**LOCAL COUNCIL 1 OFFICERS CHAMPIONING THE**

**PREVENTION, MITIGATION AND RESOLUTION OF DOMESTIC**

**VIOLENCE CASES IN UCB ZONE, BUKOTO 1 PARISH, NAKAWA DIVISION, KAMPALA DISTRICT, UGANDA.**

BY

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BUILDING AND CONFLICT TRANSFORMATION OF MAKERERE UNIVERSITY

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**DECLARATION**

I, **CATHERINE BAINE-OMUGISHA**, do hereby declare that “*Local Council 1 Officers Championing the Prevention, Mitigation and Resolution of Domestic Violence Cases in UCB Zone, Bukoto 1 Parish, Nakawa Division, Kampala District, Uganda*” is entirely my original unaided work, except where acknowledged, and that it has not been submitted before to any other University or institution of higher learning for the award of any academic qualification.

**Signed**: **Date:** December 29, 2021

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**APPROVAL**

This Social Change Initiative (SCI) report has been approved for submission to the College of Humanities and Social Sciences by the University Mentor and Supervisor after having thoroughly read through its contents.

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# Abbreviations

|  |  |
| --- | --- |
|   |   |
| ADR  | Alternative Dispute Resolution  |
| AIDS  | Acquired Immunodeficiency Syndrome  |
| CEDAW  | Convention on Elimination of All forms of Discrimination Against Women  |
| GBV | Gender Based Violence  |
| HiiL  | Hague Institute for Innovation of Law  |
| HIV  | Human Immunodeficiency Virus  |
| LC  | Local Council  |
| LC1  | Local Council 1  |
| LCCs  | Local Council Courts  |
| MoLG  | Ministry of Local Government  |
| NAP | National Action Plan |
| NDP | National Development Plan |
| RI  | Rotary International  |
| RPC  | Rotary Peace Centre  |
| RPF  | Rotary Peace Fellow  |
| SCI  | Social Change Initiative  |
| SDGs | Sustainable Development Goals |

# Abstract

Domestic Violence is a form of Gender Based Violence. It is the suffering from physical, sexual, emotional, verbal, physiological, and/or economic abuse within a domestic relationship. Gender Based Violence in Uganda largely originates from institutionalized male superiority tendencies leading to unequal power distribution in homes and in society. While male against female violence is more common, some males also suffer from domestic violence.

Domestic violence negatively impacts on health, life, development and peace. It has continued to be one of the leading crimes reported in Uganda with a sharp increase being noted from the onset of the Covid-19 pandemic lockdowns.

Seeking Redress for domestic violence from the formal justice system has often been characterized by delays and granting of solutions that at times do not break the cycle of violence. On the other hand, the informal justice systems such as the Local Council Courts which are generally viewed as accessible, quick and less costly as far as the administration of justice in Uganda is concerned, are faced with challenges which include limited awareness about the law and human rights, lack of access to key reference materials, and focusing more on dealing with after effects instead of concentrating on prevention and mitigation measures.

This Social Change Initiative focuses on supporting Local Council 1 Officers to use a three pronged approach to dealing with domestic violence in their community i.e. prevention, mitigation and resolution.

***Key words:*** *covid-19, domestic violence, local council 1, positive peace, social change initiative, sustainable development*

# CHAPTER ONE

## 1.1 Introduction and Background

### 1.1.1 Introduction

Social change is the way human interactions and relationships transform cultural and social institutionsover time, having a profound impact on society. It seeks to transform the underlying conditions that result in domination, extraction and violence. Social change envisions a world rooted in interdependence, resilience and sustainability. The social change approach is about creating communities that work for all people, not just those with dominant culture privileges (Theo Spanos Dunfey 2019). An initiative is a new plan for dealing with a particular problem (Online Oxford Advanced Learner's Dictionary). A SocialChange Initiative (SCI) can therefore be defined as any purposive action aimed at addressing socialproblems, promoting social justice, improving access to opportunities for deprived or marginalized persons, groups, or communities, enhancing social welfare, and contributing to sustainable development at large.

Domestic Violence is a form of Gender Based Violence (GBV). It is the suffering from physical, sexual, emotional, verbal, physiological, and/or economic harm/abuse within a domestic relationship (Domestic Violence Act, 2010). It largely originates from institutionalized male dominance tendencies leading to unequal power distribution in homes and in society. While male against female violence is more common, there are also males who suffer from domestic violence (The National Situation Gender Based Violence Analysis 2010).

Despite Uganda’s existing domestic violence legal framework, domestic violence has continued to be one of the leading crimes reported in Uganda. It continues to negatively impact on peoples’ health and lives, to curtail development and to rob people and communities of peace. This is largely because of the many challenges surrounding the implementation of the legal and policy framework both at the grassroots and at national level.

My SCI focuses on enhancing the Local Council 1(LC1) Officers’ ability to champion the prevention, mitigation and resolution of domestic violence cases in their community.

Given that domestic violence happens within domestic settings and communities where the LC1 Officers live and operate and the fact that LC1 officers are mandated to handle some of the domestic violence cases, each LC1 Officer’s interaction with the community can be used as a forum for raising the community members’ awareness about domestic violence and for crafting interventions to address the vice. For this to happen, the LC1 Officers must be equipped with the correct information and helped to acquire the right mindset towards fighting domestic violence.

This SCI implementation report summarizes the literature that was reviewed, the underpinning theories and statement of the problem, the SCI goal and objectives, the theory of change and how it was applied, the SCI methodology, the activities undertaken, key findings and impact of the SCI, the challenges encountered and how they were mitigated, the conclusion and recommendations as well as the sustainability plan.

### 1.1.2 Background

Rotary International (RI) is a global network of 1.2 million friends, leaders, and problemsolvers who see a world where people unite and take action to create lasting change across the globe, in communities, and amongst people. RI’s mission is to provide service to others, promote integrity, advance world understanding, goodwill and peace through fellowship of business, professionals and community leaders. RI has got seven thematic areas. These are: promoting peace, fighting/preventing disease, providing clean water and sanitation, maternal and child health, supporting education, growing local economies/economic development and environmental protection.

