ACCESS TO JUSTICE: Rethinking the framework

Ross Cranston

12 October 2023
LECTURE OUTLINE

I. JUSTIFICATIONS FOR ACCESS TO JUSTICE

II. FACILITATING PRIVATE PROVISION

III. PUBLIC PROVISION FOR ACCESS TO JUSTICE

IV. CONCLUSION
I. JUSTIFICATIONS FOR ACCESS TO JUSTICE

• MEETING LEGAL NEEDS

• PROTECTING LEGAL RIGHTS

• EQUALITY BEFORE THE LAW

• UTILITARIAN – sustainable development, resolving social problems, etc.
II. FACILITATING PRIVATE PROVISION

• INSURANCE – esp. BTE insurance

• LITIGATION FUNDING

• CROWD FUNDING; CLIENT LOAN SCHEMES

• NON-CURIAL AVENUES - ombuds services, consumer ADR schemes, etc.
III. PUBLIC PROVISION FOR ACCESS TO JUSTICE

• MACHINERY OF JUSTICE – the online court

• PROCEDURAL MEASURES – group/class actions; CFAs/DBAs; cost capping

• PUBLICLY FUNDED LEGAL SERVICES – legal aid, law & advice centres

• JUSTIFYING PUBLIC FUNDING FOR LEGAL SERVICES

• SETTING PRIORITIES
IV. CONCLUSION

• ACCESS TO JUSTICE AS A BROAD CANVAS

• PRIVATE AND NON-CURIAL AVENUES

• JUSTIFYING PUBLIC FUNDING AND SETTING PRIORITIES