



OECD ACCESS TO JUSTICE

**OECD Virtual Roundtable on Accessible and
People-Centred Justice
30 – 31 March 2021**

Roundtable Highlights

Context

Equal access to justice and legal empowerment are fundamental components of quality democracies, inclusive growth and good governance. They can also play a key role in fostering trust in public institutions. Importantly, as part of the United Nations 2030 Agenda for Sustainable Development and in recognition of the importance of access to justice, SDG target 16.3 compels countries to “**promote the rule of law at the national and international levels, and ensure equal access to justice for all**”.

Yet many countries continue to face significant challenges in ensuring that their justice systems are responsive to the legal needs of all people. According to the [2019 Global Justice report](#), more than 1.5 billion people lacked meaningful access to justice, a situation that was exacerbated in the wake of the COVID-19 pandemic. Indeed, the campaigns demanding social justice in the past year highlight the need for more responsive and people-centred institutions that are transparent and accountable. When justice systems are unable (or seen as unable) to effectively respond to people’s needs, there is a risk of growing mistrust and disillusionment with justice, governance institutions and democracies more broadly.

As such, progress towards the SDG target 16.3 needs countries to move towards ensuring that all people and communities have access to justice services that are of high quality, fit for purpose, targeted, timely and cost-effective. The importance of this agenda and creating a people-centred justice transformation was acknowledged in the [2019 High-level Dialogue](#) and the [2018 OECD Riga Statement](#) on “Investing in Access to Justice for all!” adopted by high-level participants of the 4th OECD Policy Roundtable on Equal Access to Justice. The Statement urged for action in investing in access to justice for all to foster inclusive growth and implement the 2030 Agenda.

In this context, the 2021 OECD Virtual Roundtable on Accessible and People-Centred Justice, co-hosted by the Canadian Department of Justice, explored ways to ensure effective access to justice through inclusive people-centred transformations to address the legal needs of individuals and businesses, including the most vulnerable. It recognised the need for cross-sectoral and whole-of-government approaches, the implementation of innovation and data-driven reform and the need for appropriate pathways for businesses and vulnerable groups.

The 2021 Global Roundtable was opened by **Laurie Wright, Senior Assistant Deputy Minister, Policy Sector, Justice Canada**; and **Janos Bertok, Deputy Director, OECD Public Governance Directorate**. The Roundtable featured a number of high-level discussions that aimed to facilitate countries’ and partners’ engagement towards furthering the work for a people-centred justice transformation to enable access to justice for all.

Crisis and justice sector performance: Building Back Better

The Roundtable recognised the severe health, economic and social consequences of the COVID-19 pandemic, including the implications for accessing justice. **Those already in vulnerable socioeconomic or personal situations before the crisis have been disproportionately burdened by the pandemic.** Rising economic insecurity has affected people globally, with 1 out of 5 of people in 22 OECD European

countries reporting difficulties in making ends meet in 2020 (OECD, 2021^[1]). In addition, the pandemic and its lockdown measures have shown rising trends in certain crime rates, including gender-based violence and domestic abuses. The pandemic has also led to new opportunities for organised crime in cyberspace, including online child sexual abuse and the medical product market.

In addition, **the pandemic has significantly affected justice systems, with only 8% of justice systems continuing to function normally throughout the pandemic** (according to the data from the Global Access to Justice Project). Some of the challenges included backlogs and delays in the formal system, a lack of data and research both from the systems perspective and the user's perspective, and a disconnection of the justice system from other social service networks. These challenges all contributed to the complexity for users to navigate their way in the justice system, resulting in a restriction of access to justice and the exacerbation of inequalities.

At the same time, **the crisis, paradoxically, has created the opportunity for massive transformation**. For instance, the **United Kingdom's** court reform program¹ found that services being reprogrammed have been more resilient to the impact of the crisis and that remote and hybrid forms of hearings and court access have been key to serve justice in the pandemic. However, the reduced capacity and accessibility overall has increased user vulnerability, both in the number of cases and case severity. Although progress has been made to move to online formats, it was acknowledged that those without access to digitalised justice in the pandemic might be still left behind.

In parallel, social movements and protests in the past years have highlighted the demand for better quality institutions and governance that delivers better justice and better outcomes. In this context, Roundtable participants underlined the need to address the root of mistrust and its impacts, highlighting the need to use data effectively to provide evidence-based solutions to the demand for justice, to identify the best points of intervention that “work”, and to recognise the value of targeted interventions that make the investment case for justice.

As such, building back better means accounting for these consequences and taking advantage of the opportunity to work towards more trust and enhanced access to justice. To do so, justice systems need to be able to handle the increased demand for justice that has resulted from the COVID-19 crisis. This includes addressing the backlog of cases and additional demand when temporary measures in response to the crisis lift.

Importantly, participants showed that governments have the capacity to scale up and lift national coverage rates for justice and that **people-centred justice is affordable**. For instance, work from the Overseas Development Institute has indicated that the benefits of investing in the justice system far outweigh the cost. However, investments may not be affordable for low-income countries where targeted support to date has been poor. Inclusive growth will therefore require better support to low-income countries. Further data-driven research can enable countries to implement targeted investment towards effective reform for people-centred justice transformations that will be crucial to creating a more resilient and equal society in a post-pandemic environment.

Learnings from the Health Sector

The Roundtable participants also discussed lessons learned from the health sector and how it applies to justice, including the integration of user-voices and innovation in service design and delivery (Box 1). Indeed, it was acknowledged that there has been significant advancement in people-centred work and innovation in the health sector. This session aim was to deconstruct health care approaches and models to explore how elements can be adopted by the justice system while recognising that in many countries the health (and other human service) infrastructures are much larger and well-established than are justice

¹ More information available [here](#).

and legal assistance service infrastructures. Legal sectors globally trail behind other sectors, especially health, in access to good quality data. There is a discipline in health – epidemiology – which uses data to study the distribution and determinants of health and disease conditions. In other words, healthcare has decision-making and evidence-based systems in place. Participants stressed that legal and justice systems could strongly benefit from similar approaches. They also noted that a cross-sectoral and whole-of-system approach could significantly benefit both sectors.

