

# OECD Global Policy Roundtable on Equal Access to Justice

Ljubljana, 6 - 8 December 2023

## Concept Note

Under the purview of the OECD Public Governance Committee, the upcoming **OECD Global Policy Roundtable on Equal Access to Justice** will take place on 6-8 December 2023 in Ljubljana, hosted by the Ministry of Justice of Slovenia.

In the [OECD Declaration on Building Trust and Reinforcing Democracy](#), adopted in November 2022, Ministers and high-level representatives from OECD countries, the European Union, and some OECD accession candidate countries, reiterated their shared commitment to the **core values of democracy**. As part of the [OECD Reinforcing Democracy Initiative](#), the meeting will aim to support increasing efforts across countries to advance people-centred justice, with a view to strengthening democracy and public trust, and solidifying the rule of law, in line with the 2023 [OECD Recommendation on Access to Justice and People-centred Justice Systems](#).

Access to justice is globally recognised as a fundamental value underpinning quality democracy, the rule of law, inclusive growth, and equity. The UN Secretary General's *Our Common Agenda* report recognises "justice is an essential dimension of social contract" and commits to advance a new perspective on the rule of law that places people at the core of justice systems. **Sustainable Development Goal (SDG) 16.3** seeks to ensure access to justice to leave - a critical enabler for achieving other SDGs. Reducing poverty, addressing existing inequalities and tackling the fallouts from climate change cannot be achieved without strong people-centred justice systems. Yet, billions of people, including across the OECD membership, continue facing barriers to access justice and resolving their justice problems and legal needs.

The **2023 OECD Global Policy Roundtable on Equal Access to Justice** is particularly timely. Halfway into the mark and despite countries' efforts, there is a growing concern that countries are not on track to achieve 2030 SDGs, including SDG target 16.3.3. In addition, countries face increasing citizen expectations and challenges that press on democratic institutions and the rule of law in a context of declining trust in public institutions. In parallel, the capacities and resilience of justice systems are also being tested by an array of new and emerging challenges, including technological developments, intersecting crises and climate change, which may also give rise to new justice problems and legal needs.

As such, there is a growing need for innovative approaches that prioritise responsiveness and people-centricity, as recognised in the 2023 [OECD Recommendation on Access to Justice and People-centred Justice Systems](#). Responsive and effective justice systems are among the critical drivers of trust not only in justice but also government institutions more broadly. When individuals feel that they have fair mechanisms in place to address their grievances, this contributes to a sense of belonging and reduces social tensions. This is key for the stability and functioning of democracies.

Digital technologies and data, and innovative approaches more broadly, hold significant potential to strengthen access, resilience, efficiency, and effectiveness of justice systems. They can help governments better understand user needs through data-driven approaches and increase efficiency by reducing the length and complexity of processes. In particular, the use of digital technologies and innovative tools (such as generative AI) in dispute resolution mechanisms (before and in court) can significantly increase access to and responsiveness of justice systems to legal and justice needs, accompanied by appropriate safeguards. Innovative solutions can bring an immense potential to

transform legal processes (e.g., automated case analysis, natural language processing) and foster the development of innovative justice services (e.g., efficient document generation, facilitating ADR, legal chatbots). While digital transformation and innovative tools in the justice sector present opportunities, this also requires striking a balance between leveraging their benefits and addressing their potential downsides to ensure a responsible and effective integration within the justice sector.

To this end, the Global Roundtable will aim to facilitate the implementation of the OECD Recommendation on Access to Justice and People-Centred Justice Systems through multi-stakeholder and interdisciplinary approaches, with a focus on driving transformation, strengthening resilience, building trust in public institutions and enhancing the overall health of democratic societies and the rule of law. The event will emphasise the importance of access to justice and responsiveness to the evolving needs of society, including in the digital space, while promoting inclusivity for groups in vulnerable situations - through collaboration, dialogue, and future-proofing the justice sector.

Finally, the Global Roundtable will deliver key messages and lessons learned to support global deliberations to improve access to justice and people-centred justice, including the 2024 High-Level Political Forum, which will review the implementation of SDG 16 (among others), and the 2024 Future Summit, as well as the work of Justice Action Coalition and Global Dialogue of Justice Leaders.

### **Format**

The Global Roundtable will be held over two days, with the participation of the OECD senior leadership and high-level officials from the hosting country. It will bring together over 100 governmental officials and non-governmental partners from OECD Member and other countries, academics, civil society as well as representatives from international, regional, and academic organisations.

