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We live in a denial of justice age when it comes to the individual pursuit of justice against international organisations (IOs). Victims of institutional conduct are generally not provided reasonable means of dispute settlement at the international level. They also have been unable to seek justice at the national level due to IO immunities, which aim to secure institutional independence. Access to justice and IO independence are equally important values and realising them both has so far proven elusive. Private international law techniques can help allocate regulatory authority between the national and institutional orders in a nuanced manner by maintaining IO independence without sacrificing access to justice. As private international law rules can be adjusted nationally without the need for international action, the solution proposed can be readily implemented, thereby resolving a conundrum that public international law has not been able to address for decades. This Report is the Whitehouse-Legal Aid Interagency Roundtable (WH-LAIR) first annual report to the President. Part I provides an overview of civil legal aid and WH-LAIR; Part II details WH-LAIR agencies' efforts to improve their programs by incorporating legal aid; and Part III outlines WHLAIR's plans for the future. The Report demonstrates that the 22 members of WH-LAIR have taken significant steps to integrate civil legal aid into their programs designed to serve low-income and vulnerable individuals, where doing so can improve their effectiveness and increase access to justice. The strategies that agencies deploy to advance WH-LAIR's mission largely fall into four categories: 1) leveraging resources to strengthen Federal programs by incorporating legal aid; 2) developing policy recommendations that improve access to justice; 3) facilitating strategic partnerships to achieve Federal enforcement There is much debate about the scope of international law, its compatibility with individual state practice, its enforceability and the recent and limited degree to which it is institutionalized. This collection of essays seeks to address the issue of access to justice, the related element of domestic rule of law which does not yet figure significantly in debates about international rule of law. Even in cases in which laws are passed, institutions are present and key players are ethically committed to the rule of law, those whom the laws are intended to protect may be unable to secure protection. This is an issue in most domestic jurisdictions but also one which poses severe problems for international justice worldwide. The book will be of interest to academics and practitioners of international law, environmental law, transitional justice, international development, human rights, ethics, international relations and political theory. The capacity to abuse, or in general affect the enjoyment of human, labour and environmental rights has risen with the increased social and economic power that multinational companies wield in the global economy. At the same time, it appears that it is difficult to regulate the activities of multinational companies in such a way that they conform to international human, labour and environmental rights standards. This has partially to do with the organization of companies into groups of separate legal persons, incorporated in different states, as well as with the complexity of the corporate supply chain. Absent a business and human rights treaty, a more coherent legal and policy approach is

required. Faced with the challenge of how to effectively access the right to remedy in the European Union for human rights abuses committed by EU companies in non-EU states, a diverse research consortium of academic and legal institutions was formed. The consortium, coordinated by the Globernance Institute for Democratic Governance, became the recipient of a 2013 Civil Justice Action Grant from the European Commission Directorate General for Justice. A mandate was thus issued for research, training and dissemination so as to bring visibility to the challenge posed and moreover, to provide some solutions for the removal of barriers to judicial and non-judicial remedy for victims of business-related human rights abuses in non-EU states. The project commenced in September 2014 and over the course of two years the consortium conducted research along four specific lines in parallel with various training sessions across EU Member States. The research conducted focused primarily on judicial remedies, both jurisdictional barriers and applicable law barriers; non-judicial remedies, both to company-based grievance. The results of this research endeavour make up the content of this report whose aim is to provide a scholarly foundation for policy proposals by identifying specific challenges relevant to access to justice in the European Union and to provide recommendations on how to remove legal and practical barriers so as to provide access to remedy for victims of business-related human rights abuses in non-EU states. Access to justice is a fundamental right guaranteed under a wide body of international, regional and domestic law. It is also an essential component of development policies which seek to adequately respond to the multidimensional deprivations faced by the poor in order to improve socio-economic well-being and advance the progress of the Sustainable Development Goals. Women and children make up most of Africa’s poorest and most marginalized population, and as such are often prevented from enforcing rights or seeking other recourse. This book explores and analyzes the issue of