Box 1. Key insights from Panel Discussion ‘Learning from the Health Sector’

Understanding the need and integrating user voices

The Roundtable highlighted that health outcomes, like justice ones, require understanding the needs of participants in order to respond appropriately, deliver the necessary services and for people to have genuine opportunities to be able to participate in the decision-making of their healthcare. These trends have been the driving force towards people-centricity in the health sector, along with an aging population and the complex needs of people with multiple chronic conditions (which called for a more seamless and people-centred pathway, as opposed to a fragmented care network).

To support a people-centred transformation, health systems have been developing measurement tools and indicators needed to assess the quality of delivery, outcome and extent of health services that deliver improved experiences and outcomes for patients². Initially, the recognition came out of for the need for analysis to specify the complexity of people’s needs, so that health services can be structured and measured in relation to these needs, people’s experiences in meeting them and their interactions with healthcare. In the health sector, the people-centred approach aims to shift choices from the providers to empower people as decision makers in their own health.

To support countries in advancing a people-centred measurement in the health sector, the OECD has worked with countries to develop the Patient-Reported Indicator Surveys (PaRIS). PaRIS’ aim is to extend the healthcare measure and indicators beyond rates of mortality and the incidence and prevalence of disease to also include data on user experience of healthcare and its added value. It does this by asking about access to health care & waiting times, as well as quality of life, pain, physical functioning and psychological well-being. It serves as a multilateral tool for developing, standardising and implementing a new generation of indicators that measure the outcomes and experiences of health care that matter to people. The indicators provide information that improves the abilities of policy makers to set priorities and allocate funding appropriately, creates a people-centred focus on health care through focusing on the experiences of patients, which in turn enables health care providers to better understand ways in which they can improve the quality of care they provide. As a part of PaRIS, the International Survey of People Living with Chronic Conditions will be the first of its kind to assess the outcomes and experiences of patients managed in primary care across countries.

This experience from the health sector highlighted that ensuring services proactively target those who are most likely to benefit from them requires a true understanding of people’s needs. It also requires the empowerment of patients through a more participatory approach and the use of health literacy in order to ensure that people have the capacity to engage with their care. The lessons from the health sector also stressed the importance of integration, coordination, and clear incentives for different parts of the system to work together in order to facilitate people’s understanding of the system and ensure system’s effectiveness.

² See for instance Rota, A. M. et al., (2016) “Reporting and use of the OECD Health Care Quality Indicators at national and regional level in 15 countries”, *International Journal for Quality in Health Care*, Volume 28, Issue 3, Pages 398–404, <https://doi.org/10.1093/intqhc/mzw027>.

Data Governance

Some of the lessons from the health sector highlighted that governments need data systems that support integration from the very basic individual patient level in order to build better people-centred practices and to improve policies, research, discovery and treatments. At the same time, it is essential to ensure appropriate privacy safeguards and use the data in a careful manner. As such formalised approaches to data governance are needed. The [OECD Recommendation on Health Data Governance](#) seeks to support governments in bringing together the privacy and health communities to collectively advance data governance and monitoring in this sphere. In this regard, Roundtable participants highlighted a potential lesson for the justice system in needing to work towards sharing data in a safe way, that is accessible, both within and even across sectors, while respecting various independent mandates. Sound data governance needs to extend beyond basic legal frameworks and engage with people and their understanding of how their data is managed for meaningful consent.

The WHO Framework on people-centred health service

Participants also discussed the usefulness of high-level approaches to guide transformation towards people-centricity in the justice sector. In this context, they highlighted the relevance of the approach developed by the WHO as part of the Framework on integrated people-centred health service and noted the possibility for it to serve as a potential model for the justice sector. The links with the proposed OECD Framework on people-centred justice were noted.

In particular, in order to provide equal access to quality health services, the WHO Framework aims to help countries find ways to reorient the delivery of health services to integrate people-centred health care for different country contexts. It is based on the implementation of five interrelated strategies that need to be adapted to each country's context. The first strategy focuses on engaging and empowering people and communities to take active roles in their health and in the health services provided to them, which requires developing a participatory approach and strengthening health literacy for patients. The second is centred on strengthening governance and accountability to build transparency and trust to achieve optimal results for the population. The third strategy is about reorienting the model of care to ensure that the care is provided in the most appropriate setting and based on a strong primary care approach. The fourth requires coordinating services across providers and organisations within and beyond the health sector to include social services but also other services to tackle the social determinants of health. Lastly, the fifth strategy is to create an environment to facilitate implementation of sustainable change by ensuring supporting health system functions are in place, including effective governance, adequate regulatory frameworks, suitable financing mechanisms and payment schemes, and integrated information systems.

Digitalisation

In addition, the Roundtable highlighted the role of technology in significantly improving access to healthcare in some countries, with important lessons learned which could be relevant for the justice sector. For example, Denmark has created a patient portal, which aims to streamline access to care, pre-treatment and treatment programs and patient engagement in their care. The digital service design aimed to improve both: 1) patient access to services and 2) data collection, research and design towards further improving service delivery. The portal further enables patients to engage with their own health records and history, and is receptive to user feedback, as part of its people-centric design. It was noted that the data collected in the digital platform was used to continuously innovate and respond to patient needs to improve health care delivery. The importance of the right data governance was also stressed, in order to both maximise the use of the data and to protect the privacy and rights of the users. In the broader context, participants highlighted the need for consultation and understanding of the different types and needs of users, in order to design a system that truly serves everyone. In addition,

the need for awareness of the cultural and legal context in which digital solutions are implemented was highlighted.

