



Service-level Rule of Law interventions

Effective rule of law (ROL) ensures that laws--and **the justice institutions, actors, and processes** that support them – **protect individual rights** and are responsive to and inclusive of the needs of all people in society. ROL is often framed as a **means of ensuring or pursuing justice**. The conflation of ROL with justice institutions often leads to substantial overlap between interventions that aim to strengthen ROL and those aiming to strengthen justice systems.

This brief highlights research findings and observations from ten studies from the 'Services' domain of the **Rule of Law Evidence Gap Map**. The topic was selected based on the availability of evidence and the priorities of USAID Democracy, Rights and Governance (DRG) technical experts. The intended audience is DRG practitioners, with a focus on practical information and considerations to inform the planning and implementation of DRG programming and research. The brief thus does not synthesize or quantify intervention effect sizes (as in a systematic review), nor does it replace the need for rigorous evaluation of DRG programming.

Did you know ?

- An estimated **5.1 billion people** have no access to effective justice.
- Nearly **60 per cent** of justice problems remain unresolved.
- Over **253 million people** live in situations of extreme injustice, including conditions of slavery, statelessness, and high levels of insecurity.¹

Key messages



For practitioners



- Receiving formal legal representation can help participants in civil legal disputes feel more secure about property rights.
- Free legal aid can improve the client's own subjective evaluation of case outcomes and lead to economic benefits over time.
- Greater access to legal services and legal knowledge may not be enough to change attitudes regarding equitable access to legal support.
- Planners should account for the size, social norms and legal staff requirements of the target population; using paralegals can reduce the high cost of legal aid at scale.
- Legal aid interventions should be cognizant of the country's justice and case-management systems.
- The creation of all-women police stations (WPS) can increase reporting of violent crimes against women but may also have unintended consequences.

For learning specialists and researchers



- The evidence on what works for improving rule of law is limited. Additional research on 'services' interventions is needed to strengthen the evidence base.
- Researchers should account for challenges in data collection, especially for self-reported and police-registered crime, when designing studies and data extraction tools.
- When experimental design is feasible, researchers should minimize any real or perceived disadvantage to members of the control group.
- Quasi-experimental studies should test the assumptions underlying their models.

