

EQUAL ACCESS TO JUSTICE

OECD Expert Roundtable
Agenda



OECD HEADQUARTERS, PARIS
7 OCTOBER, 2015

Equal Access to Justice

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7 October 2015, OECD Conference Centre, Paris
AGENDA

Following the consultation with member countries on the OECD work on justice services, the OECD is organising a series of roundtables on access to justice under the auspices of the OECD Public Governance Committee. Access to justice is seen as a crucial determinant of inclusive growth, citizen well-being and sound public administration in OECD and Partner countries. The OECD seeks to foster a dialogue on the quality, responsiveness and accessibility of justice services, and their impact on broader social and economic outcomes.

To this effect, the roundtables will aim to identify and facilitate the exchange of good practices and lessons learned among Member and Partner countries for their justice services to be accessible to all, irrespective of social status and income levels.

The first roundtable on 7 October 2015 will highlight the country practices, strategies and innovations in promoting justice accessibility: from identifying the current challenges faced by citizens and the private sector in accessing justice, to designing legal and justice services to respond to their legal needs. The discussions will contribute to the development of the OECD Inclusive Growth and Trust in Institutions Agendas, identified by OECD Ministers as key priorities for the Organisation.

The roundtable will feature the participation of Public Governance Committee delegates, country officials responsible for the promotion of access to justice, academia, expert community and civil society. All participants will be invited to share their country experiences and participate in the discussions.

9:15 - 9:45	Arrival of participants, welcome coffee
9:45 - 10:00	Introduction
	<ul style="list-style-type: none"> • Mr Rolf Alter, Director, Public Governance and Territorial Development, OECD <p>This session will outline the objectives of the roundtable and their relevance for the public governance agenda.</p>
10:00-12:30	Session 1: Access to justice: Trends, barriers and impact
	<p>This session will explore the current trends in accessing justice in OECD member and partner countries, factors affecting the level of access, barriers faced by various groups of citizens and businesses, as well as the main challenges faced by countries in fostering access to justice for all. It will also aim to consider the impact of uneven access to justice on trust, well-being and inclusive growth.</p> <p><i>Coffee will be served at the discretion of the Chair</i></p> <p>Panel Participants</p> <p>Chair: Mr Stéphane Leyenberger, Head, Independence and Efficiency of Justice Division, Council of Europe</p> <ul style="list-style-type: none"> • Ms Lisa Foster, Director, Office for Access to Justice, Department of Justice, United States • Ms Victoria Becerra, Project Coordinator, Studies Unit, Ministry of Justice, Chile • Mr Geoff Mulherin, Director, Law and Justice Foundation of New South Wales, Australia • Mr Rob Boone, Practice Manager, Justice and Rule of Law, Governance Global Practice, World Bank • Dr Julinda Beqiraj, Research Fellow, Rule of Law, Bingham Centre for the Rule of Law, United Kingdom <p>Questions for Roundtable discussion</p> <p><i>(All participants will be invited to share their country's experience and expertise)</i></p> <ul style="list-style-type: none"> • What are the current trends in access to justice in OECD and partner countries (especially in non-criminal domains, such as civil, family and administrative justice)? What factors affect the level of access to justice services by all? • What are the main barriers to access (in non-criminal domains) for different groups of population and businesses? Low-income and middle-income groups? Unrepresented litigants? Women, elderly, children, minority groups? SMEs? New immigrant /refugee populations? • What are the costs of access to justice, especially in non-criminal justice domains (e.g., court fees, lawyer fees, transportation costs, time spent by litigants on a procedure)? What are

the approaches to measuring costs of accessing justice (e.g., public vs private costs)?

- What are the main challenges and pressures faced by countries in ensuring access to justice, irrespective of income levels and social status? What are the governance arrangements for access to justice policies and their implementation?
- What are the economic and social benefits of strengthening access to justice? What are the (legal, social and economic) costs and broader impacts of limited access?

12:30- 13:30

Lunch

Room George Marshall

13:30-15:30

Session 2: Understanding citizens' legal needs: Towards achieving equal and inclusive justice

This session will explore ways to understand legal needs and experiences of citizens and businesses, to support the design and delivery of citizen-centred justice services and to identify bottlenecks in the system from the citizen standpoint.