The meeting will include the following activities:

- **A High-Level Roundtable** bringing together senior officials from OECD Member and other countries, to share experiences and views, and exploring policy options to strengthen responsiveness and resilience of justice systems in the face of global challenges, declining trust in institutions and democracies under pressure. This discussion will also provide an opportunity to share updates on countries' efforts to promote people-centred justice, in line with the new OECD Recommendation on Access to Justice and People-Centred Justice Systems.
- **Dialogue with justice users and justice impacted communities** to help inform the design people-centred justice pathways, explore innovative approaches, and generate practical recommendations to improve responsiveness of justice systems to the needs of all groups. This dialogue aims to provide a platform for constructive engagement, knowledge sharing, and experiences, including civil society.
- **Expert policy discussions** will enable exchange of evidence-based good practices, lessons learned and initiatives. They will also provide a platform to highlight remaining challenges and explore innovative solutions and opportunities to advance the implementation of the OECD Recommendation and the SDG agenda, in particular SDG 16.3.3.
- **Collaborative workshops** in areas such as regulation for access to justice, prevention of justice problems, measurement of impacts, value for money in justice systems and accessibility of specific services. These workshops will promote collaborative problem-solving and innovation to enhance access to justice by harnessing the diverse knowledge and expertise of participants with a view to generating practical recommendations, identifying challenges, and fostering the development of innovative ideas.

The Global Roundtable on 6 December will be preceded by technical workshops on child-centred justice and data and evidence for people-centred justice (see separate agendas).

### ***Thematic approach***

The Global Roundtable sessions will cover the following themes and approaches:

#### ***High-Level Roundtable on***

- **Justice responsiveness and resilience for healthy democracies and trust in institutions:** The High-Level Roundtable will bring together senior officials from OECD Member and other countries to reflect on the importance of access to justice as a fundamental pillar of democracy and the rule of law. This is crucial given that when justice systems are perceived as inaccessible or serving only a few, it erodes trust in public institutions. The High-Level Roundtable will explore strategies to bring justice closer to the people and increase responsiveness of justice systems with a view to supporting countries in restoring trust in institutions. It will also aim to strengthen capacities of justice systems to respond to the emerging challenges affecting public trust, such as mis- and disinformation, rapid technological developments, and the changing nature of legal needs.

#### ***Expert discussions and collaborative workshops:***

- **Inclusivity and marginalised and underserved populations:** The Roundtable will place a special emphasis on ensuring justice for all, including marginalised and underserved populations, such as children, migrants, persons with disabilities, LGBTQIAP+ persons, indigenous groups, and other racial minorities. It will recognise the persistent challenges these groups face in accessing justice and aim to identify strategies to promote inclusive, rights-based, and equitable justice systems. This will also address language policy and access to justice for non-dominant languages or deaf/hard of hearing individuals. By shining a spotlight on their specific needs and experiences, the Roundtable aims to take stock of progress made and deliver actionable recommendations to address systemic barriers and promote equal access to justice for all. The panel will particularly address the need of children active participation in the judicial proceedings by providing them a safe environment at the same time.
- **Preventing justice problems:** The Roundtable will explore ways to strengthen effectiveness of prevention of justice problems discussing opportunities for cross-sector collaboration and engagement with government agencies, community organisations, and stakeholders to develop proactive strategies. It will discuss a range of initiatives including early intervention programs, targeted outreach and awareness campaigns, and data sharing and analysis, among others. It will also look into learning from individual justice problems and creating feedback loops for structural improvements that prevent future problems. Finally, given that the digital realm has become an integral part of people's lives, the Roundtable will explore ways to strengthen prevention and to address legal needs in the digital space (e.g., online fraud, violence), with a view to promoting equal access to justice for all.
- **Promoting innovation in the justice sector:** The Roundtable will recognise the transformative potential of data and digital technologies in the justice sector while acknowledging the associated risks and need for sound governance frameworks, transparency, and accountability. It will explore mechanisms, good practices, opportunities, and challenges around the application of data and digital tools, such as automation and generative AI into justice processes and services to enhance responsiveness of the justice sector (e.g., ADR

facilitation, chatbots, document generation, automated case analysis). It will also consider the examples of innovation through creative legal service delivery models, collaboration with academic and non-governmental institutions and developing seamless and streamlined dispute resolution continuum. Additionally, it will address the need to upskill the justice sector workforce to effectively navigate technological advancements and changing needs, while ensuring a people-centred and child-friendly approaches to justice, and considerations to address justice gaps.

- **Assessing people-centricity and access to justice:** The Roundtable will recognise the importance of evidence-based approaches in enhancing justice systems, focusing on comprehensive measurement frameworks of justice performance, in line with SDG 16.3.3. It emphasises the need for standardised frameworks, regulation, standards, adequate resources, and cooperation to govern data collection, management, use, monitoring and evaluation across the justice sector. It will also discuss progress and the necessary next steps in reporting on the SDG 16.3.3. It will also put the spotlight on assessing accessibility and responsibility of court services, including for vulnerable groups.
- **Sustainable regulation for access to justice:** the Roundtable will aim to identify regulatory obstacles that hinder equal access to justice and exploring ways to reform regulations to enhance access for all individuals. It examines the role of regulatory frameworks in promoting transparency, removing unnecessary barriers, and adapting to technological advancements to enable access to justice. The Roundtable will also delve into the assessment of value for money (VfM) and impacts in justice system policy interventions. It will explore the need for consistent measures or frameworks to evaluate VfM and justice impacts, and addresses challenges, methodologies, data availability, and stakeholder engagement in conducting such assessments.