gendered access to justice, poverty and disempowerment across Sub-Saharan Africa (SSA), and provides policy discussions on the integration of gender in justice programming. Through individual country case studies, the book focuses on the challenges, obstacles and successes of developing and implementing gender focused access to justice policies and programming in the region. This multidisciplinary volume will be of interest to policy makers as well as scholars and researchers focusing on poverty and gender policy across law, economics and global development in Sub-Saharan Africa. Additionally, the volume provides policy discussion applicable in other geographical areas where access to justice is elusive for the poor and marginalized. This book focuses on four topical and interconnected, innovative pathways to civil justice within the context of securing and improving access to justice: the use of Artificial Intelligence and its interactions with judicial systems; ADR and ODR tracks in privatising justice systems; the effects of increased self-representation on access to justice; and court specialization and the establishment of commercial courts to counter the trend of vanishing court trials. Top academics and experts from Europe, the US and Canada address these topics in a critical and multidisciplinary manner, combining legal, socio-legal and empirical insights. The book is part of ‘Building EU Civil Justice’, a five-year research project funded by the European Research Council. It will be of interest to scholars and policymakers, as well as practitioners working in the areas of civil justice, alternative dispute resolution, court systems, and legal tech. The chapters “Introduction: The Future of Access to Justice – Beyond Science Fiction” and “Constituting a Civil Legal System Called “Just”: Law, Money, Power, and Publicity” are available open access under a Creative Commons Attribution 4.0 International License via link.springer.com. This book describes the access to justice crisis facing low- and middle-income Americans and the current reforms to address it. "Understanding access to justice in any jurisdiction requires identification of factors which create the dynamic in which access functions. Jurisdictions can have factors in common, but each jurisdiction has a dynamic of its own. Without an understanding of these factors and how they interact, proposed improvements in access may not accomplish much. Viewing access to justice in this way arguably allows for a clearer vision of positive change, because it acknowledges why particular changes may be difficult or unlikely. Establishing access to justice dynamics in sufficient complexity is also necessary for comparative understandings across jurisdictions, but comparative insight requires reference to an expanded set of jurisdictions, including Asia and beyond"-- This Report is WH-LAIR's first annual report to the President. Part I provides an overview of civil legal aid and WH-LAIR; Part II details WH-LAIR agencies' efforts to improve their programs by

incorporating legal aid; and Part III outlines WHLAIR's plans for the future. The Report demonstrates that the 22 members of WH-LAIR have taken significant steps to integrate civil legal aid into their programs designed to serve low-income and vulnerable individuals, where doing so can improve their effectiveness and increase access to justice. The strategies that agencies deploy to advance WH-LAIR's mission largely fall into four categories: 1) leveraging resources to strengthen Federal programs by incorporating legal aid; 2) developing policy recommendations that improve access to justice; 3) facilitating strategic partnerships to achieve Federal enforcement and outreach objectives; and 4) advancing evidence-based research, data collection, and analysis. Around the world, access to justice enjoys an energetic and passionate resurgence as an object both of scholarly inquiry and political contest, as both a social movement and a value commitment motivating study and action. This work evidences a deeper engagement with social theory than past generations of scholarship. For most people in rural South Africa, traditional justice mechanisms provide the only feasible means of accessing any form of justice. These mechanisms are popularly associated with restorative justice, reconciliation and harmony in rural communities. Yet, this ethnographic study grounded in the political economy of rural South Africa reveals how historical conditions and contemporary pressures have strained these mechanisms' ability to deliver the high normative ideals with which they are notionally linked. In places such as Msinga access to justice is made especially precarious by the reality that human insecurity – a composite of physical, social and material insecurity – is high for both ordinary people and the authorities who staff local justice forums; cooperation is low between traditional justice mechanisms and the criminal and social justice mechanisms the state is meant to provide; and competition from purportedly more effective 'twilight institutions', like vigilante associations, is rife. Further contradictions are presented by profoundly gendered social relations premised on delicate social trust that is closely monitored by one's community and enforced through self-help measures like witchcraft accusations in a context in which violence is, culturally and practically, a highly plausible strategy for dispute management. These contextual considerations compel us to ask what justice we can reasonably speak of access to in such an insecure context and what solutions are viable under such volatile human conditions? The