired persons.

Barazas could be organized in partnership with health institutions and/or organisations with a number of objectives:

- Encourage wider participation, especially of women and People with Disabilities (PWD);
- Demonstrate the link between legal aid and health as in

- How securing land rights support family health;
- How reducing domestic violence increases family and community health;
- Health, pre-natal care and nutrition as human rights;
- Psychosocial counseling supporting conflict resolution;
- Offer a more holistic approach to access to justice and foster referral partnerships.

Spot messages

JCU spot messages are recorded short legal awareness jingles that are played at agreed times on local radio stations. They usually run for about 60 seconds. JCU runs messages on issues like right of women to give written consent in respect to dealings in matrimonial property or family land, defilement and other gender-specific issues. The Domestic Violence Act should also be covered and concepts be developed in the local languages to reach a maximum of people.

IEC Material

JCU produces Information and Education Communication (IEC) material on a variety of issues. Specific material on domestic and gender-based violence and women's rights have to be developed and disseminated in different languages.

Considering the fact that many women still face significant pressure from within families and communities, which makes their participation at outreaches let alone their appearance at JCU offices unlikely, JCU shall endeavor to develop easily-hidden tokens with no more than JCU's toll-free number and a line such as "Are your rights being violated? Call 0800..." or "Do you need legal help? Talk to JCU - it's free!". These can be disseminated at health centres or any other locations where women, even those who are otherwise hard to find outside the homes, can be found.

Training of Duty-Bearers

JCU experience has shown that much still needs to be done to change underlying beliefs and perceptions of communities and their leaders in regards to gender equality and the rights of women, children and disabled persons. It is understood that changing cultural norms and customs requires patience and persistence, but is crucial to ensuring lasting and sustainable behavior change.

Local council authorities and clan leaders are the main points of reference in the communities when it comes to dispute resolution. In addition to providing them training in legal knowledge on land and succession law, they must be at the forefront of JCU's efforts to sensitize duty-bearers on the rights of women, PWDs and children on an ongoing basis. They should be trained on how to identify and help discourage customs, practices and cultures that are discriminative in nature especially on grounds of sex.

JCU needs to carry out campaigns that target and actively involve men and male leaders as champions for the end of violence against women and promotion of gender equality. To this end, JCU will partner with institutions specializing in this area to develop concepts that emphasize the economic and social benefits of healthy families and male-female relationships, including a culture of violence-free pedagogy.

The involvement of men is also important so as not to antagonize community leaders against JCU interventions.

Police are another important partner in providing access to justice and need to be sensitized on how to handle reports of domestic and sexual violence against women and children. It is not only unacceptable, but a violation of the law to refuse to take up reports of rape and defilement, so police officers should be trained on their duties, on the Domestic Violence Act and all procedures involved. O/C must be alert to cases of doctors and/or police officers charging for the Police Form 3A; in fact, all police stations should always be equipped with sufficient forms to provide to victims.

Legal Aid Services

JCU's mission is to provide human-rights based quality legal aid services. The understanding is that JCU service delivery is non-discriminatory, transparent and based on empathy. Just as JCU places notices in all offices offering pathways to report corruption practices, she should also strive to inform clients that in case they feel discriminated against by any staff at any point in time, they can file a complaint with the Centre Manager or National Coordination Office. Frequent client satisfaction surveys (CSS) are another means to capture any grievances clients may have.

An initial analysis of JCU cases shows that for women, only 17% of their land issues were litigated in court, while for men the number was twice as high (34%).¹ A variety of factors can contribute to this phenomenon:

- Land issues for women are more within families and can more easily be mediated;
- Women are shyer to go through the formal litigation process;
- Women are more willing to settle and compromise on land issues than men;
- JCU staff are more inclined to take male clients through court processes;
- Men have cases/evidence that is more likely to be successful in court.

Whatever the reasons are, this example shows that there are, in fact, differences between men and women that warrant closer analysis in order to adopt adequate responses.

As a rule, pregnant women, nursing mothers and people with disabilities (PWD) should be given preference when attending to walk-in clients. Signs informing people in the waiting sections should inform all about this procedure.

Dealing with Domestic and Sexual Violence

All cases of criminal offences, especially violent crime, have to be reported to police. The victim's legal representation in these cases is the State. This notwithstanding, JCU can and should assist victims of domestic and sexual violence in going through the process by

- Providing comprehensive information to the victim on the law and the legal process, including advice that at no point the victim should be required to pay for medical examinations or any other service;
- Offering to assist the victim in case of any violation of their legal duties by the authorities;
- Accompanying the victim to the police to ensure proper reception and procedure;
- Follow-up their cases with the police;
- Psychosocial counseling;
- Referral to support institutions that offer additional services in counseling etc.;
- Raising any issues encountered with justice institutions to the responsible leaders;
- Training duty-bearers on the rights of victims and proper handling of cases of domestic and sexual violence, including defilement of boys;
- Conducting awareness campaigns on the Domestic Violence Act, sexual crimes and the rights of the victims;
- Sensitizing communities on sexual violence to break the cycle of stigmatization and taboo;
- Raising awareness about the fact that sexual violence is not limited to women and girls; men and boys can be and are victimized;

- Producing IEC material on domestic and sexual violence in English and local languages;
- Encouraging victims and caretakers to pursue cases through the formal justice system.

Basic Legal Advice

Women tend to be more reluctant to pursue their cases at court. When appropriate, JCU staff should actively encourage women to follow through with their cases and not succumb to pressure to rest their cases or agree to settlements that are contrary to their benefit, while at the same time ensuring their safety within their communities.