Conceptualizations

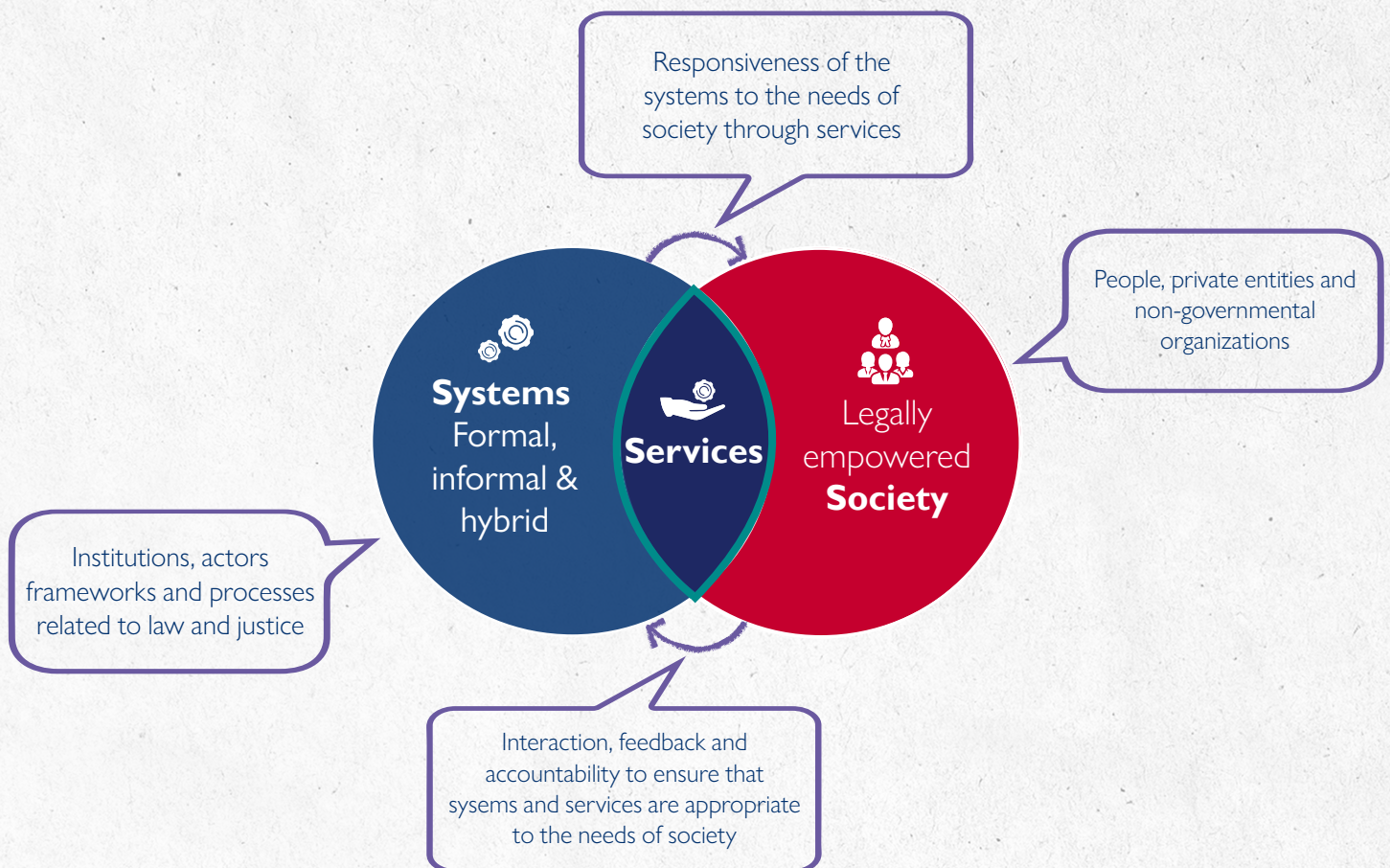
How we conceptualize rule of law



Our understanding of ROL and how to strengthen it is constantly evolving. For this brief, **effective ROL** is conceptualized as relying on the functioning of **three different domains –systems, services, and society** – and the existence of supportive interactions and well-functioning feedback loops between them (Figure 1).

Systems in this conceptualization are the basis for providing effective ROL for a given context and are the foundation for providing legal and justice services to society. **Services** are points of interaction wherein formal and informal legal and justice institutions and actors come into contact with members of society to deliver legal support or protection, or to uphold the law. **Society** is a diverse sphere encompassing all the people, private entities and non-governmental organizations within a particular context.

Figure 1: Conceptualization of effective ROL



Source: Modified version of the diagram included in the report *Rule of Law and Justice: an Evidence Gap Map*, 3ie

Our conceptualization of ROL is also underpinned by a "**people-centered justice**" approach to ROL assistance. In contrast to approaches that emphasize justice system institutions and actors (formal and informal) and how successfully they enforce the law, a people-centered justice approach puts people at its core. It transforms justice institutions and services into more data-driven, user-friendly, solution-focused, and prevention-oriented entities, while also empowering people to know, use, and shape the law, and to seek multiple pathways to justice.

Availability of evidence about the effects of these interventions


There is a **large gap in understanding about interventions that** improve ROL.

To fill this gap, USAID commissioned 3ie to develop an **Evidence Gap Map** of ROL interventions and outcomes.

An EGM is a **visual representation** of completed and ongoing studies that quantify **changes attributable to a**

program – that is, after accounting for other factors--structured around a **framework of interventions and outcomes**. The EGM thus represents an important slice of the available body of evidence that can inform USAID decision-making about where and how to invest resources for development.

Figure 2: Key aims and illustrative examples of services-level ROL interventions

Aim		Example of intervention
Access to justice services and legal protection		Providing legal aid and court fee waivers Creating and strengthening local and specialized courts and chambers
Crime prevention and response		Increasing the presence of video surveillance in crime-prone areas Establishing arrest and pretrial diversion programs
Social programs and services for ex-offenders and victims		Providing rehabilitation and reintegration programs for ex-offenders Providing social services for victims of crime and violence



Findings

What do we know? Where are the gaps?