In line with its thematic areas on promoting peace and supporting education, each year, RI awards up to 130 fellowshipsto dedicated practitioners from around the world to study at its Rotary Peace Centres (RPC). Through academic training, practice, and global networking opportunities, the RPC’s program develops the capacity of peace and development professionals or practitioners to become experienced and effective catalysts for peace. The Rotary Peace Fellows (RPF) earn either a Master’s Degree or a Professional Development Certificate in Peace and Conflict Studies at one of the RPCs, located within eight leading universities around the world.

Makerere University is one of the eight leading universities with a RPC. It is the first of its kind in Africa. Its first Cohort of fifteen fellows pursuing a Post Graduate Diploma in Peace Building and Conflict Transformation is drawn from eleven countries i.e. Australia, Botswana, Burundi, Democratic Republic of Congo, Liberia, Nigeria, Somalia, Uganda, United Kingdom, Zambia and Zimbabwe. One of the requirements for attaining the Post Graduate Diploma in Peace Building and Conflict Transformation is the development and implementation of SCI projects by the RPFs. The SCI projects are required to be of the kind that promotes peace and development in the RPFs’ program region or community.

As a Ugandan RPF who is passionate about gender justice, conflict mitigation and Alternative Dispute Resolution (ADR), I chose to develop and implement a SCI that focuses on enhancing the LC1 Officers’ ability to champion the prevention, mitigation and resolution of domestic violence cases in their community.

## 1.2 Problem Statement

Uganda’s legal and policy framework identifies key stakeholders at the different levels and mandates them to appropriately use formal and informal justice systems to address domestic violence. Despite the current legal and policy framework, domestic violence remains a major human rights, economic and health problem. The formal justice system appears to be slow as a large number of domestic violence cases remain pending in court, or under investigation for a lengthy period of time. Other cases are dismissed for lack of evidence while others seem not to be properly accounted for in the available statistics. Some informal justice systems such as the Local Council Courts (LCCs) are mandated to address some domestic violence cases at the grassroots level. They are generally viewed as accessible, informal, quick and less costly administration of justice centres. However, they have limited awareness about the scope of their jurisdiction, lack reference materials, have limited knowledge about women and children rights, and are poor record keepers. These challenges undermine their effectiveness. (Joint Survey on Local Council Courts and Legal Aid Services in Uganda, 2006).

LC1 Officers being grassroots domestic violence stakeholders need sensitization and user friendly reference materials on: non discriminatory principles, their mandate, prevention and mitigation of domestic violence, mediation of deserving cases as opposed to pushing them into the already clogged formal justice system and record keeping etc. This would enable the LC1 Officers and their LCCs to execute their judicial and administrative functions more effectively and efficiently.

## 1.3 Goals and Objectives

### 1.3.1 Goal of the Social Change Initiative

A goal is the end towards which effort is directed (Online Merriam-Webster Dictionary). The overall goal of my SCI is to enhance the LC1 Officers’ ability to champion the prevention, mitigation and resolution domestic violence cases in their community i.e UCB Zone, Bukoto 1 Parish, Nakawa Division, and Kampala District, Uganda.

The above stated goal supports RI’s thematic areas on aiding education and peace building. It also supports the attainment of Sustainable Development Goals (SDGs) 5 and 16 which relate to gender equality as well as promoting peace and access to justice for all.

### 1.3.2 Objectives of the Social Change Initiative

An objective is something that you [plan](https://dictionary.cambridge.org/dictionary/english/plan) to do or to [achieve](https://dictionary.cambridge.org/dictionary/english/achieve) in order to attain the desired goal (Online Cambridge Dictionary). The objectives of this SCI are as follows:

1. To enhance the LC1 Officers’ understanding of the domestic violence legal framework and their roles and mandates regarding the prevention, mitigation and resolution of domestic violence cases.
2. To improve the LC1 Officers’ comprehension of the values they should uphold when dealing with domestic violence in their community.
3. To augment the LC1 Officers’ awareness about the relationship between domestic violence and having positive peace in their communities.
4. To avail the LC1 Officers with and guide them through a compendium of LC1 specific reference materials on domestic violence for ease of their reference when handling domestic violence cases.

## 1.4 Challenges and Mitigation

Developing and implementing SCIs requires time as well as human and financial resources.

### 1.4.1 Changes in the SCI Guideline

The SCI guideline/Implementation report format from the RPC kept on changing. The final version was availed on October 11, 2021. This translated into continuous alterations of my SCI write-up, loss of time and the related fatigue; a challenge that was difficult to mitigate since the finalization of the SCI guideline was outside my control.

### 1.4.2 Financial Constraints

Implementation of my SCI required printing, photocopying, scanning, fuel, participants’ mobilization, venue hiring, purchasing stationery and refreshments and paying cofacilitators etc. all of which had financial implications. It was not until late May 2021 that the RPC firmly communicated its lack of budget for the SCIs yet SCI implementation was expected to commence in early May 2021. This late communication meant that the SCI write-up earlier submitted to the RPC had to be revisited to scale down the SCI scope and that I had to prepare fundraising concept notes and engage in fundraising activities, which meant halting a number of other assignments without a guarantee that the fundraising activities would bring in the required funds. My fundraising efforts with a few individuals and organizations were fruitless, leaving me with no choice but tremendously scale down my SCI, shift earlier set timelines and to re-channel funds meant for my personal/organizational activities towards implementation of my SCI.

### 1.4.3 The Covid-19 Pandemic

The world was dealing with the Covid-19 pandemic at the time implementation of SCIs was expected to commence. In Uganda, we had to be subjected to lockdowns to curtail the spread of Covid-19. Earlier planned face to face engagements with SCI respondents had to be halted. Virtual meetings were not an option as access to online platforms by the intended participants had not been budgeted for. I used the June to July 2021 lockdown to develop sensitization materials. The SCI sensitization workshop was conducted when the lockdown was partially lifted. A smaller number of people had to be involved, a spacious meeting hall, masks and regular sanitizing had to be used, which came with financial implications that may not have arisen in a normal situation.

### 1.4.4 Time Constraints

The time between the actual start of the SCI implementation and the date for submission of the final SCI report (January 02, 2022) is too short to allow proper assessment of the impact of the SCI.