Cross-sectoral collaboration

Importantly, acknowledging the potential and need for cross-sectoral approaches, the Roundtable highlighted lessons to apply from the health sector towards effective people-centred justice. Health care and legal care greatly overlap, and 90% of a person's health is determined by social factors with civil legal problems related to health and consumer finance issues affecting more households than any other type of issue. Participants stressed that creating cross-sectoral collaboration between the health and legal field can provide better outcomes for participants in health and justice. Medical legal partnerships (MLPs) in particular were highlighted as an opportunity for people-centred cross-collaboration. The positive impact of MLPs in the United States was emphasised during the COVID-19 pandemic, where they were critical towards supporting the increased demands in housing and guardianship crisis for participants in the health and justice sectors. Greater data-driven work in health-justice collaboration can provide a pathway for moving towards both health equity and justice equity for all people.

Towards justice systems responsive to needs of businesses, particularly SMEs

Effective and responsive justice creates legal certainty, assuring businesses, consumers and investors that agreements will be respected and property rights upheld. As such, a strong justice system plays a fundamental role in promoting a thriving business environment and economy. Businesses may face particular needs and barriers to accessing justice. **This is particularly the case for small and medium-sized enterprises (SMEs) and entrepreneurship** (which represent 99% of all businesses, generating about 60% of employment and totalling between 50% and 60% of value added in the OECD area). Indeed participants noted that SMEs face greater challenges in comparison to larger companies because their costs for engaging with legal and justice services are relatively higher. SMEs are also often affected on a personal level by conflicts. That means that unmet legal needs will often affect the personal wellbeing of managers and owners.

In this context, the tools for justice for SMEs need to be attuned to the distinct characteristics and legal needs of SMEs. A key characteristic of SMEs is their heavy dependence on their environment and the ecosystems within which they operate. As such, the framework conditions set out by policies and justice sector design will have a significant impact on their operations and their ability to access justice. Streamlined processes for resolving legal needs of SMEs are crucial to reducing costs and supporting their long-term sustainability. Justice design for SMEs requires reassessing what outcomes are important for SMEs, such as building trust in the legal effort, having a credible system that creates the opportunity to participate and choose the appropriate legal processes, and creating pathways outside the often-costly formal legal and dispute resolution system. In addition, the justice sector needs to recognise and take into consideration the diversity of SMEs and invest in building legal literacy as a preventative measure that allows SMEs to engage in different litigation and dispute resolution strategies. As discussed in the forthcoming OECD Brief *Supporting businesses through better access to justice*, creating appropriate pathways to justice for SMEs during the pandemic and recovery period will be critical to economic and social recovery.

Digital Transformation

Roundtable participants highlighted the role of digital transformation in legal streamlining, including provision of legal information in plain language. For example, the use of electronic identities in **Estonia** aimed to create online access with simplified language and expedited procedures. **Estonia's** developments in online legal service delivery, including online small claim procedures and digital

notarisation, aimed to simplify procedures, improve access to services and create greater resilience for its justice system throughout the pandemic. They also helped reduce costs and inefficiencies for providers.

It was also noted that digitalisation can serve to create better legal literacy, through creating more streamlined and coherent processes. Many SMEs also face additional challenges from working in an international, cross-jurisdictional capacity. Digitalisation can facilitate and reduce barriers in these cross-national interactions, including through unique electronic identification for SMEs to facilitate cross border justice (e.g., building on the Estonian example).

Justice design to respond to needs of business

Participants discussed taking a systems design approach to create more responsive justice systems. This would mean to integrate equity, fairness and justice as core elements into the design or redesign of justice systems and particularly to consider the users of said justice systems. These users range from the SME owners, to their customers, the administrative bodies that regulate them, their fellow business compatriots and partners. The Roundtable participants emphasised that understanding these users and their needs is essential to creating equitable access to justice for businesses. At the same time, participants stressed that building trust generally in the legal system should be a priority, as this strengthens investment, transactions and collaboration in the business environment.

Child-centred justice

Children have a unique experience of the justice system and creating child-friendly justice towards their empowerment is fundamental to achieving SDG 16. Children continue to be vulnerable in the justice system and require appropriate pathways for better outcomes. Children have also faced unique challenges and increased risk of exposure to violence, both at home and online, in the COVID-19 pandemic.

Participants of the Roundtable underlined the importance of improving child-centred justice through:

- economic and social prevention methods that reduce the need for children to interact with the justice system at all;
- creating procedural enhancements for children that centre them and their needs in the justice system;
- creating children-specific resources including the training and monitoring of sub professions in child-law; and
- prioritising resources and understanding the interdependence of the justice system with other sectors to achieve child-friendly justice.

Creating child-focused pathways requires understanding the needs of children as well as empowering them to give their input, which requires greater data on how children feel in these court processes and their interaction with the justice system.

Participants recognised that justice and child protection are essential services along with health, including mental health, and education that require multi-agency intervention and must be linked to a sustainable social protection system that addresses social disparities and protects the most vulnerable. Several approaches to promote child-centred justice, and how to apply these structures to different country contexts were discussed (Box 2).

Box 2. Towards child-centred justice

Country developments on child-centred justice

Participants discussed several approaches to promote child-centred justice and how to apply these structures to different country contexts.

Slovenia

- Slovenia has designed special brochures for children, including ones designed as children's colouring books that are available in court, along with two similar brochures prepared by the Ministry of Justice for parents. These brochures are used to prepare children before coming to the court.
- To prevent multiple hearings of children, Slovenia has put in place child friendly rooms with equipment enabling audio and video broadcasting to other rooms. This allows children to speak only with the judge or expert interviewing the child with someone trusted by the child present in the room, to create a safe and more child-friendly environment.
- The Slovenian parliament has also adopted the children's house (Barnahus) act, following the example of the Scandinavian model as an interdisciplinary centre involving several agencies designed for children who are victims and witnesses of crime.