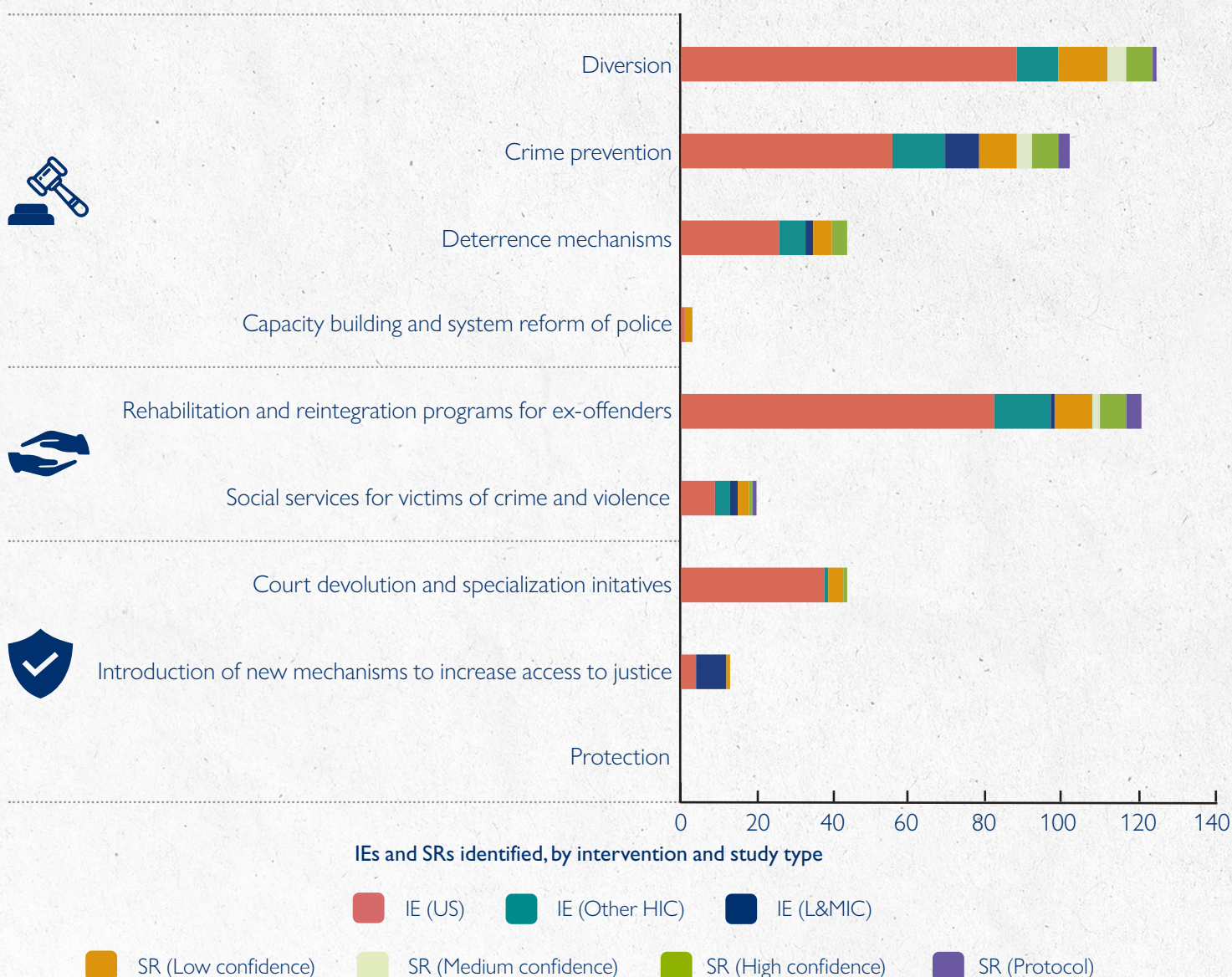
The ROL EGM included 643 completed impact evaluations (IEs), 13 ongoing IEs, 107 completed systematic reviews (SRs) and 11 ongoing SRs (Table A1 in Online appendix). The search identified studies dating back to 1990, but most were published after 2000, with an **increase in publication of studies evaluating interventions in low- and middle-income countries (L&MICs) starting in 2009.**

The distribution of the evidence base is very uneven across geographies. Most included studies evaluated programs implemented in high-income countries,

particularly the United States, where seven out of ten included IEs were undertaken. By contrast, **less than one fifth of the 656 included quantitative and qualitative IEs took place in L&MICs.** These findings raise questions regarding the generalizability of included studies.