# CHAPTER TWO

## 2.1 Literature Review

### 2.1.1 International and Regional Legal and Policy Framework on Domestic Violence

Uganda is a party to several international instruments relevant to addressing domestic violence. These include the Universal Declaration of Human Rights (1948), the Convention on the Elimination of all forms of Discrimination Against Women (1981), the Convention on the Rights of Children (1989), and the Sustainable Development Goals (SDGs) 2030 Agenda. [The 2030 Agenda for Sustainable Development](https://sustainabledevelopment.un.org/post2015/transformingourworld) has 17 SDGs which recognize that ending poverty and other deprivations must go hand-in-hand with strategies that improve health and education, reduce inequality, and spur economic growth. Uganda is also a signatory to several regional commitments such as the African Union Solemn Declaration on Gender Equality in Africa (2004) and the Kampala Declaration on ending Sexual and Gender-Based Violence (2011).

### 2.1.2 National Laws and Policies on Domestic Violence

The Constitution of the Republic of Uganda (1995) is the supreme law in Uganda. All other laws are expected to be in line with it. Otherwise they are deemed void to the extent of their inconsistency. The Constitution provides for equality of all persons in all spheres of life and for freedom from discrimination (Article 21). It defines discrimination as giving different treatment to different persons attributable only or mainly to their respective descriptions by sex, race, colour, ethnic origin, tribe, birth, creed or religion, social or economic standing, political opinion or disability. It spells out the duties of its citizens to include: respecting the rights and freedoms of others, contributing to the well being of the community where one lives, promoting responsible parenthood, and protecting vulnerable persons against any form of abuse. The Constitution also provides for numerous rights to be enjoyed by citizens of Uganda including the right to apply to a competent court for redress if someone feels that his/her rights and freedoms have been violated (Chapter 4).

The National Development Plan (NDP) III (2020/21–2024/25) defines the broad direction for the country and sets key objectives, interventions and targets for sustainable socioeconomic transformation of Uganda. Community Mobilization and Mindset Change (Pg 185-190) and Governance and Security (Pg 191-198) are some of its development programs that seek to address harmful culture, beliefs and practices that promote stigma, discrimination, gender inequalities and GBV within families and communities. Strengthening the family unit to reduce domestic violence, increasing access to sexual reproductive health rights with special focus on family planning services, supporting gender equality and equity responsive budgeting in all sectors and local governments, implementing male involvement strategies in the promotion of gender equality; inculcating ethical standards in all institutions and communities, enforcing laws against harmful religious, traditional/cultural practices and beliefs, promoting advocacy, social mobilization and behavioral change as well as enhancing crime prevention and community policing are some of the interventions identified by the NDP III to address GBV.

Uganda Vision 2040, (2013), the National Equal Opportunities Policy (2006) and the Equal Opportunities Commission Act (2007) seek to promote equal opportunities and enjoyment of human rights for all without discrimination. The Uganda Gender Policy (2007) is a guide to all development practitioners regarding planning, resource allocation and implementation of development programs with a gender perspective. The Prevention of Trafficking in Persons Act (2009)prohibits the relocation of human beings for purposes of slavery or forceful activity. The Land Act (Cap 227) prohibits dealing of matrimonial property without spousal consent. The Children Act (Cap 59) seeks to promote and protect children rights.

The National Policy and National Action Plan (NAP) on Elimination of Gender Based Violence (2016) are a framework for implementation of comprehensive GBV prevention measures and provision of multi-sectoral support services for GBV survivors. They outline the role of various state and non-state actors at local and national levels, strategic actions, and milestones for measuring progress at those levels. LCs are some of the actors expected to implement this policy and plan. The Penal Code Act (Cap 120)has various provisions to address crime including sexual offences.

The Domestic Violence Act (2010) and Regulations (2011) provide for the protection of victims and punishment of perpetrators of domestic violence; the jurisdiction and procedure to be followed by the court and for the enforcement of orders made by the court.

The Local Governments Act (Cap 243) provides for the creation of administrative units based on urban areas and villages. It provides that there shall be a Council at each level of the administrative units. The Council at the village level consists of all persons of 18 years /above residing in that village. Each Village Administrative Unit is expected to have an Executive Committee consisting of 10 persons. The functions of the Executive Committee of a Village Council include: assisting in the maintenance of law and order, initiating, supporting and participating in self help projects; monitoring the administration in its area; serving as the communication channel between the people in the area, higher Local Councils, the District and Government as well as carrying out any other functions which may be imposed by law. (Part V)

The Domestic Violence Act (2010) and Regulations (2011) bestow jurisdiction upon the Village LCCs to handle some domestic violence cases. The Village LCCs are constituted of all members of the Executive Committee of the village. Where the Domestic Violence Act and Regulations are silent on the specific procedure to be followed, then the Local Council Courts Act (2006) and Regulations (2007) apply.

### 2.1.3 Domestic Violence in Uganda

Domestic violence as will be further illustrated Chapter 2.2 has continued to be one of the leading crimes reported in Uganda.There was a 29 % increase of domestic violence cases reported to Police in 2020 compared to those reported in 2019. Of the 18,872 people who were victims of domestic violence in 2020; 3,408 were male adults while 13,145 were female adults. 1,133 were male children while 1,186 were female children. The sharp increase in reported domestic violence cases has been attributed to the Covid-19 Lockdowns (Uganda Police Force Annual Crime Report, 2020).

## 2.2 Theoretical Underpinnings

Theoretic underpinnings are background work that has been done in the field which supports one’s research and thesis. They are a social context lens which with support from data analysis explains “how” and “why” things happen in the way that they do (Ben Davis, 2021).

Domestic violence as a form of GBV largely originates from institutionalized male superiority tendencies leading to unequal power distribution in homes and society. While male against female violence is more common, domestic violence against men also exists. (National Situation Gender Based Violence Analysis, 2010). Domestic violence has remained one of the leading reported crimes in Uganda. There was a 29% increase of domestic violence cases reported to Police in 2020 compared to 2019. Of the 18,872 domestic violence victims in cases reported in 2020; 3,408 were male adults, 13,145 were female adults. 1,133 were male children while 1,186 were female children. The sharp increase in reported domestic violence cases was attributed to the Covid-19 Lockdown (Uganda Police Force Annual Crime Report, 2020)

While **Table 1 and 2** below indicate the number of domestic violence cases reported from 2017 to 2020, a closer look at the Uganda Police Force Annual Crime Reports for those years shows that some cases categorized as sexual offences, child abuse and torture, murder and common assaults etc. are intertwined with domestic violence meaning that the number of the domestic violence cases could be higher than what is specifically categorized as domestic violence.