Iceland

- Recognising that the traditional objectives of justice systems have been to punish perpetrators, rather than focus on the best interest of the children involved in legal cases, the Barnahus concept emerged in 1998 to address this gap in the legal system. The Barnahus is rooted in principles of child friendly multi agency and disciplinary features of child advocacy centres.
- To continue improving child-centred justice, Iceland has the overall aim of integrating the tradition of investigative approaches in the U.S. and the legacy of the Nordic welfare model with the principles of the UN Convention on the Rights of the Children
- The implementation of principles can be adjusted to different country-contexts to collectively improve child-centred justice.

Israel

- Israel has established a child-friendly legal aid unit within the Ministry of Justice's Legal Aid Department, providing legal aid services to children in Child Protection proceedings, Family Law proceedings and all civil proceeding as well as accompanying and representing children who are victims of severe sexual offences in criminal proceedings. Legal Services are mainly provided on an outsource basis and are monitored and supervised by the Ministry of Justice Legal Aid Department Child Representation Unit (CRU).
- Lawyers working with the CRU receive a one-year mandatory accreditation training (multi-disciplinary, in cooperation with the Haruv Institute). Lawyers representing children work in a multidisciplinary team where they receive assistance and advice from therapeutic advisors, in order to deal with dilemmas arising from the representation process.
- The CRU is currently undergoing an empirical study to assess its effectiveness and to develop an assessment tool, in order to continuously improve the delivery of legal services for children.
- Majority of children are referred to the CRU by Youth or Family Courts, but children older than 14yrs old may independently submit a petition to receive legal aid from the CRU, in order to protect or enforce their legal rights, in cases where there is a clear conflict of interest between the child and his/her parent/guardian.

Canada

- Canada, among many countries, has systemised the need to consider children's views by endorsing their responsibilities under the UN Convention on the Rights of the Child.
- There is work in Canada to identify intergenerational trauma attributed, broadly across the population, to family conflict in a post separation or caused by other disputes in family law.
- Provinces in Canada have initiated programs for parental education to avoid the negative effects of family separation, as well as judicial education on child development and the effects of trauma to inform better decision making as tools towards child-friendly justice.
- Additional harm reduction strategies towards a people-centred justice system that creates access to justice for children will help conceptualise that legal needs have social, relational and contextual determinants.

Towards bias-free justice systems

The pandemic has highlighted the disparate impact of the coronavirus on vulnerable groups and a wave of protests has resulted in growing recognition of the need to address systemic discrimination in order to be inclusive and provide justice for all. The Roundtable showed that this requires – among others – emphasis on:

- creating greater accessibility and fairness, regardless of income, gender or race, including through systemic reforms to eliminate any possible bias;
- promoting collaborative thinking and work within and across sectors to identify and address barriers;
- engaging with the community and their ideas so that the system reflects the identity of the community it is designed to serve.

Access for disadvantaged groups

Disadvantaged groups generally have the greatest needs for legal services but face the greatest difficulty in accessing them. Demystifying justice and bringing the institution to the people in diverse and accessible ways are crucial to creating people-centred justice. Systemic biases in the justice systems could be reduced by developing better, more flexible people-focused approaches to justice, in line with the forthcoming OECD Framework on people-centred justice and associated good practice principles.

Participants discussed creating accessibility through front service houses where people know where to go and can go to have services met, regardless of income, gender, race and other factors, thus building accessible justice. Creating appropriate pathways further requires identifying geographic and language accessible pathways for individuals and communities historically adversely impacted and underrepresented, in order for them to be able to engage in legal systems. For example, in Australia the family advocacy and support service (FASS) operates as a free legal and social support service for legally unrepresented people affected by domestic violence. FASS acknowledges that the legal issues around family violence rarely occur in isolation from other complex social issues. Evaluations of FASS have shown that it is achieving better outcomes for people in less than half the number of court events.

Importantly, **participants recognised the potential value of digital tools to create better access points for disadvantaged groups through the simplification and demystification of legal pathways.** In **Australia**, the digital legal assistance service, Amica, is being used to try to demystify legal services. Amica is an online tool designed by both lawyers and psychologists to guide and help separating couples reach amicable agreements about property settlements, and parenting arrangements. It enables parties to record these agreements in plain language and using artificial intelligence, it makes specific suggestions for couples about dividing their property and money based on information they each provide.

It was also noted that **the digitalisation of justice system for virtual hearings can significantly reduce the cultural, physical and time related barriers to accessing the justice system for parties as well as observers**. The importance of demystifying of justice and bringing the institution to the people in diverse and accessible ways became more apparent COVID-19. However, these tools need to have people-centric thinking in the design and justice systems need to be aware of the potential bias in the application of Artificial Intelligence (AI) as well as the digital divide that could mean some disadvantaged groups will have reduced access due to the lack of available technology or digital literacy for them. These implications need to be considered in order to design pathways that are accessible to all.

Removing systemic bias

Participants highlighted that different forms of systemic bias can be found across different justice systems. These conscious or unconscious biases have often created barriers that have profoundly affected the ability to access justice for individuals and whole communities at large. **Creating access to justice for all is not possible without actively understanding and working to dismantle systemic bias in institutions.** Understanding these biases and determining how to build equity requires continuous reflection and engagement with stakeholders. There is a need to build an understanding of equity from the voices and people who have faced these barriers, as opposed to using preconceived notions of what equity means.

Roundtable discussions underlined that building this understanding of equity would also require targeting all grounds for discrimination, including gender and racial discrimination. Anti-racism and gender equity must be integrated in all our institutions, especially our justice systems, to ensure equal and accessible justice to all. Systemic discrimination including racial and gender bias in our justice systems has created numerous barriers for individuals and communities to gain meaningful access to justice, heightened mistrust in institutions and resulted in discriminatory outcomes. There is an active need for justice systems to work towards eliminating bias that contributes to discrimination at all levels, including through training and culture development (Box 3).