The majority of IEs in the EGM assessed interventions in the services domain. Within “services,” interventions that aimed to prevent and respond to crime were most frequently evaluated. “Crime prevention” and “access to justice” interventions were most common in L&MICs.

Figure 3: Studies from the ROL “services” domain, by intervention type



Note: HIC = high-income countries; L&MIC = low- and middle-income countries.

Considerations for programming and implementation



This section draws on eight quantitative and qualitative studies to briefly highlight research findings, identify illustrative facilitators and barriers to intervention effects, and offer implications for further research. All studies

evaluated interventions in L&MICs from the “access to justice” intervention category. The studies were conducted in Latin America and the Caribbean, South Asia and Sub-Saharan Africa.

Legal aid and representation



Key messages



- Receiving formal legal representation can help participants in civil legal disputes to feel more secure about their property rights.
- Free legal aid can improve the client's own subjective evaluation of case outcomes and lead to economic benefits over time.
- Greater access to legal services and legal knowledge may not be enough to change attitudes regarding equitable access to legal support.
- Provision of free legal aid can be effective in reducing illegal pretrial detention.

Receiving formal legal representation may help participants in civil legal disputes feel more secure about their property rights², even if their case is not resolved. This finding was reported in a field experiment in rural Kenya, where resolving land disputes is generally slow and few cases are fully resolved. Lawyers actively leveraged formal legal mechanisms to enforce court judgments against property expropriators – thereby acting directly in response to the needs of those who could not have achieved such results independently. Notwithstanding the difficulties in enforcing decisions, participants reported that high costs of legal fees, rather than corruption or enforcement, was the single biggest barrier to accessing the judiciary system (Table A1 in Online appendix).

Free legal aid can improve clients' perceptions of case outcomes and economic benefits over time.³ In Liberia, the perception of many citizens is that the formal justice system focuses excessively on punishment rather than plaintiff compensation. One study tested an intervention that provided legal assistance to plaintiffs by connecting them with a community paralegal service offering mediation and advocacy. This three-month intervention was found to impact participants' perceptions, knowledge and experience with the formal justice system, but there was no effect on attitudes and behavior (Table A1 in Online appendix).

Greater access to legal services and legal knowledge may not be enough to change attitudes regarding equitable access to legal support – nor does it necessarily lead to positive changes in land practices for women, such as ownership, management, rights of use and land disputes.⁴ These findings were drawn from an evaluation of a one-year paralegal program in Tanzania, whose lack of effects, the authors argue, may be explained by: the existence of informal institutions to mediate conflicts; the nature of women's agency in land outcomes; and the relative rarity of disputes in the region (in contrast with Kenya, where around one third of study households were involved in land disputes) (Table A1 in Online appendix).

Provision of free legal aid can be effective in reducing illegal pretrial detention.⁵ People who had been in pretrial detention illegally (for longer than constitutionally defined time limits) were more likely to be freed after nine months of exposure to an intervention that provided free legal aid to detainees in two jurisdictions of Haiti (Table A1 in Online appendix). Effects were larger in one of the two program jurisdictions, which could be explained by differences in the efficacy of case processing and other institutional differences qualitatively observed between the two jurisdictions.

Legal aid and representation

Key messages

- When designing legal aid interventions, planners should account for target population size, social norms and legal staff requirements
- Using paralegals can reduce high costs of legal aid at scale.
- Legal aid interventions should be cognizant of the country's justice and case-management systems.

When designing legal aid interventions, planners should account for target population size, social norms and legal staff requirements. Population size may affect the visibility of paralegals and their ability to respond to the demand for their services, making such an intervention more effective in smaller and closer-knit communities.⁶ The extent to which social norms are accepting of women's or minorities' rights determines the need for social campaigns to complement legal aid interventions. However – as observed in one of the studies – social campaigns limit the time paralegals have to deliver services such as mediation or alternative dispute resolution.⁷ Further, shifts in conflict resolution practices may take longer depending on changes in attitudes and knowledge, and the availability of other informal judicial institutions like village land councils.