In addition to that, the status of some reported domestic violence cases seems not to be very clear. For example, in 2019, 13,693 domestic violence cases were reported to Police. 1,390 of those cases were taken to Court and dealt with as follows: Convictions (359), Acquittals (21), Dismissals (288) and Still pending in court (722). 5,039 cases were still under investigations. There is no clarity about the status of the 7,264 cases which were reported to Police but which were neither reflected as taken to court (1,390) nor under the still pending investigations category (5,039).

**Table 1: Leading Crimes in 2020.**

|  |  |  |
| --- | --- | --- |
|  **S/No.**  | **Crimes**  | **No. of Cases Reported**  |
| **2020**  | **2019**  |
| 1.  | Theft  | 41,950  | 55,704  |
| 2.  | Assaults  | 30,712  | 31,895  |
| 3.  | Domestic Violence  | 17,664  | 13,639  |
| 4.  | Sex Related Crimes  | 16,144  | 15,638  |
| 5.  | Threatening Violence  | 10,844  | 11,592  |

The 2020 Annual Police Force Crime Report shows that 17,664 domestic violence cases were reported to Police. Of those cases, 1,359 were taken to Court and dealt with as follows: Convictions (400), Acquittals (6), Dismissals (88) and Still pending in court (864). 6,207 cases were pending investigations. It is not clear what happened to the 10,099 cases which were reported to Police but which were neither reflected among cases taken to court (1,359) nor under the category of those still pending investigations (6,207).

**Table 2: Leading Crimes in 2018 and 2017.**

|  |  |  |  |
| --- | --- | --- | --- |
| **S/No.**  | **Crimes**  |  | **No. of Cases Reported**  |
| **2018**  | **2017**  |
| 1.  | Common Assaults  |  | 29,735  | 30,794  |
| 2.  | Defilement  |  | 15,366  | 14,985  |
| 3.  | Domestic Violence  |  | 13,916  | 15,325  |
| 4.  | Threatening Violence  |  | 13, 357  | 13,474  |
| 5.  | Obtaining Money by pretence  | false  | 12,313  | 12,771  |

The Uganda Demographic and Health Survey (2016), when reporting about the help seeking behavior of domestic violence victims indicated that among respondents aged 1549; only about 3 in 10 women (33%) and men (30%) sought help to stop the violence. About 5 in 10 women (51%) and men (49%) neither sought help nor told anyone about the violence. Family members were the most common source of help for the women while men mainly sought help from police. Men were found to be more likely than women to seek medical help (Pg322).

More than 1 million serious family justice problems including domestic violence occur in Uganda every year. These problems impact on people’s lives, especially the women, in terms of stress-related illness, relationships challenges, abandonment of children, lack of education, HIV/AIDS, loss of work and opportunities to maintain the families. 67% of people faced with family justice problems seek assistance from informal sources while 39% seek help from formal sources (Nation Wide Justice Needs and Satisfaction Survey in Uganda, 2017).

Informal justice systems are a wide array of traditional, customary, and religious nonstate justice and informal mechanisms that provide dispute resolution and justice related services (USAID Guide to Rule of Law Country Analysis, 2010). The Nation Wide Justice Needs and Satisfaction Survey (2017) identified LCCs as some of the key stakeholders in the informal justice system. It indicated that besides family members and friends, LCCs were very helpful when families are faced with conflict.

Village Local Council (LC1)is the lowest units with administrative, legislative and judicial powers on behalf of the Central Government of Uganda. When performing judicial functions, these Local Councils sit as Courts. LCCs are governed by the Local Council Courts Act (2006) and Regulations (2007) and are supervised by the Chief Magistrate of the area. LCCs have specified territorial, monetary and legal limits/jurisdictions which they should not exceed. Some of the cases they can handle include: debt, breach of contract, assault and battery, conversion, damage to property, marriage and land matters of a customary nature, domestic violence etc.

While LCCs are generally viewed as being close to the people, accessible, informal, quick and less costly as far as the administration of justice in Uganda is concerned; over the years, literature on the management of LCCs has shown that they have low levels of awareness about key issues of legislation, lack access to key reference materials, lack awareness about women and children rights, they are poor at documentation and records management and at times exceed their jurisdiction. These challenges undermine the LC Officers/ LCCs’ effectiveness in the administration of justice at the grass root level. These challenges need to be appropriately addressed (Joint Survey on Local Council Courts and Legal Aid Services in Uganda (2006) & Ministry of Local Government’s Module on Local Administration of Justice (2010).

## 2.3 Theory of Change and how it was applied

According to the Centre for Theory of Change, a theory of change is essentially a comprehensive description and illustration of how and why a desired change is expected to happen in a particular context. It is focused in particular on mapping out or “filling in” what has been described as the “missing middle” between what a program or change initiative does in terms of its activities or interventions and how these lead to desired goals being achieved. It does this by first identifying the desired long-term goals and then works back from these to identify all the conditions or outcomes that must be in place and how these relate to one another causally for the goals to occur. These are all mapped out in an Outcomes Framework.

Based on the challenges faced by LC1 Officers/LCCs as enumerated in Chapter 1.2 and 2.2 above and the overall goal of this SCI as stated in Chapter 1.3.1 above, the following four outcomes were desired for the LC1 Officers under this SCI:

1. Enhanced appreciation of the domestic violence legal framework and the LC1 Officers’ mandates in prevention, mitigation and resolution of domestic violence cases.
2. Enhanced appreciation by the LC1 Officers of the values that should be upheld when dealing with domestic violence in their community.
3. Enhanced awareness about the relationship between domestic violence and positive peace.

e) Eased access to reference materials on domestic violence matters falling within their jurisdiction.

The following four outputs were expected in order to achieve the above outcomes:

1. One participatory sensitization Workshop held involving 10 LC1 Officers, 4 community members and 3 other stakeholders covering the domestic violence legal framework and the roles of the LC1 officers in prevention, mitigation and resolution of domestic violence cases.

1. Twenty compendiums of Village LC specific reference materials on domestic violence provided to workshop participants.

1. Three (3) meetings involving ten (10) participants conducted to follow-up the recommendations from the sensitization workshop.

1. Ten open ended questions questionnaire personally administered during the workshop follow-up meetings capturing information on domestic violence caseloads, records management, domestic violence prevention strategies and other recommendations for addressing domestic violence in the community.