The discussion noted that **the voices of vulnerable and minority communities need to be part of the design from inception** and that justice systems need to prioritise and focus on the individuals that are going to be accessing these systems to build trust and public buy in. These structures would further need to be accountable and transparent to all the people and communities they serve.

Data-driven analysis and design would also be critical to understanding trends and areas that need strengthening towards bias-free systems. This data can be informed and supported by speaking with individuals and groups through stakeholder interviews and community surveys to better understand the accessibility issues at hand and ensure that the people and community is reflected in the design of justice systems.

Box 3. Colombia's approach towards bias-free justice systems

Colombia

In a set of initiatives, the Ministry of Justice launched a training course on ethnic differential approach and legal pluralism. In December 2020, 175 people were trained, including administrative justice providers, officials from the attorney general's office, students from legal clinics and indigenous and Afro Colombian communities. For the protection of women, LGBTQ members, human rights leaders, rural woman and domestic violence victims, the government launched training on justice with a gender approach in which more than 6000 judicial operators were trained in a specific gender issue, institutional capacity.

Delivering People-Centred Justice: Towards a Framework

The Roundtable also included a discussion of the preliminary OECD Framework on People-centred justice, including good practice principles. The Framework builds on the OECD Criteria on People-centred Legal and Justice Services and the outcomes of the 2020 Global Justice Week (co-organised with the Government of Canada, Pathfinders and OGP), previous OECD Roundtables on Access to Justice and the 2018 OECD Riga Statement. It is intended to serve broadly as a guidance document on what a people-centred approach to justice can mean in practice to support countries in their endeavour towards more people-centred justice services.

The Framework includes some aspirational points to create a system that will be relevant, trusted, inspire greater participation and fair outcomes, empower people, and more importantly, go beyond present users of the justice system and legal and justice services. It recognises the need for a clear purpose and culture to support these efforts. Starting from the foundation of the rule of law, it offers an expanded understanding of this bedrock principle that incorporates access to both the formal justice system, as well as a range of out of court pathways and services.

The Framework includes support for the development of an overall vision for justice systems that are people-centred and integrated across sectors to help deliver on SDG 16. It also aims to:

- Highlight the key leadership role of state institutions in guiding and championing the move to people-centred justice.
- Support countries through the identification of good practice principles building upon the OECD criteria on people-centred legal and justice services.
- Highlight good practices and serve as the foundation, in the conversation with countries, on what is working in achieving certain policy objectives.
- Help implement the aspirations and commitments tied to the SDG indicator 16.3.3, assessing the proportion of the population who have experienced a dispute in the past two years and who accessed a formal or informal dispute resolution mechanism, by type of mechanism, as the OECD, together with UNDP and UNODC, is co-custodian of the indicator.

Countries welcomed the forthcoming Framework and accompanying principles and underlined its relevance to support the transformation of justice systems towards greater responsiveness of the needs of people and companies.

Towards people-centred justice purpose and culture in the context of COVID-19

Delivering people-centred justice calls for a clear people-centred purpose guiding justice sector policy and development, efficient, innovative and integrated approaches, and a commitment to evaluating to see what works. Participants underlined that the crisis has had an immense impact on justice institutions, but it has also created a unique opportunity to move towards a more resilient system that places people at the centre.

Participants noted a need **for cultural changes and new ways to drive institutions** towards people-centred justice with a sustained purpose and design. Achieving this new purpose requires **leadership** that engages with the needs of people. Participants also highlighted how the COVID-19 pandemic presents an **opportunity readjust the justice system culturally** to better address the concerns, needs and service delivery in justice. This includes realigning services and culture to focus on and better support victims to meet their legal needs and improve training of the judiciary and service providers by also encouraging the development of soft skills to put into practice (Box 4).

It was also stressed that sound **culture is conducive to people's trust in justice**. Thus the European Commission for the Efficiency of Justice (CEPEJ) identified three main pillars as factors for trust in the judiciary:

- perception of distributive justice, i.e., whether people feel that justice is applied equally in front of the law;
- perception of procedural justice, i.e., whether people feel that during the procedure with state authorities, they have been heard they had the right to say their opinion, and they have been treated with dignity and respect; and
- perception of efficiency, i.e., if people believe that judicial systems are working efficiently, if judicial procedures are done without unreasonable delay and if judgments are enforced efficiently.

Importantly, for leaders to retain and grow trust, they have to promote the culture of listening to court users, which requires collaboration, cooperation and qualitative research.

In addition, participants underscored how fostering a new culture requires **building capacity** through regular and continuous work from “A to Z”, that is, from law faculties, initial training, lifelong training for judges, prosecutors, registers clerks to everyone involved in the justice sector. This system-wide effort is necessary to putting people at the centre of legal education. Legal education needs to support and encourage students to be thinking more about the purpose and culture of legal systems to bring to the forefront the relationship between law and justice. The relational principles that are being developed in a restorative approach can inform the design and implementation of technical reform and mechanisms. Technical integration of digital tools alone is not enough to put justice closer to court users, it is important to actively reach out and meet needs in a variety of interventions. This includes investing in people by having judges and other legal professionals working in multidisciplinary teams to better understand the needs of people, and perhaps most importantly, **involving individuals in how the justice sector works**. Speakers also remarked on the importance of training students in thinking about the purpose and culture of legal systems. From this perspective, it is not enough to train students in new skills and tools, but beyond that, infusing all practices of learning law with a question of why we do what we do.

In this context, participants discussed **training service providers**, including lawyers, beyond the system knowledge to *communicate with people to improve the interface for the interaction with people*. This includes working in plain language, understanding the emotions of people and keeping contracts simple to engage with the users of the justice system. Additionally, this means accounting for the full diversity of people. These different aspects of communication need to be integrated into the thinking about structures and the processes as countries design them to create a people centred culture in justice. Participants highlighted how co-creation services where the community and user voices are integrated in the services and design they use are essential.