When disputes are less complex, using paralegals can reduce high costs of legal aid at scale.⁸ When resources are scarce, locating paralegals in more densely populated areas may reduce travel costs and time in providing legal aid. Mobile paralegals would be the alternative for small remote communities.⁹ An additional benefit is that paralegals who are active members of their community can improve service visibility.¹⁰

Legal aid interventions should be cognizant of the country's justice and case-management systems. Several studies reported that process-related challenges (such as prison transfers) made it more difficult to provide legal aid. Institutional challenges (such as lack of staff) can hinder coordination among the police, judges and prosecutors. Court corruption and absenteeism can further decrease the effectiveness of legal aid. These contextual factors should be accounted for when designing legal aid interventions.



All-women police stations and women's justice centers



Key messages



■ WPS can increase reporting of violent crimes against women but may also have unintended consequences.

■ WJCs improve outcomes for women and their children.

The creation of WPS can increase reporting of violent crimes against women but may also have unintended consequences.¹¹ One study found that the creation of WPS in the Tier 1 cities of India from 1995 to 2013 led to an increase in reporting violence against women (VAW) that was larger than the decrease in reporting found in standard police stations (Figure 4). Authors concluded that this change was indicative of a shift in preference to report VAW in a WPS and an increase in VAW reporting overall. However, another study that evaluated the creation of WPS in one Indian state (Haryana) over a two-year period found contrasting results: Quantitative and qualitative findings suggested that the creation of WPS reduced VAW reporting by “justifying the deflection of gendered crimes” from standard stations to WPS by increasing travel costs for victims seeking redress and unintentionally encouraging reconciliation with abusers.¹² While the first study measured the impact of WPS over a much longer time period and geographic scope, findings from the second study should also be considered when planning WPS interventions (Table A2 in Online appendix).

A descriptive qualitative study from Argentina observed that WPS not only responded to gender-based violence

incidents, but also participated in community sexual and gender-based violence prevention work. Female officers interviewed for the study emphasized the high value that WPS place on community prevention work, which distinguishes them from traditional police stations. Officers also voiced a need for psychological support for gender-based violence first responders.¹³

WJC services may reduce domestic violence and improve children's educational outcomes.¹⁴ One program in Peru used an interdisciplinary approach to address VAW through the provision of legal, social and psychological support services. An impact evaluation of the gradual rollout of these centers found a reduction in reported domestic physical and/or sexual violence using national household demographic and health survey data, and a deterrence in gender-based violence. The authors also argue that providing access to justice services may increase women's bargaining power inside the household, leading to increased spending on children. The study's results support this hypothesis: children whose mothers used justice services were more likely to attend school than those whose mothers did not. (Table A2 in Online appendix).

Figure 4: Event study of the effects of WPS in cities



Notes: Coefficients on the time to-since the opening of a police station in cities using as dependent variable the total rate of crimes committed against women. Estimates include city and year fixed-effects and controls for city ratio of females to males and literacy rate a dummy if in a given city-year there is a police commissioner system in place and city-linear trends. The omitted category is year -1 (one year before the policy). Standard errors are clustered at the city-level. All regressions are weighted by population size.

Source: Effects of WPS in Indian states. Amaral et al. 2019, p.40

Considerations for future learning and research



The evidence on what works for improving rule of law is limited. This search identified just eight studies that met our inclusion criteria for “services” interventions in L&MIC contexts. Interventions in these domains may be more challenging to experimentally evaluate, and should be accompanied by a robust research agenda. In particular, nearly all of the qualitative studies reviewed for inclusion in this report did not address causal questions or did not use methods that could plausibly establish causal impact. Commonly, studies used key informant interviews, focus group discussions, and content analysis to describe the intervention implementation. Consider incorporating qualitative study designs that establish causality in future research such as realist evaluations, process tracing, and contribution analysis.