The W.K. Kellogg Foundation Logical Model Development Guide (2004), advises that factors that may influence the ability to create the desired change in the community, the assumptions why the selected strategy will work in the selected community, and application of best practice research that supports plausible solutions for the identified problem should also be born in mind when dealing with development of a theory of change (Chapter 3, Pg 35).

The literature review and the underpinning theory in Chapter 2.1 and 2.2 above informed the identification of the following influential factors for this SCI:

1. LC1 Officers are elected and mandated by law to serve as the lowest political/administrative/judicial structure in their communities.
2. LC1 Officers have got jurisdiction to prevent, mitigate and resolve some of the domestic violence cases.
3. There is existing legal and policy guidance on how domestic violence matters should be handled by LC 1 Officers in their communities.

The following assumptions were made during the development of the SCI:

* That the supervisors of the SCI targeted participants would provide the necessary support whenever required.
* That a mobilizer for the targeted audience would be identified from within the targeted community.
* That the intended participants would buy- into/embrace the SCI.
* There would be proper attendance of the sensitization workshop & active participation by the targeted audience.
* The participants would embrace the non discriminatory and positive peace principles; and become more innovative in the execution of their mandates.
* The sensitization workshop would build on the use of ADR avenues such as mediation and reconciliation which have always been part of our African traditional systems.
* The SCI participants would be willing to utilize and pass on the knowledge acquired to community members and other domestic violence actors in their community.

A logical framework for this social change initiative was developed capturing the goal, outcomes, outputs, activities, challenges and mitigation as well as the objectively verifiable indicators and means of verification.

## 2.4 Methods and Design

### 2.4.1 Scope of the Social Change Initiative

In Uganda, LC1 is the lowest political-administrative unit based at the village level. A village usually consists of between 50 and 70 households and may be home to between 250 and 1,000 people. Each village is run by a LC1 Executive Committee which is governed by a Chairperson and nine other Executive Committee members. The LCI Executive Committee also performs some judicial functions (1995 Constitution, Local Government Act, Local Council Courts Act, 2006 & Regulations 2007 and Domestic Violence Act, 2010 & Regulations 2011).

According to the Ministry of Local Government website, Uganda is currently divided into 135 Districts, 2,184 Sub Counties, 10,595 Parishes and 70,626 Villages. Given the duration of the Rotary Peace Fellowship and the financial resources constraints highlighted in Chapter 1.4.2 above, this SCI could only be implemented in one Village LC i.e. UCB Zone, Bukoto 1 Parish, Nakawa Division, Kampala District. The selection of the SCI implementation site was based on the fact that Bukoto has a semi-urban population where the LC1 officers interact more easily with their community members compared a purely urban area where homes are mostly fenced off with very restricted access and interaction between residents and their LC1 officers. The SCI site selection was also informed by the fact that as a Fellow, my Host Counselor is a member (Immediate Past President) of Rotary Club of Bukoto, which is situate in Bukoto 1 Parish, so I found it worthwhile to associate with the Rotary Club of Bukoto while implementing this SCI.

Bearing in mind the financial constraints and the need to adhere to the Covid-19 standard operating procedures, a total of 17 people were targeted to participate in the SCI. These included 10 UCB Zone LC1 officers, 4 community members’ representatives and 3 other stakeholders (e.g. from Police/Probation etc). It was deemed necessary to have representation from the ordinary community members because domestic violence happens within families/communities that the LC1 Officers serve, therefore interaction and dialogues between the LC1 Officers and the ordinary community members would enrich the SCI findings. It was also deemed necessary to have some actors from area Police Post and Probation Office because LC 1 Officers sometimes refer domestic violence cases to these offices.

### 2.4.2 Methodology and Design of the SCI.

Ideally, each of the targeted SCI participants should have been availed with the over fifteen pieces of legislation and policies that are relevant to the LC1 Officers as far as the subject of domestic violence is concerned. Financial constraints couldn’t permit that to happen. As a middle ground and using the June-July 2021 Covid-19 lockdown, I resorted to extracting provisions that are specific to LC1 Officers/ Village LCCs relating to domestic violence from the different pieces of legislation and policies and putting them together in one booklet which I titled *“A Compendium of Village Local Council Specific Reference Materials on Prevention, Mitigation and Resolution of Domestic Violence Cases in their Communities”,* a copy of which is attached to this SCI Report and marked **Appendix 1.** The compilation of this compendium was specifically intended to address the LC1 Officers’ challenge regarding access to reference materials.

Once the compendium was ready, with the help of my Host Counsellor, I was able to identify a community member to mobilize the targeted SCI participants. The mobilizer availed me with the names and contacts of the targeted SCI participants as well as the positions they hold in their community. Armed with this information, I prepared the SCI sensitization workshop program (**See Appendix 2**). Upon partial lifting of the second Covid-19 lockdown, I physically visited and formally introduced myself to the LC1 Chairman of UCB Zone. I briefed him about the SCI and particularly the sensitization workshop. (See **Appendix 3** which is proof of acknowledgment of receipt of my SCI introduction letter and the draft SCI sensitization workshop program by the LC1 Chairman of UCB Zone). Once that was done, I also physically engaged the proprietor of Kisuule Primary School and secured confirmation of availability of the venue for the sensitization workshop. That was followed by engagement with the representative of the area Police Post who also indicated that she would support the SCI activities.

The Participatory Rural Appraisal methodology was used during the implementation of the SCI. It allowed me as a RPF and facilitator of the SCI to get closer to and interact with the participants and to learn from them and learn with them. This methodology allowed the SCI participants not only to respond to the questions that I raised but also to pose their own questions to me which enabled me as a facilitator to learn from the participants’ analysis, priorities and experiences. Chapter 3 below provides further details about the SCI implementation.

# CHAPTER THREE

## 3.1 Interventions and Activities

The SCI interventions included development of a reference materials compendium, holding a sensitization workshop and a sensitization workshop follow-up meeting.

### 3.1.1 Development of a Reference Materials Compendium

The *Compendium of LC1 Specific Reference Materials on Prevention, Mitigation and Resolution of Domestic Violence Cases (***Appendix 1**) was developed to ease the LC1 Officers’ access to domestic violence reference materials.