Participants further suggested ways to consider the justice system from an **interface perspective**. Comparing the experience to using a smartphone where users do not have a need to understand the complex technology to be able to operate the technology due to the user-friendly smart interface, participants challenged the justice system to similarly improve its user interface. The challenge to overcome is to respect the complexity of the system while making the experience for the people very simple.

Importantly, it was stressed that justice systems **need to address the core issues and culture before applying digitalisation and that to do well, data is crucial**. HiiL stressed that the applications of data can be cross-sectoral and utilised towards creating intergovernmental panels for justice –like the Intergovernmental Panel on Climate Change (IPCC) – to put justice at the centre of the table and at the centre of policy concerns, integrated even as an element of consideration into financial markets. To this end, the creation of a central system where data is stored and shared about what is really working, and to build shared standards could be considered. Producing more data and high-quality research is at the centre of a new culture. Furthermore, participants discussed identifying ‘game changers,’ initiatives in the justice system that are working and how scaling up game changers is more effective than attempting to create entirely new designs.

Box 4. Examples of country approaches to people-centred justice culture

Ireland

In alignment with other countries, amid the pandemic, Ireland maintained urgent legal cases including Family Law matters and criminal matters with people in custody. Lessons learned from these adjustments during this “emergency mode” has demonstrated that new approaches to legal reform are possible. Unlike previous reforms in the justice system, which have focused on technical reforms to improve the law and implement digitalisation, Ireland is now working to launch the biggest reform to the family justice system, since the foundation of courts in 1924. Part of the innovation comes from journey mapping. Ireland will survey users who have been through the family justice system, to determine more constructive pathways to resolve legal issues with greater efficiency with a focus on moving towards a people-centred purpose and culture.

Participants highlighted the need to go beyond previous reforms in the justice system, which have primarily been technical reforms, to improving the law. Participants discussed improving the justice journey for victims and the difficulties they face in experiences in courts, particularly victims of sexual violence, where practices and procedures may re-traumatise victims. In Ireland, the justice journey for victims is being addressed with a plan to map the victim's journey to help victims as they move through the system. This would also include giving victims Legal Aid so there is someone available to support them and explain the legal processes they will go through. Ireland is also working on technical changes and has a bill currently going through parliament to try to stop word errors occurring after juries are on panels. Additionally Ireland is looking at implementing evidence-based systems and training for participants involved in the justice institutions, including the suggestion of training for the judiciary. These changes in Ireland are using the momentum of change in the pandemic and the centenary to focus on moving and driving forward the people centred agenda in justice.

Canada

In Nova Scotia, Canada a public inquiry was conducted to address the history and legacy of systemic racism and how it has contributed to institutional abuse. This inquiry was the first restorative model of public inquiry in Canada and aimed to build capacity for multi-sector collaboration to better understand the nature of these issues to undertake planning and action, centred together with those being impacted by these issues to produce recommendations. This fundamental shift from being system and provider centred to re-orientating systems to place people and their integrated holistic experience at the centre was noted to be important to justice and care.

Belgium

In Belgium, victims of sexual violence and domestic violence which have increased during lockdown and the health crisis are being targeted under an action plan. The objectives of the action plan are to remove barriers to complaints, including the use of digital technology such as recording interviews in order to avoid the victim having to repeat their story especially when the when the story is traumatic, and open access to computers, in courthouses in public service institutions, to bridge the digital divide. Additionally, the use of a tool based on business intelligence to better detect, prevent, manage, and avoid repeat offenders.

This highlights the need to change culture by investing in human centred approaches by actively reaching out and meeting people's needs, in this case, the needs of sexual and domestic violence victims. Changing a culture requires investing in human centred approaches by actively reaching out and meeting people's needs beyond just implementing digital tools. Participants highlighted the need for judges and prosecutors to work with people from other multidisciplinary teams such as from the

prison administration system to social caseworkers and for the users of those systems to have access to their service delivery providers.

Systems and institutions to support people-centred justice

Responding to the COVID-19 pandemic has required very difficult decision-making under the scrutiny of every government's respective population. Decision-making will continue to be scrutinised in the recovery and post-pandemic environment as people assess the long-lasting consequences of COVID-19 response measures. Governments will require effective institutional arrangements, as well as coordination and cooperation capacities, to place people's needs at the centre of justice systems to promote trust and good governance in light of the crisis and its challenges.

This session revolved around three key issues: institutional approaches for people-centred justice, resilience and responsiveness of justice systems and the role of justice departments.

First, participants underlined the importance of **effective institutional set ups, including strong justice departments**, and collaborative arrangements for establishing and maintaining a culture that promotes accessible and effective justice for people to address their legal needs. A wider institutional approach for people-centred justice requires the establishment of whole-of-government systems, systems to ensure access to technology and access to justice services, justice system simplification and the reorientation of justice services to address the legal needs of people. These needs, expectations and internal resources require competence building that aligns incentives and creates a people-centred narrative. For example, movements around restorative communities in Leuven in **Belgium**, in **New Zealand**, in the **Netherlands**, Leeds in the **United Kingdom** and Nova Scotia have been thinking about how they can equip systems to work differently in a way to break down the silos in their justice system.

Participants mentioned that the need for **cross-sectoral approaches and collaboration** can help provide holistic support for all people, and in particular vulnerable groups (Box 5). It was noted that justice and legal needs are multi-faceted, thus services and solutions need to address these challenges holistically. Partnerships between ministries of justice, gender, children, immigration, elderly, social, etc. - among others – can help create the cross-sectoral approaches necessary to prevent people from falling through gaps. Cross-sectoral work also provides the opportunity for better training for professionals across these fields to better recognise and address barriers collectively towards people-centred justice.