Researchers should account for challenges in data collection when designing studies and data extraction tools.^{15,16} The two studies assessing WPS in India used different data sources and reported conflicting rates of VAW reporting. The first study found an increase in VAW reporting using official statistics published by the National Crime and Records Bureau. The second study used the First Information Report dataset from the Crime and Criminal Tracking Network and System and found no changes in VAW reporting at WPS. Both of these administrative records can be supplemented by self-reported data sources; however, self-reported data is prone to the respondent or recall bias. Authors of one study note that the use of “subjective evaluation of case outcomes” may suffer from bias due to respondents’ assignment to participate in legal aid and representation programs; respondents that are part of the program may have changed their behavior. Authors also note that survey data may be limited by high attrition rates.¹⁷ Researchers should consider these challenges when collecting, analyzing, and interpreting data.

When experimental design is feasible, researchers should minimize any real or perceived disadvantage to members of the control group.¹⁸

The evaluation of community legal aid in Liberia established a three-month exposure period, guaranteeing the paralegals’ attention to clients in the control group after that period, and encouraged paralegals to take whatever actions they deemed necessary in the interim period to resolve their cases. This action was also intended to prevent anticipation or “queuing” effects that could have inflated the results.

Researchers using quasi-experimental evaluation designs should test the assumptions underlying their models; the use of supplemental administrative data can help address some issues of subjective measurement bias. The study that examined differences between cities with and without WPS²⁰ was able to identify program effects because pre-intervention trends showed that WPS placement was not correlated with previous crime rates or other gendered policies. Also, researchers included city trends in the model to control for factors that vary across cities and that cannot be observed. The other study looking at the effects of WPS in Haryana constructed an interrupted time series, as the institutions were opened on the same day across all districts for public relations reasons. In addition to carrying out a placebo test, the study reports on the robustness of the results to multiple specifications and bandwidths. While neither study accounted for the potential spillover effects if victims of gendered crimes reported them in neighboring cities with WPS, the use of administrative data mitigated risks of subjective measurement bias

About the evidence

Figure 5: What types of evidence are included in this brief?

Evidence type	M&E indicators and project reports	Performance and process evaluations	Impact Evaluations (IEs)	Systematic Review (SRs)
Key question	WHAT was done?	HOW was it done?	Did it have an EFFECT?	Were the effects CONTEXT dependent?
Use(s) of findings	Assist in guiding program implementation and course correction; demonstrate accountability	Multiple purposes (e.g., program adherence to the plan, implementer performance, achievement of planned outputs and immediate outcomes, stakeholder/partner/client feedback)	Measure intervention effectiveness after accounting for other factors; published IEs provide examples of what has or has not had an impact on a targeted outcome	Synthesize findings from multiple IEs (often through quantitative meta-analysis) on a particular issue, increasing confidence and generalizability
Included in EGM	No	No	Yes	Yes

In effectiveness evidence from IEs and SRs, **negative findings are just as important** as positive findings, because they help to refine our understanding about what works (or not, and why or why not). In addition, the **absence of effectiveness evidence does not mean an intervention should be avoided**, but rather highlights the potential benefit of an impact evaluation, particularly if the intervention:

- is innovative,
- may be scaled up, or
- is being considered as a potential model for replication elsewhere.



Why evidence matters

Why is this important for practitioners?



This brief (along with the associated EGM matrix and report) is designed to inform USAID practitioners' investments in ROL society-level interventions at multiple phases of the program cycle, including: strategic planning; project design and implementation; activity design and implementation; monitoring; and evaluation.