### 3.1.2 The SCI Sensitization Workshop

A sensitization workshop involving 21 participants i.e. 9 LC1 Officers, 5 community members, 4 Rotary Club of Bukoto representatives, 1 Area Police Post representative and 2 Facilitators was held within UCB Zone LC 1 on September 01, 2021. (See Workshop Attendance List marked **Appendix 4**). 3 out of the 9 LC1 Officers were female while 6 were male. The age of the LC1 Officers ranged from 27 to 74. In terms of level of education, 1 of the LC1 Officers had attained Primary School Education, 7 had attained Secondary School Education while 1 had attained University Level Education.

The workshop was largely conducted in Luganda which was the language that was preferred by majority of the participants. The facilitators who are conversant with both English and Luganda easily provided interpretation to English whenever it was required by any of the participants.

#### 3.1.2.1 Introductions, Objectives and Expectations

The UCB Zone LC1 Chairman welcomed the participants and appreciated the selection of his zone for the training. He indicated that domestic violence in his area is largely due to poverty. He observed that although no Covid-19 deaths had been registered in his area, many of his people had suffered from other negative impacts of the pandemic. The President, Rotary Club of Bukoto highlighted the projects that the Rotary Club of Bukoto is implementing in Bukoto Parish, which include the Malaria, HIV/Aids awareness programs and invited the participants to join Rotary. Other participants also introduced themselves and the capacity in which they attended the workshop.

The workshop objectives were to discuss the prevalence of domestic violence in UCB Zone LC1, establish what the UCB Zone LC1 Officers are doing to prevent domestic violence in their area, reflect on how the UCB Zone LC1 Officers are handling domestic violence cases, go through the compendium of LC1 specific reference materials on domestic violence and ultimately enhance the UCB Zone LC1 Officers’ ability to champion the prevention, mitigation and resolution of domestic violence cases in their area.

Participants’ expectations included getting a clear understanding of what domestic violence is, learning about domestic violence triggers and effects; discussing the domestic violence subject with their LC1 Leaders and devising ways of getting religious leaders involved in sensitizing communities about domestic violence.

#### 3.1.2.2 Triggers of Domestic Violence

Youth coupling up without thinking about what it takes to sustain a relationship, nondisclosure of property ownerships, infidelity, lack of submissiveness by the women, living in tiny spaces, the covid-19 lockdowns, neglecting children, peer pressure, rumour mongering, drunkenness, absence of religious values, corruption among and poverty were some of the triggers of domestic violence that were highlighted by the participants.

#### 3.1.2.3 Impact of Covid-19 on Domestic Violence in UCB Zone

Some participants indicated that the Covid-19 lockdowns had enabled family members to bond and communicate better with each other. Majority of the participants indicated that the Covid-19 pandemic had caused loss of jobs, forced people to live all day and night in small spaces resulting into tensions; overwhelmed parents by forcing them to stay with their kids all the time and attend to their needs. Child pregnancies were said to be on the rise. Engagement of the youth and children in watching pornography as a result of the idleness was also mentioned as a consequence of the covid-19 lockdowns.

#### 3.1.2.4 Consequences of Domestic Violence

Relationship breakups, unwanted pregnancies, disease transmission, child mothers, bodily injuries and lack of peace in homes were highlighted as some of the consequences of domestic violence in UCB Zone LC 1. **Appendix 5** to this report provides testimonies of the participants on the triggers and consequences of domestic violence as well as the impact of Covid-19 on their community.

#### 3.1.2.5 Domestic Violence Prevention Interventions

The participants acknowledged that they have mainly been dealing with domestic violence after it has happened. They undertook to regularly visit their community members to establish potential domestic violence challenges within families, encourage community fellowships where concerns are shared and solutions collectively crafted, hold Friday counselling sessions, encourage community members to manage their anger, carry out sensitization to pass on the knowledge acquired from the SCI sensitization workshop and to generally appeal to community members to live in harmony with each other as a way of promoting peace in families and in the community.

**3.1.2.6 An example of a Domestic Violence Case handled by UCB Zone LC 1.**

Here below is a narrative of what was shared by the UCB Zone LC 1 workshop participants.

“It was a marital rape case. A lady made a verbal complaint to the LC1 Chairman. The complaint was never recorded. No fees were charged. UCB Zone LC1 never asks for fees for lodging complaints. Both parties were summoned to appear before the LC1 Court on the date following the date when the complaint was received. All the 10 LCC members sat to hear the complaint. Both parties attended the hearing but the husband was drunk.

The wife spoke first. She said that she no longer loved her husband, was tired of the husband’s drunkenness, continued sexual harassment and marital rape. The proceedings

were never recorded. The husband indicated that whenever he is away from home for work, the wife brings other men to their home and sleeps with them. The husband

complained about the wife’s continued lies, cheating, and having aborted their baby and conceived for another man. This couple referred to each other as husband and wife but they are not officially married. We as the LCC only offered counselling to the parties

and encouraged them to live harmoniously. We left the decision to be made by the parties as to whether they wanted to continue living with each other or not. There was no decision made by the LC1 Court on the matter and as such there was no written judgment

made”.

#### 3.1.2.7 A Step by Step Guide through the Reference Materials Compendium

Participants were guided through the compendium of LC1 Specific Reference Materials on Domestic Violence (See **Appendix 1**), highlighting the rationale for the compendium, the LC1 Executive Committee composition and functions, the Village Court’s jurisdiction, values that LC1 Officers should uphold, what domestic violence means, its prohibition, triggers and why LC1 Officers should be interested in the domestic violence subject, the relationship between domestic violence, sustainable development and positive peace, what the LC1 Officers can do to prevent domestic violence, how domestic violence cases should be handled with emphasis on jurisdiction, receiving and registration of complaints, fees chargeable, timeline for entertaining domestic violence complaints, the LCC’s quorum, how the hearing should be conducted, recording of proceedings, handling cases involving children, LCCs’ orders , delivery of judgment and availing parties with a copy of the written and signed judgment of the court as well as Appeals and Referrals. **Appendix 6** contains some of the pictures taken during the SCI sensitization workshop.

## 3.2 Key Findings/Impact

This section of the report covers the reactions to the presentation on compendium of LC1 Specific Reference Materials on Domestic Violence, and the feedback given during the sensitization workshop follow-up meeting.