Panel Participants

Chair: Mr David Arellano Cuan, Head, Legal Affairs Unit, Ministry of Interior, Mexico

- **Ms Laurence Chaintron**, Head, Bureau de l'accès au droit, Service de l'accès au droit et de l'aide aux victimes, Ministère de la justice, France
- **Mr Gabriel Cifuentes**, Director, Justice, Security and Governance Division, National Planning Department, Colombia
- **Pr Pascoe Pleasence**, Co-director, Centre for Empirical Legal Studies, Faculty of Law, University College London
- **Pr Trevor Farrow**, Professor & Associate Dean, Osgoode Hall Law School; Chair, Canadian Forum on Civil Justice; Academic Director, Winkler Institute for Dispute Resolution
- **Pr David Udell**, Executive Director, National Center for Access to Justice, Visiting Professor from Practice, Cardozo Law School
- **Pr Maurits Barendrecht**, Research Director, Hague Institute for the Internationalisation of Law (HiIL)

Questions for Roundtable discussion

(All participants will be invited to share their country's experience and expertise)

- What is known about legal and justice needs of different groups of citizens and businesses? How have they evolved?
- What country initiatives have been put in place to systematically identify legal needs and experiences of different groups of citizens and the private sector? What are the main challenges in their implementation?

- What is known about the way different groups of citizens and businesses resolve disputes, address their legal needs in practice, and ultimately engage with the justice system? What approaches can be effective to map their actual experiences in resolving their legal problems?
- How can the legal needs of different groups (e.g., unrepresented litigants, marginalized groups, etc.) be accounted for in the access to justice reforms, and in the design and delivery of justice services? What are the implications and benefits of this approach?

15:30–16:00

Coffee Break

16:00-17:50

Session 3: Justice as a service: Towards an integrated, holistic and targeted approach?

This session will explore country approaches to designing and delivering citizen-centred justice services with a view of enhancing access to justice. It will highlight innovative practices, barriers and lessons learned in designing more integrated and targeted services to respond to legal and justice needs of citizens and the private sector, while recognising multiple pathways to justice.

Panel Participants

Chair: Pr Daniela Piana, Political Science, University of Bologna, Italy

- **Mr Peter van den Biggelaar**, Executive director, Legal Aid Board, the Netherlands
- **Mr Johannes Gerds**, Judge, Staff Counsel, Federal Ministry of Justice and Consumer Protection, Germany
- **Ms Merja Muilu**, Senior Counsellor, Ministry of Justice, Finland
- **Mr Jean-Christophe Boulet**, Counsellor, DG Législation et Libertés et Droits fondamentaux, Service du Droit patrimonial et de la Procédure civile, Service Public Fédéral Justice, Belgium
- **Pr Ellen Lawton**, Lead Research Scientist, National Center for Legal-Medical Partnership, Milken Institute School of Public Health, George Washington University
- **Mr Aneurin (Nye) Thomas**, Director General, Policy and Strategic Research, Legal Aid Ontario

Questions for Roundtable discussion

(All participants will be invited to share their country's experience and expertise)

- What country approaches have been put in place to improve legal and justice service delivery to citizens and businesses? How do they recognise and respond to different paths to justice, especially in civil justice matters? How do they respond to the evolving legal and judicial needs, including those of unrepresented litigants?
- What have been successful country experiences in developing integrated solutions to the provision of legal and justice services? What types of services have been included (e.g., Alternative Dispute Resolution mechanisms)? What have been success factors and main challenges?

- Are there successful approaches in linking legal and justice services with other public services (e.g., housing, health, education, and labour) to facilitate the resolution of citizens' legal and related needs? What have been the impact and results?
- How can success of these initiatives be measured, in terms of costs, quality of procedures and quality of outcomes?

17:50-18:00	Concluding remarks
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- **Mr. Rolf Alter**, Director, Public Governance and Territorial Development, OECD

18:00-19:00	Cocktail <i>Room Roger Ockrent</i>
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