book concludes with a vision for access to justice in rural South Africa that takes seriously ordinary people's circumstances and traditional authorities' lived experiences as documented in this detailed study. The author proposes a cooperative governance model that would maximise the resources and capacity of both traditional and state justice apparatus for delivering the legal and social justice – namely, peace and protection from violence as well as mitigation of poverty and destitution – that rural people genuinely need. Disability offers a new lens through which to view the effectiveness of access to justice, and the inclusiveness of the justice system as a whole. This book analyses the experience of people with disabilities through the entire justice system, from making a complaint, to investigation, and through the court/tribunal process. It also considers the participation of people with disabilities in a variety of roles in the justice system - as witness, defendant, complainant, plaintiff, lawyer, judge and juror. More broadly, it also critically examines the subtle barriers of access to justice which might exist in a given society - including barriers to grassroots disability advocacy, legal education and training, the right to vote and the right to stand for election which may apply to people with disabilities. The book is international and comparative in scope with a focus primarily on examples of legal practice and justice systems in common law countries. The work will be of interest to scholars working in the areas of human rights, equality and non-discrimination, disability rights activists and legal professionals who work with people with disabilities to achieve access to justice. Tort reform is a favorite cause for many business leaders and right-leaning politicians, who contend that out-of-control lawsuits throttle growth and inflate costs, particularly in healthcare. Less is said about how such reforms might affect the ability of individuals to recover damages for injuries suffered through another party's negligence. On that count, Texas--where efforts at tort reform have been energetic and successful--provides an opportunity to appraise the outcome for plaintiffs and their lawyers, an opportunity that Stephen Daniels and Joanne Martin take full advantage of in this timely and provocative work. Because much of the action on tort reform takes place on the state level, a look at the experience of Texas, a large and important state with a very active plaintiff's bar, is especially instructive. Plaintiffs' lawyers work on a contingency fee basis,

collecting compensation for themselves as a percentage only if they win. Reduce lawyers' ability to use contingency fees as compensation, as tort reform inevitably does, and you reduce their economic incentive to do this work. Daniels and Martin’s study bears this out. Drawing on over 20 years of research, extensive surveys and interviews, the authors explore the impact the tort reform movement in Texas has had on the ability of plaintiffs to obtain judgments--in short on private citizens' meaningful access to the full power of the law. In the course of their analysis, the authors explain the history and economics behind the workings of the plaintiffs’ bar. They explore how lawyers select cases and clients, as well as the referral process that moves cases among lawyers and allows for specialization. They also examine the effects of medical malpractice reforms on plaintiffs' lawyers--reforms that often close the courthouse doors to certain types of people--tort reform's "hidden victims." Plaintiffs' lawyers are the civil justice system's gatekeepers, providing meaningful access to the rights the law provides. Daniels and Martin’s thorough and fair-minded work offers a unique and sobering perspective on how tort reform can curtail this access--and thus, the legal rights of American citizens. A critical and in-depth analysis of access to justice from international and Islamic perspectives, with a specific focus on access by women. This book tries to reunite and rebuild faith in public institutions by highlighting the availability of judicial remedies for the poor and the excluded in South Asia. The central idea of this book is the inevitable link between judicial capacity and good governance. It critically discusses the state of ‘access to justice’ to the poor and addresses the problems of various structures and procedures approached by the poor to seek justice. The formal system remains locked in the whimsical fantasies of the lawyers and the state structure which aborts the rule of law for the privileged and works in open defiance of the increasing disempowerment of the poor due to an overwhelming judiciary. This book highlights the growing need for restorative justice as against retributive and thus emphasizes a more intensive action research in alternative dispute resolution systems (ADRs). This argument is further developed to assess the competence of many people’s led informal institutions of judiciary such as Saalish in Bangladesh, Jirgas in Pakistan or Lok Adalats in India. The book is also radical in its approach towards the use of alternative dispute resolution systems to support marginalized communities, including women in distress, through mediation and arbitration which are gaining a new intellectual space in justice discourse. This book is an indispensable guide to administrators, and social scientists interested in governance and legal research. It would also be useful for those working in the non-state sector of pro-poor reforms. This handbook was developed by the Tilburg Institute for Interdisciplinary Studies of Civil Law