### 3.2.1 No Previous Training on Domestic Violence

The UCB Zone LC1 Officers were elected in 2018. When sitting as a Local Council Court they are mandated to handle some domestic violence cases. They however had not received any training on domestic violence or on their roles as LC1 Officers or as members of the LC1 Court prior to the sensitization workshop held on September 01, 2021. They very much welcomed the training, actively participated and indicated that the sensitization workshop had shed light on the scope of their mandate and the procedures they are expected to follow while executing their mandate.

The workshop also provided clarification on issues such as marital rape, cohabitation, corporal punishment and the meaning of equality which the LC1 Officers indicated as grey areas. It was clarified that the current Ugandan law does not categorize marital rape as a crime but that sexual violations do amount to domestic violence if they happen in a domestic setting. It was also clarified that cohabitation is not a form of marriage in Uganda. Some of the rights that accrue to married couples may not necessarily accrue to cohabittees. It was also clarified that corporal punishment was outlawed and that LC1 officers should not administer it. It was explained that all human beings are deemed to be equal before the law and should respect each other’s rights. Participants were advised to fulfil their obligations as they pursue their rights.

### 3.2.2 Access to Reference Materials

The provision of thecompendium of LC1 Specific Reference Materials on Domestic Violence was appreciated. Participants recognized that the compendium had brought together provisions from different pieces of legislation on domestic violence, which are not at their disposal into one booklet which they will use as a quick guide on domestic violence. They however indicated that Luganda is the language commonly used in their community and that as such provision of a translated version of the compendium would further ease their internalization and transmission of the contents of the domestic violence reference materials compendium. They requested the Rotary Club of Bukoto to help them with the translation of the compendium and provision of other relevant reference materials such as the Constitution of the Republic of Uganda, a call which the President of the Rotary Club of Bukoto undertook to honour.

### 3.2.3 Embracement of Preventive Interventions.

The participants acknowledged that most of the LC1 Officers’ or LCC interventions have been after the occurrence of domestic violence in their community. They appreciated the preventive interventions captured in Appendix 1 (Pg 16-18) and undertook to invest their time and energies more in preventing the occurrence of domestic violence. They noted that that approach could reduce the actual number of domestic violence cases that they have to deal with or refer to other actors.

### 3.2.4 Fees Chargeable

The LC1 Officers indicated that they had not been charging any fees for lodgment of complaints with the village LCC. While they were pleased to learn that the LCC Regulations (2007) authorize them to charge fees to ease the functioning of the LCC, they were dismayed at how meagre the fees are. They noted that they had learnt about the requirement for documentation and proper records management but the fees provided for in the Regulations cannot even enable them purchase stationery. They indicated that the LCCs Regulations (2007) needed to be revised to provide for more realistic fees.

### 3.2.5 Calls for more training

The participants appreciated the knowledge acquired during the sensitization workshop, but indicated that the time allocated to the workshop was short. They felt that a two-day workshop would have allowed them to raise more questions and obtain more clarification on the subject.

### 3.2.6 Impact of SCI

 **T**he filled self-administered follow-up questionnaire (**Appendix 7)** provides verbatim feedback from the sensitization workshop follow-up meeting involving five LC1 Officers that was conducted on November 05, 2021. The participants indicated that they now have a better understanding of their jurisdiction, have made retrospective efforts towards documentation and records management, shared the domestic violence prevention interventions so far made, indicated how they have used dialogue to mitigate conflicts and how they have shared the knowledge acquired during the sensitization workshop with other actors in the community especially regarding ethical values that should be upheld by leaders, the triggers of domestic violence and how the benefits of prevention of domestic violence outweigh interventions after the event. Some participants also indicated that the sensitization workshop had inspired them in terms of public speaking and presentation skills. Perhaps more impact would have been noted if the evaluation had been done over a reasonably longer period of time.

# CHAPTER FOUR

## 4.1 General Conclusions

Developing and implementing this SCI has enabled me to support the Community

Mobilization and Mindset Change as well as the Security and Governance Development Programs of the NDP III by mobilizing the UCB Zone LC1 Officers and some of their community members, a number of whom were male and having dialogue with them about the need to address religious, traditional/cultural practices and beliefs that promote discrimination, gender inequalities and gender-based violence including domestic violence within families and communities. This SCI also provided me with an opportunity to engage the UCB Zone LC1 Officers and the other SCI sensitization workshop participants on matters such as embracement of ethical values, importance of record keeping and data segregation, supporting gender equality and equity responsive budgeting, giving appropriate attention to prevention and mitigation of domestic violence as well as understanding the relation between domestic violence, sustainable development and positive peace in society.

Implementation of the SCI further enabled me to raise awareness about the national laws and policies mentioned under Chapter 2.2.1 above that seek to address domestic violence and also to contribute towards SDG 5 (gender equality) and SDG 16 (access to justice for all) as well as the RI’s thematic areas on supporting education and promotion of peace. The SCI sensitization workshop revealed several information gaps and a yearning for more engagements on addressing domestic violence. The SCI is not only capable of being sustained in UCB Zone, Bukoto 1 Parish, Nakawa Division, Kampala District where it has been implemented but can also be replicated in other areas if the necessary financial support is secured. With the sustainability plan described in Chapter 4.3 below, it is hoped that the SCI will go a long way in helping LC1 Officers to champion the prevention, mitigation and resolution of domestic violence in their communities.

## 4.2 Recommendations/Implications for Policy

Developing and implementing SCIs requires time, human and financial resources, all of which have got to be properly planned for.

### 4.2.1 Timely Provision of the Final SCI Guideline

The final SCI guideline/Implementation report format needs to be availed to the RPFs as soon as they have been admitted to the fellowship. This would enable them properly conceptualize their SCIs, plan for the different components of the SCI Implementation Report Format and fit these plans within their ordinary work schedules and timelines.

### 4.2.2 Provision of Financial Support for the SCIs

Implementation of the SCIs requires financial resources which the RPFs may not have at their disposal. Developing and implementing the SCI while at the same time attending to the RPF’s other regular activities can be demanding making it very difficult for the RPF to at the same time engage in fundraising activities for the SCI . Provision of financial support by RI/Makerere University RPC towards the RPF’s SCI would go a long way in easing the pressures associated with the development and implementation of the SCI. RI and Makerere University RPC need to firmly communicate their position on funding the SCIs (in terms of availability and ceiling) at the onset of the Fellowship Program. That will enable the RPFs to prepare SCI concepts that are realistic and to allocate time from an informed position.