It was also noted, that *at the court level*, efficient and effective court management promotes a whole of justice performance through facilitating improved court performance, eliminating backlog and improving conflict resolution through time management tools that weigh cases. It improves the ability of justice service providers to meet the needs of people. And if internally, at the justice services level, there is a belief in the management and leadership level, and everything is connected all decisions about people-centred justice become easier.

Box 5. Systems and institutions to support people-centred justice

Canada

Canada highlighted a range of efforts to ensure a coordinated approach to the delivery of justice and responding to the diverse needs of the people and economic actors. For example, Canada has put in place federal-provincial-territorial tables that connect ministers and deputy ministers of justice and senior officials across the country. Given Canada's shared jurisdiction over the administration of justice, coordination between the federal government and the 13 provincial and territorial jurisdictions is

essential to obtaining and advancing access to justice. These tables provide a mechanism to raise issues and identify collective priorities.

Justice Canada has also set up the Access to Justice Secretariat, a dedicated coordination and support unit to advance various aspects of access to justice. It serves as a hub and point of contact for SDG 16 and the vast breadth of access to justice-related work carried out in the Department of Justice. Topics in which the Secretariat are involved include criminal and family law, restorative justice, indigenous justice and victim protection, as well as efforts to improve justice data collection and analysis. The aim of the Secretariat is also to spread awareness of a “people-focused” approach, encouraging the adoption of this perspective across the design and implementation of policy and programming initiatives. As part of these efforts, the Secretariat established a network of senior officials across a number of federal departments with social policy mandates to provide a forum to share information, identify collective priorities, and find opportunities to collaborate on shared objectives.

Finally, the Minister of Justice is an active participant of the Cabinet Committee on the Federal Response to the Coronavirus, which helps integrate a justice perspective as part of the response and recovery strategy.

United States

The United States’ White House Legal Aid Interagency Roundtable (first launched in 2012 and elevated to a White House initiative by President Obama in 2015 and reinvigorated by President Biden through a [Presidential Memorandum signed in May 2021](#)) is a 28 federal agency effort that adopts a whole-of-government approach to raise federal agencies’ awareness on how civil legal aid can help advance a wide range of federal objectives including employment, family stability, housing, consumer protection, and public safety. Specifically, members of the Roundtable work to leverage resources to strengthen Federal programs by incorporating legal aid, develop policy recommendations that improve access to justice, facilitate strategic partnerships to achieve enforcement and outreach objectives, and advance evidence-based research, data collection, and analysis. Since 2015, the Roundtable has been tasked with helping the United States implement Goal 16.

Digital Transformation for People-Centred Justice

Digital transformation has been critical during the COVID-19 pandemic to create new pathways for justice as legal systems adapted to the ongoing crisis. There was also recognition that the use of digital technology can facilitate people-centred pathways, reduce costs and increase efficiency in justice systems. Indeed, the Roundtable showed many examples of innovative approaches developed by countries in using technology, ranging from creation of virtual courtrooms and civil registries, to development of dematerialised ADRs and to WhatsApp helplines for abuse victims (Box 6). In this context, the European Commission is planning a new legislation on further digitalisation of procedures in civil, commercial and criminal matters. These procedures include not ruling out the use of paper, but that electronic documents shall not be denied legal effect and admissibility as evidence in legal proceedings solely on the grounds that they are in electronic form. As a result, individuals, including victims of crimes, and businesses can have the possibility to exercise their rights and fulfil obligations using modern digital public services. This could enable the national justice systems to become more resilient by ensuring that judges and courts and auxiliary staff can fulfil their duties remotely. At the same time, participants also underlined the importance of not mechanically translating well known procedures into digital form and avoid reproducing exactly what was being done in the judicial system before.

Importantly, it was noted that **online dispute resolution can facilitate low intensity disputes for which legal principles are well settled, and do not require considerable judicial discretion in statutory interpretation or applying the law to the facts of the case and also where the facts are easily**

established. A example is the platform built for condominium disputes that has shown to be very efficient. The key message is to ask ourselves if the judge is the best person to solve the dispute around dishwashers and small claims, or there are other better and more appropriate ways to do it. And indeed, according to surveys conducted by the Department of Justice of Quebec, user satisfaction rate average 90%, with a dispute settlement rate of approximately, or conservatively 80%. Cases are settled in an average of 21 day compared to 11 months if you have a court hearing.

Participants noted that there is a need to ensure technological innovations are people-centred and accessible to all, to prevent the risk of creating a new class of marginalised groups (those without access to internet or lacking digital skills), reinforcing barriers to equal access to justice, or undermining fairness.

Box 6. Examples of country approaches to digital transformation of people-centred justice

South Korea

In South Korea, in 2019, 100% of patent and administration cases and 82% of Civil cases used the e-filing system. The country also offers a mobile application for convenient access to the justice system with mobile devices and pro se litigation website where people can draft complaints and file documents without the help of a lawyer. In addition, Korean courts are broadcasting the Court files and uploading it on an official YouTube channel. This simple step implies that people can watch trials wherever and whenever they want. From the last year, the Supreme Court has been providing e-files that can be read on refreshable braille displays that many blind people use nowadays.

Turkey

In Turkey there is a friendly application providing wide-ranging services. Parties can file a case and send all kinds of documents to court. It also has a payment feature which includes automated calculation of how much to put paid as court fees. The country also reported establishing an e-hearing system that is now in use over 500 civil courts.

Colombia

The Ministry of Justice in Colombia has developed two apps to facilitate the digital access to justice. The first one is LegalApp, which is a tool that promotes access to justice using any computer or smartphone. The LegalApp received more than 6 million visits and was downloaded more than 80,000 times. This app provides an appointment scheduling tool and links to 50 legal clinics in 23 cities throughout the country. Currently, the program is a finalist in the world justice challenge 2021 as one of the best initiatives for justice to access justice worldwide. The second strategy is a tool for content management that is constantly updating the regulation.