and Conflict Resolution Systems (The Netherlands). It offers practical information on the use of a methodology for measuring the cost and quality of paths to justice, from the perspective of users. How do clients of justice systems like the way in which their needs and concerns are voiced? Do they feel they received sufficient information about the procedure? Do they think the outcome was fair and did it help to solve their problem? Do they think the procedure was a value for their money? How much time did they spend? This methodology provides answers to such questions so that citizens using the justice system can voice their needs and providers of justice services can improve their processes. Just Lawyers proposes a model for the regulation and organization of lawyers, guided by an ideal of access to justice. It is grounded in empirical analysis of why people complain about lawyers, the nature of existing legal institutions, and the ethical ideals of the profession. Parker weaves the normative theory of deliberative democracy with the empirical law and society tradition of research on the limits and possibilities of law. She shows that access to justice can only occur in the interaction between courtroom justice, informal everyday justice, and social movementpolitics. Lawyers' justice should educate people's justice to improve the justice quality of everyday relationships and transactions, while community concerns (including community access to justice concerns) should reshape lawyers' regulation, organization, andpractices to improve substantive justice. Just Lawyers shows how legal proffesionalism can only be revitalized through the reform of access to justice beyond lawyers. Written by America's leading expert on legal ethics, "Access to Justice" vividly chronicles the wide gap between the lofty aspirations and harsh realities of American justice. The book offers a presentation of the importance of legal aid for the effective provision of legal assistance and access to justice to the poor and indigent. This is against the backdrop that access to justice can only be realized when individuals approach the court to protect and defend their

rights. Access to the courts is guaranteed for the poor and indigent when they are provided with legal assistance through any of the models discussed in this book. The operation of the legal aid system of Nigeria and other jurisdictions like the United Kingdom, United States of America, South Africa and other jurisdictions in Africa are analyzed and challenges identified. The way forward for the implementation of an effective legal aid system is also suggested in the book. The book is useful for practitioners and students of law in their practice and study of legal systems and the realization of justice through courts of law. Unfulfilled legal needs are at a tipping point in much of the Canadian justice system. The Justice Crisis assesses what is and isn't working in efforts to strengthen a fundamental right of democratic citizenship: access to civil and family justice. Contributors to this wide-ranging overview of recent empirical research address key issues: the extent and cost of unmet legal needs; the role of public funding; connections between legal and social exclusion among vulnerable populations; the value of new legal pathways; the provision of justice services beyond the courts and lawyers; and the need for a culture change within the justice system. This book considers how access to justice is affected by restrictions to legal aid budgets and increasingly prescriptive service guidelines. As common law jurisdictions, England and Wales and Australia, share similar ideals, policies and practices, but they differ in aspects of their legal and political culture, in the nature of the communities they serve and in their approaches to providing access to justice. These jurisdictions thus provide us with different perspectives on what constitutes justice and how we might seek to overcome the burgeoning crisis in unmet legal need. The book fills an important gap in existing scholarship as the first to bring together new empirical and theoretical knowledge examining different responses to legal aid crises both in the domestic and comparative contexts, across criminal, civil and family law. It achieves this by examining the broader social, political, legal, health and welfare impacts of legal aid cuts and prescriptive service guidelines. Across both jurisdictions, this work suggests that it is the most vulnerable groups who lose out in the way the law now operates in the twenty-first century. This book is essential reading for academics, students, practitioners and policymakers interested in criminal and civil justice, access to justice, the provision of legal assistance and legal aid. To a disturbing degree, we are at the mercy of our time and place. While law may provide relief for some of life's troubles, that requires access to justice. Accessibility is the focus of this volume, which expands analysis of access to justice beyond the US and the UK to Asia and other comparative jurisdictions. Chapters characterise access to justice dynamics in these jurisdictions by addressing how access is understood, how it is achieved or not achieved, and how the jurisdiction should improve. The book addresses some issues seldom addressed in analyses of western jurisdictions, such as paid mandatory legal services and mandatory public interest activities, and provides English translations of relevant regulations. The book expands our understanding of access to justice with a comparative perspective, one that allows readers to identify relationships between access and its