### 4.2.3 Evaluation of the Impact of the SCI over a longer period of time.

Implementation of the SCI was meant to start in May 2021 but this was partly affected by the Covid-19 lockdowns and the online classes that were held in July 2021 to provide further guidance on what was expected during the execution of the SCI and reporting thereon. The final SCI implementation report submission deadline was set at January 02, 2022; practically leaving only five months (August to December 2021) for refinement of the concept, implementation and reporting on the SCI. Timely provision of the SCI implementation guideline and clarity on provision of financial support for the SCIs would go a long way in redeeming time for implementation of and reporting on SCIs. Given the Rotary Peace Fellowship duration and the different and demanding activities thereunder, it may be more realistic to require the RPFs to report on the outcomes of their SCI as opposed to requiring them to report on the impact of their SCI projects. Impact of the SCIs needs to be evaluated over a longer period of time.

### 4.2.4 Mentorship

Having a standalone session during the orientation/onsite program, dedicated specifically to taking the fellows through what is expected of them in the development, implementation, monitoring, evaluation and reporting phases of their SCIs could go a long way in timeously securing a meeting of minds between the RPFs’ perceptions and the RPC’s expectations regarding how the SCI is to be developed, financed, implemented and reported about. Having some fellows from previous cohorts sharing their SCI experience with the current cohort of fellows could also broaden the latter’s outlook about the SCIs.

## 4.3 Sustainability Plan

 A sustainability plan is basically a description of how a project will be sustained in the long term. It focuses on community, financial and organizational sustainability. Community sustainability addresses the issue of how well the project is rooted in the community i.e. how the community will continue with the project. Without the support of the community, many projects have no chance of survival. A good way to ensure community sustainability is to include beneficiaries from the get-go in planning and implementation ([Eva Wieners](https://proposalsforngos.com/people/evawieners/)*2019).*

Some of the factors that influenced the selection of this SCI included the fact that LC1

Officers are elected and mandated by law to serve as the lowest political/administrative/judicial structure in their communities and there is in place a legal and policy framework that gives them jurisdiction to prevent, mitigate and resolve some of the domestic violence cases in their communities. In addition to that, the use of ADR avenues has always been part of the African traditional dispute resolution systems. These factors provide a firm ground on which the SCI is premised within the community. That aside, domestic violence is a challenge in all parts of Uganda and the LC1 structure is spread across the country. This SCI which has been piloted in UCB Zone, can be replicated not only in the other 12 zones of Bukoto 1 Parish, Nakawa Division, Kampala District but also to the other parts of the country. The *Compendium of LC1 Specific Reference Materials on Prevention, Mitigation and Resolution of Domestic Violence Cases (***Appendix 1**) which was developed for this SCI can also be used when replicating the SCI in other areas.

The strategies that have been used to ensure the successful implementation of the SCI in UCB Zone, Bukoto 1 Parish such as of identifying an agent within the community to mobilize the targeted audience, bringing on board other key stakeholders such as the representatives of the area Police Post, having discussions with LC1 Chairpersons prior to the implementation of the SCI to enable them understand what the SCI is all about and how it will benefit their communities and to secure their buy-in, using the participatory rural appraisal approach to engage the target audiences, using a language that is commonly used in the community as the language of communication during the SCI implementation and provision of interpretation whenever needed etc, are strategies that will not only ensure community sustainability of the SCI in UCB Zone but which will also allow the SCI to be easily replicated in other parts of Uganda.

Organizational sustainability describes the ability of one’s organization as a whole to survive for a long time ([Eva Wieners](https://proposalsforngos.com/people/evawieners/)*2019)*. My organization, Baine-Omugisha Legal Consultants & Advocates which is a Conflict Mitigation and Alternative Dispute Resolution Centred Law Firm has been in existence since 2016. Family and Gender Justice, under which domestic violence falls, is one of the organization/my practice areas. Prior to becoming a RPF, I was already engaged in assignments geared towards addressing domestic violence. For example in September to October 2020, I on behalf of the Uganda Association of Women Lawyers (FIDA-Uganda) I conducted training of Community Influencers in 4 Districts (Kabale, Lwengo, Kamuli and Kampala) on Domestic Violence and other related matters. So, the SCI is well rooted in my organization’s work and will stand the test of organizational sustainability.

Financial sustainability describes the ability of a project to survive financially. It looks into the kind of funding sources available for the future to ensure that the project can sustain its financial needs. The funding sources may be external or internal. External sources of financing mean that the money comes from outside of the organization and is not raised by project activities. This could be in form of grants, government funding, donations, etc. Internal sources of financing mean that there is a plan to raise the money within the organization or through revenue-creating activities. This could be business ventures, membership fees, and other income-generating activities [(Eva Wieners](https://proposalsforngos.com/people/evawieners/)*2019)*.

Funding of the SCI was done using personal/organizational funds. This was largely because the reasons advanced in Chapter 1.4.2 above. Going forward, it is anticipated that partnerships will made with Ministry of Local Government/District Local Governments under whose organizational structure the LC1 Officers fall, Ministry of Gender Labour and Social Development which is the lead agency in the implementation of the policy on elimination of GBV and with several Non Governmental and Civil Society Organizations as well as Rotary Clubs which have got an interest in addressing domestic violence and fostering peace in communities. It is expected that through lobbying, engagements and partnerships, funding will be secured to allow financial sustainability of the SCI in UCB Zone and its replication in other parts of the country.

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# APPENDICIES

**Appendix 1:** Compendium of LC1 Specific Reference Materials on Prevention, Mitigation and Resolution of Domestic Violence Cases.

**Appendix 2:** Social Change Initiative sensitization Workshop Program.

**Appendix 3:** Social Change Initiative Introduction Letter and sensitization Workshop Program submitted to the LC1 Chairman, UCB Zone.

**Appendix 4:** Social Change Initiative sensitization Workshop Attendance List

**Appendix 5:** Social Change Initiative sensitization Workshop Participants’ Testimonies on Causes and Consequences of domestic violence in UCB Zone, Bukoto 1 Parish.

**Appendix 6:** Pictures taken during the Social Change Initiative sensitization Workshop

**Appendix 7:** Self-Administered Questionnaire Following-Up on the Domestic Violence Sensitization Workshop for UCB Zone-LC1 Officers.