Psychosocial Counselling

Clients and applicants who arrive at JCU in a state of high emotional stress very often benefit from psychosocial counselling before going through the dispute resolution process. In order to address the person's needs adequately and ensure maximum benefits, JCU should aim to be sensitive to gender needs. A woman having experienced violence may prefer to talk to a female counselor or paralegal. Equally, a man having experienced a humiliating experience may also have a preference of either a male or female counselor. Clients should be advised that they can request to be interviewed and/or counselled by a same-sex JCU staff.

Referrals

Care should always be taken to make sure cases for referrals fall within the scope and mandate of partner institutions before sending the client. Women may have a greater need for social and/or psychosocial support, which makes it worthwhile to explore the possibility of referring clients for additional services while at the same time taking up their legal matters.

JCU Centre Managers' responsibilities include the establishment and maintenance of functional referral pathways. These should include organisations and institutions that can help JCU provide women, children and PWD with services that goes beyond legal aid – including shelters, while at the same time ensuring that emerging trends and arising issues regarding gender equality can be analyzed and taken up on advocacy level.

Mediations

Gender Balance

JCU experience shows that women are at greater disposition to mediate legal matters. Care must be taken, though, to ensure that mediations are held in such a way as to encourage women to defend their own interests well. Confronting a women with a whole panel of male respondents, for example, might discourage and intimidate her to the degree that she is not able to defend her position. It is JCU's responsibility to provide safe spaces where women can argue their position and agree only to what is beneficial for them.

It also implies giving advice to women that at mediations they are not to show that they are "good women" and agreeable, but should pursue their best interests and compromise only to the degree that it benefits all, including them.

Regular training of mediation facilitators should always address gender sensitivity and awareness of power imbalances and how to address them.

Child protection at mediations

Children must be protected from harm at all times and should, as a rule, not be present during mediations. JCU should seek to advise parents to arrange for supervision of their children during mediations and may, in some instances, make provisions at the Centres.

Psychosocial counseling at mediations

In cases that can be expected to have high emotional tension, JCU facilitators should ponder the presence of a psychosocial counselor, if available, to prevent conflict escalation.

Litigation

Given women's often limited control over the family's financial resources and their roles as primary caretakers and agricultural workers, their willingness and possibility to go through a court process are often heavily compromised. JCU has the discretion to consider transport support for those who cannot afford it. While it is outside JCU's control to determine the dates for court appointments, legal officers may help women by advising them early on to make arrangements so they can free up time to attend court sessions.

As mentioned before, an important element in supporting women to go through the litigation process is the psychological empowerment, reducing their fear of taking a man to court. At the same time, awareness raising of communities and duty-bearers will contribute to creating a more conducive environment for women to fight for their rights. Additional support from referral partners can also be of help.

Overall, while there are many factors that contribute to women fearing both formal and informal justice systems, and many of those will change only over time, JCU should make every effort to communicate to women that her officers are supportive and approachable at all times. Client communication, as important as it is for all clients, can be the decisive element in determining whether a women feels empowered enough to pursue her (and/or her children's) rights or not.

As in mediations, raising awareness in communities and among duty-bearers about women's rights and the importance of encouraging them to exercise their rights and citizens, is a key element of JCU gender strategy.

Monitoring & Evaluation

All information about JCU interventions is captured in the Information Management System (IMS) and sex-disaggregated, allowing analysis of differences between men and women in

- The type of claims
- Pursued dispute resolution method
- Status of case
- Success of case resolution
- Client satisfaction (→ CSS)

→ CSS: The Client Satisfaction Survey is designed to capture client's satisfaction with JCU services. In addition to being sex-disaggregated it also asks specific questions about discrimination experienced at JCU on account of the client's sex.

Other M&E methods such as Focus Group Discussions (FGD) and surveys are applied to assess the impact of JCU's outreach and sensitization activities. The IMS also allows analysis of follow-ups with duty-bearers on issues raised, which enables JCU to see the effect of her interventions on behalf of women.

Privacy

It should be noted that JCU places the highest importance to privacy and confidentiality. Refer to the → Client Privacy Guidelines for more detail.

Whenever JCU follows up success stories and/or photographic material for publication, utmost care must be taken to ensure the client is fully aware of the consequences of having his/her story and/or picture published before consenting to the publication. At the same time, clients must be assured that their refusal to allow publication does not, under any

circumstances, affect their standing as clients nor the handling of any current or future cases by JCU.

To make sure clients are sufficiently aware, JCU must provide the following information:

- What kind of information will JCU publish;
- That in ALL cases client names will be changed for success stories to protect their privacy;
- Where the information will be published (what kind of media, geographical reach);
- Why JCU wants to publish this information;
- Who will be the primary audience of the publication;
- Special care should be applied when taking pictures of children. In fact, pictures of children should be avoided to ensure their safety.

It is understood that clients, and again due to their upbringing and cultural expectations especially women, may be shy to refuse JCU's request in fear of appearing ungrateful or attracting displeasure. Careful communication is thus key to ensuring that the client's wishes are expressed and respected.

So, after providing the above information, instead of asking the client: "Do you mind if we publish...?", the question should rather be: "What are your concerns regarding a possible publication?" If the clients mentions concerns, JCU staff may reply: "I understand that under these circumstances, you prefer not to have your story/picture published." Only if then the client insists that yes, provided the safeguards, JCU may indeed publish the information, should JCU go ahead.