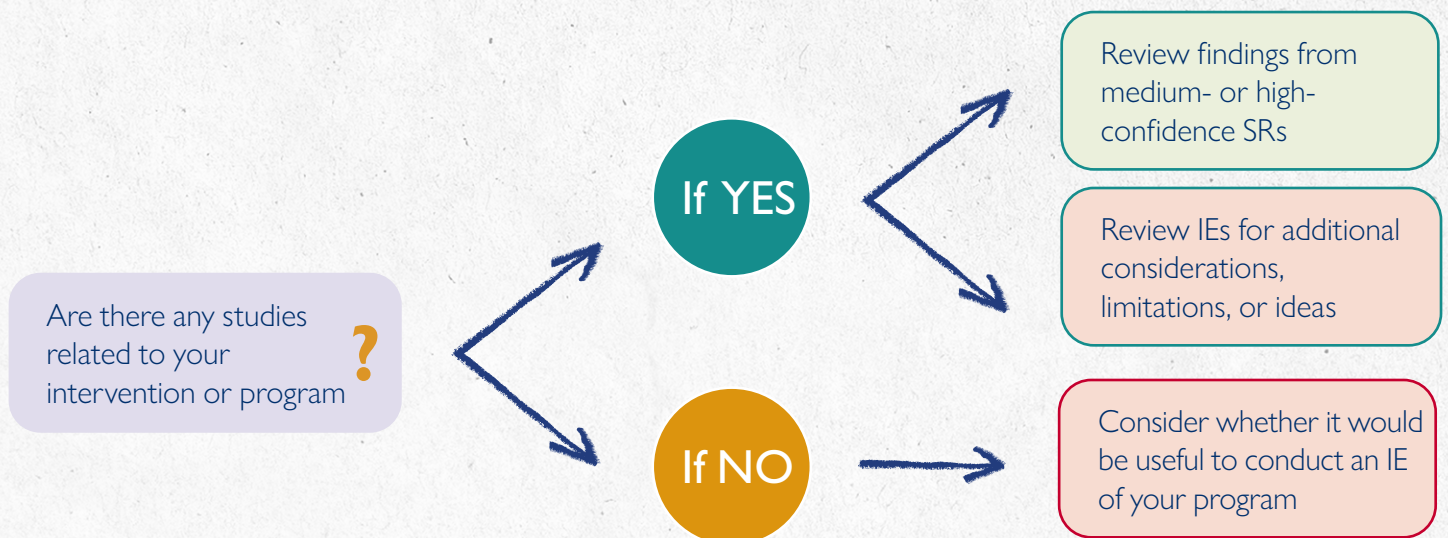
- Results will feed into the **technical evidence** base in the **learning** phase of USAID's Collaborating, Learning, and Adapting (CLA) Framework.
- IE findings provide USAID practitioners with ideas about which interventions they may want to consider when developing a **program design**.
- Like IEs, SRs may include an explanation of relevant theories of change, which can be useful during the **project and activity design** stage.

- In SRs, the more consistent the findings are across contexts, the higher the likelihood that the approach may work in a new context.

While the findings of this research suggest that there are gaps in evidence regarding ROL interventions in L&MIC settings, we have summarized recommendations from our included evidence for policymakers, funders, practitioners and researchers.

We encourage practitioners to take a closer look at the online **Evidence Gap Map**²⁰ to engage with the available evidence. When considering if and how the programs on which you work fit into the framework, we suggest asking the following questions:

Figure 6: Using evidence in activity design



You can always reach out ROL experts in USAID/Washington at ruleoflaw@usaid.gov if you have any questions, ideas, or suggestions related to evidence that may help inform the design of your project(s) and/or activity(ies).



About the brief

This brief highlights research findings and observations from eight qualitative and quantitative IEs of one type of ROL services intervention identified in the Rule of Law Evidence Gap Map: the introduction of new mechanisms to increase access to justice. It draws on evidence from Latin America and the Caribbean, South Asia and Sub-Saharan Africa. Reported findings and implementation considerations are illustrative and not based on systematic synthesis.

The studies on which this brief is based were identified through the Rule of Law Evidence Gap Map, by Ada Sonnenfeld and colleagues (forthcoming). The authors systematically searched for published and unpublished IEs and SRs through the third

quarter of 2020 and then identified, mapped and described the evidence base of interventions that aim to strengthen ROL and access to justice. The map contains 118 SRs and 656 IEs. The characteristics of the evidence are described and mapped according to a framework of 29 interventions and 17 outcomes, with 5 cross-cutting themes. The EGM can be viewed at <https://developmentevidence.3ieimpact.org/egm/rule-of-law-evidence-gap-map>.

Authorship: This brief was authored by Daniela Anda, Jane Hammaker, Lina Khan, Ada Sonnenfeld and Douglas Glandon. They are solely responsible for all content, errors and missions. It was designed and produced by Akarsh Gupta and Tanvi Lal.



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²⁰ The map is available at: <https://developmentevidence.3ieimpact.org/egm/rule-of-law-evidence-map>



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August 2022