Japan

Japan underscored that the judiciary is the ultimate body to protect human rights and those lacking access to digital means must be ensured access to justice. When sufficient support to bridge the digital gap is provided, alternative means may become redundant. To date, physical presence is still necessary sometimes to achieve meaningful access to justice, such as in the case of examination of evidence. Such being the case, Japan highlighted that it is unlikely for people to accept a fully digital justice system and stressed the importance of inclusiveness and flexibility. It is, thus, recognised that transformation of civil court proceedings must be oriented toward cooperating with digital means. In this context, Japan is implementing digitalisation of civil justice procedures. At the same time, there is also an ongoing discussion about the possibility of establishing a completely digital summary court proceeding and / or a fully online alternative dispute mechanism.

Towards people-centred measurement, data collection and impact assessment in the justice sector

The Roundtable underlined that evidence-based planning and system design are crucial to achieve people-centred justice (Box 7). It was highlighted that the **effective use of data** can enable justice systems and institutions to understand who has justice needs, what those needs are, where and when they are experienced, their underlying causes, as well as to recognise patterns and anticipate gaps. This can strengthen problem prevention and help correct systemic injustices. At the same time, it was stressed that justice data is key to adapt strategies and allocate resources in the most optimal way.

It was also recognised that carrying on the momentum of rapid transformation from the pandemic will require better application of rigorous qualitative and quantitative approaches to inform bottom-up designs or assessment of justice services that focus on people's experiences. Doing so requires data-driven reform and investment into the justice sector. Over time, data collection for monitoring and evaluation purposes allows systems to continuously improve and better understand the most efficient use of resource allocation for creating people-centred justice.

Yet participants highlighted among the main challenges the difficulties to have in place systems to collect data in the first place and then ensuring high quality data from a technical perspective. To overcome this, it is crucial to mix different data sources, including both the available administrative data produced by the system, and that coming from legal needs and other types of surveys.

In addition, participants also suggested finding ways to **open up data in justice information systems** for use, including the possibility of working with private actors to work and contribute with to develop access to justice and court management. Assessing the data is what allows legal systems to come to conclusions in relation to the legal needs of people. For example, two years ago, the legal advice online portal of *Latvian* courts was created to guide users through legal procedures in the manner of quiz while also collecting data on information with what legal problems people have to better guide reform and resource allocation in courts. This type of data collection and use allows the justice system to determine where the legal need arises and what obstacles are prevalent. In addition, court decisions are in the portal of Latvian courts and machine learning through artificial intelligence has been applied for anonymisation of court decisions. This has increased accessibility and is a step towards improving the conflict resolution and eliminating the backlog

It was stressed that **progress for people-centred justice can be measured through appropriate indicators to create a better understanding of how to build and design effective justice systems**. One such indicator is **the SDG indicator 16.3.3.**, which can serve as a tool to better understand and measure legal needs, enabling countries to determine baselines and targets. This indicator focuses on the proportion of the population who have experienced disputes in the past two years, and who access the formal or informal dispute resolution mechanism by type of mechanism. All United Nations members will be invited to report on an annual basis starting from February of next year, on the progress made under this indicator. The OECD, together with the UNDP and UNODC will be facilitating this process of reporting. In that spirit, the OECD, jointly with partners, has developed some tools, including [the Legal Needs Surveys and Access to Justice](#) guide and the [Praia City Group Handbook on Governance Statistics](#) for use. Participants noted the importance of deepening the work on indicators to help monitoring progress towards people-centred justice and leaving no one behind.

Box 7. Examples of country approaches to people-centred measurement, data collection and impact assessment in the justice sector

Canada

In Canada, the office for statistics, Statistic Canada applied- methodological precision to the current legal needs survey With a survey size of 30,000 Canadians 18+ and an oversample of Indigenous peoples – the Canadian legal problems survey-. Justice Canada reached out to other federal departments to partner and financially support the survey..The survey will be supplemented by 13 qualitative research studies examining the experiences of Indigenous peoples, immigrants, Black Canadians, LGBTQ2 and, persons with Disabilities:The project has benefitted from a collaborative very horizontal approach. Justice Canada has also been able to raise awareness at the - senior management level and at the working level in different federal government departments, to stop working in silos, and start working with public health for instance.

Italy

Italy underscored that all administrative financial and judicial actions are taken through digital platforms. Therefore, this means that they leave a digital trace and that they can be translated in data into inform better decisions from a whole-of-government perspective, which is participative from the outset. From the massive data set available it is possible to determine the organisational and functional problems, to improve justice for the long term.

United Kingdom

The Legal Services Board in the UK is developing a tool to assess what people find easier and what they find difficult, and what their typical reactions are to facing a legal problem. The organisation also created an “impact dashboard” to explore how COVID-19 is impacting people in connection with their unmet legal needs. Qualitative research is crucial, as the groups of people who are using online services and or going to advice centres whatever they may be, probably are not the ones who would have gone there for face-to-face advice.

Poland

In Poland, two surveys were conducted to understand the real experience of customers. One focused on the experience of the public and demonstrated the persistent problem of a lack of data of actual needs of people accessing the system. This resulted in referring customers to inappropriate services. This discovery is central in driving the current efforts of the country towards designing better services. In addition, during the pandemic there was a sharp decline in the number of services provided in Poland, especially in the periods of most severe lockdown. Throughout the pandemic, however, there has been access to services from home over the phone, and no obligation to fill in any forms and declaration. And in 2018, Poland had introduced a number of administrative mechanisms to the system to monitor its performance with the intention of monitoring the quality of services so further modification to the system design could be implemented to favour quality of services in 2019. An IT system was also launched to help process the monitoring of the data and avoid concerns related to the protection of personal data. No personal customer data is entered into the system, but all the administrative data showing the socio-economic information on age, level of income, education and this this type of information about those who use the system is tracked to better understand users and their needs.