constitutive environment. Marginalized Communities and Access to Justice is a comparative study, by leading researchers in the field of law and justice, of the imperatives and constraints of access to justice among a number of marginalized communities. A central feature of the rule of law is the equality of all before the law. As part of this equality, all persons have the right to the protection of their rights by the state, particularly the judiciary. Therefore equal access to the courts and other organs of the state concerned with the enforcement of the law is central. These studies – undertaken by internationally renowned scholars and practitioners – examine the role of courts and similar bodies in administering the laws that pertain to the entitlements of marginalized communities, and address individuals' and organisations' access to institutions of justice: primarily, but not exclusively, courts. They raise broad questions about the commitment of the state to law and human rights as the principal framework for policy and executive authority, as well as the impetus to law reform through litigation. Offering insights into the difficulties of enforcing, and indeed of the will to enforce, the law, this book thus engages fundamental questions about value of engagement with the formal legal system for marginalized communities. Access to Justice in Arbitration Concept, Context and Practice Edited by Leonardo V P de Oliveira & Sara Hourani The exponential growth of arbitration beyond commercial and investment matters, reaching disputes that have traditionally been decided by courts – such as labour and employment, sports, and competition disputes, and those involving human rights violations – raises questions about the impact of this expansion

on access to justice. This collection of essays by arbitral practitioners, academics, and arbitral institution officials presents, for the first time, an in-depth analysis of the role access to justice plays in arbitration. Overall, the book assesses how access to justice can be guaranteed in arbitration and, in particular, shows how access to justice works in various types of arbitration. The book and its contributions will be of immeasurable value in determining the practical application of such concerns as the following: when issues of access to justice can be raised in arbitral disputes and when violations of access to justice can be challenged; ramifications of arbitration clauses in contracts; ensuring fairness and efficiency arising from technological innovations applied to arbitration; legal framework applicable to online dispute resolution and blockchain-based arbitration, especially with regard to recognition and enforcement; and access to justice in arbitrations involving sexual harassment. The book concludes with three chapters on access to justice under the rules of arbitral institutions as revealed by studies of the World Intellectual Property Organisation, the Singapore International Arbitration Centre, and the International Centre for Settlement of Investment Disputes. Arbitration provides a final binding decision that can be challenged on very limited grounds; thus, with arbitration settling disputes that were originally a prerogative of the judiciary, securing fairness in such procedures is paramount to the survival of arbitration. For this reason, arbitration practitioners, institutions, and academics will appreciate this deeply-informed analysis and commentary on a crucial aspect of a highly significant and rapidly evolving area of practice. There is much debate about the scope of international law, its compatibility with individual state practice, its enforceability and the recent and limited degree to which it is institutionalized. This collection of essays seeks to address the issue of access to justice, the related element of domestic rule of law which does not yet figure significantly in debates about international rule of law. Even in cases in which laws are passed, institutions are present and key players are ethically committed to the rule of law, those whom the laws are intended to protect may be unable to secure protection. This is an issue in most domestic jurisdictions but also one which poses severe problems for international justice worldwide. The book will be of interest to academics and practitioners of international law, environmental law, transitional justice, international development, human rights, ethics, international relations and political theory. "The Florence Access-to-Justice Project"--T.p. This book examines the state of access to criminal justice by considering the health of the lawyer-client relationship under legal aid. In the largest study of its kind for some two decades, ethnographic fieldwork is used to gain a fresh perspective upon the interaction that lies at the heart of the criminal justice system's equality of arms. The research produces two contradictory messages; in interview, lawyers claim a positive relationship with their clients while, under participant observation, there emerges quite the opposite. Paying more heed to what was seen than what was said, it is supposed that these lawyers were able to talk the talk but not walk the walk. The lawyers treat their clients with wanton disrespect; making fun of them, talking over them and pushing them to plead guilty – despite protestations to the contrary. The evidence is damning for this branch of the legal profession – and tragic for the clients who depend on them. What is responsible for this malaise...inadequate financial remuneration? Increased time pressures? Lapsed ethical training? Whatever the origin, this book is intended to show the profession that there is a problem – one that could get worse unless they choose to learn from the mistakes made by the lawyers in this study. For the 2010 Hamlyn Lectures, Alan Paterson explores different facets of three key institutions in a democracy: lawyers, access to justice and the judiciary. In the case of lawyers he asks whether professionalism is now in terminal decline. To examine access to justice, he discusses past and present crises in legal aid and potential endgames and in relation to judges he examines possible mechanisms for enhancing judicial accountability. In demonstrating that the benign paternalism of lawyers in determining the public good with respect to such issues is no longer unchallenged, he argues that the future roles of lawyers, access to justice and the judiciary will only emerge from dialogues with other stakeholders claiming to speak for the public interest. Building on a series of ESRC funded seminars, this edited collection of expert papers by academics and practitioners is concerned with access to civil and administrative justice in constitutional democracies, where, for the past decade governments have reassessed their priorities for funding legal services: embracing 'new technologies' that reconfigure the delivery and very concept of legal services; cutting legal aid budgets; and introducing putative cost-cutting

measures for the administration of courts, tribunals and established systems for the delivery of legal advice and assistance. Without underplaying the future potential of technological innovation, or the need for a fair and rational system for the prioritisation and funding of legal services, the book questions whether the absolutist approach to the dictates of austerity and the promise of new technologies that have driven the Coalition Government's policy, can be squared with obligations to protect the fundamental right of access to justice, in the unwritten constitution of the United Kingdom. "Equal Justice Under Law" is one of America's most proudly proclaimed and widely violated legal principles. But it comes nowhere close to describing the legal system in practice. Millions of Americans lack any access to justice, let alone equal access. Worse, the increasing centrality of law in American life and its growing complexity has made access to legal assistance critical for all citizens. Yet according to most estimates about four-fifths of the legal needs of the poor, and two- to three-fifths of the needs of middle-income individuals remain unmet. This book reveals the inequities of legal assistance in America, from the lack of access to educational services and health benefits to gross injustices in the criminal defense system. It proposes a specific agenda for change, offering tangible reforms for coordinating comprehensive systems for the delivery of legal services, maximizing individual's opportunities to represent themselves, and making effective legal services more affordable for all Americans who need them. Access to justice is among the most important notions in modern legal vocabulary. It is a central topic in the famous book series edited by the late Mauro Cappelletti, the case law of the European Court of Human Rights, the land-slide reforms of Lord Woolf in England, and the reform of most other modern justice systems. From all these sources, one general line of thought emerges: every individual deserves legal protection that is not only quick, but also effective and affordable. In a time when an ever growing demand for justice meets economic crisis and shrinking resources, innovative approaches to the access to justice are urgently needed. This present volume discusses a variety of such approaches from across Europe and beyond, all united by their significance in contemporary trends in legal and judicial reform. They are presented in the four sections of this book: Access to Justice and Legal Aid; Accessibility by Improvement of Quality; Access to Justice through Mediation and Arbitration; and Accessing Justice through Efficient Enforcement. Revision of author's disseration (doctoral - Brandeis University, 2010), issued under title: The politics of judicial retrenchment. This groundbreaking book offers a compelling articulation of the right of access to justice for individuals facing human rights violations by international organizations. Following an examination of the human rights obligations of a variety of international organizations, the author scrutinizes their dispute settlement mechanisms as well as the conflict between their immunities and the right of access to justice before national jurisdictions.Highlighting recent examples, such as the cholera outbreak in Haiti, this book reveals how individual victims of human rights violations by international organizations are frequently left in the cold, due to the lack of an independent, impartial dispute settlement mechanism before which they can file such claims. Considering both global mechanisms and current mechanisms established by international organizations such as administrative jurisdictions for employment-related disputes, Pierre Schmitt finds that they either are not competent or that they have a limited scope. He concludes by offering normative proposals addressed both to international organizations and to national judges confronted with such cases.Offering a wealth of empirical and practical wisdom, this book will appeal to scholars in public international law and human rights. It is also a must-read for practitioners, judges and legal advisers working in the field and will prove a useful tool for national authorities negotiating immunity conventions with international organizations.