

### Access to legal and justice services

Enabling equal access to legal and justice services for all is an essential component of the proper functioning of the rule of law. It is also included in the list of Sustainable Development Goals (SDG Goal 16) to be achieved by 2030. People-focused, effective and efficient legal and justice services, including access to financial legal aid, to information on laws and legal procedures, legal and administrative literacy and capability are key to enable equal treatment before the law for all citizens and strengthen equity in OECD member countries.

Population surveys provide useful information to assess any barriers for accessing needed legal actions and assistance. However these data should be interpreted with caution since they are based on a limited number of respondents, can be impacted by cultural biases and were collected only in urban areas. Improving the quality of the evidence on access to justice services from population surveys and administrative data sources is important to foster citizen-centric access to justice. Evidence suggests that unmet legal needs can be costly to individuals, communities and economies. Based on the data from General Population Poll collected by the World Justice project in 2016, about a third of individuals experienced a dispute over the past 12 months. From these individuals, around 38% took actions to resolve their dispute. This percentage is the highest in Australia, the Netherlands and the United States whereas it is the lowest in Korea, Japan and Turkey. These actions can include contacting the police, complaining to government agencies, going to court or other types of actions.

The most common reason reported by respondents for not taking actions to resolve a dispute was rapid peaceful resolution or because they did not feel the need for taking action, around 26% of individuals in OECD member countries responded that they did not take actions because they have limited confidence in the dispute resolution mechanisms in their country. Access barriers, including financial barriers and lack of information and awareness about the procedures, were cited by around 23% of individuals in OECD member countries as a reason for not taking action.

According to the same General Population Poll, around 31% of individuals in OECD member countries received some sort of legal assistance and counselling to resolve their disputes. Legal assistance can be provided by a wide range of stakeholders including attorneys, government offices, and other stakeholders. Receiving legal assistance does not imply necessarily that actions were taken to resolve their disputes.

In most OECD countries the main reason for not trying to obtain legal assistance was that respondents did not consider a need for any legal advice and counselling. Financial barriers in accessing legal advice were cited by around 16% of individuals in OECD member countries as one of the reasons for not requesting legal advice. This percentage was lowest in Germany and Turkey whereas it was highest in Korea. Around 12% of individuals in OECD member countries mentioned that the lack of awareness on who to contact to obtain legal assistance was a reason for not obtaining legal assistance. Some respondents also

reported that they did not try to obtain legal assistance because they distrusted lawyers, felt lawyers were ineffective or for other reasons.

#### Methodology and definitions

Data come from the World Justice Project General Population Poll (2016). The data are based on a 1,000 sample of respondents in the three largest cities of every country. The sample is a probability sample and interviews were conducted both face to face (using a 50/50 gender quota) and through the internet. 95% confidence intervals represented by H.

Disputes cover any disputes that a household or individual had with family, individuals, other households, or the government over the past 12 months. They include for instance land disputes, administrative disputes, divorce/separation, domestic violence, inheritance, workforce disputes and other types of disputes. They can be resolved by courts, police, government, and other types of bodies. Legal assistance corresponds to legal advice or legal help from another person or group, for example, a local leader, an attorney, or a paralegal.

Access barrier correspond to the share of people who responded that they did not take action due to the fact that “did not know what to do or where to go”, “the person who could assist was too far”, “it would cost too much” and “the courts are too lengthy”.

The exact response options were “I didn’t think I needed advice”, “I didn’t think I could afford legal help” and “I didn’t know who to call”.

Data on “Access to justice and alternative dispute resolutions (composite indicators)” are available online: (See annex F)

For more details on the underlying methodology please see: <http://worldjusticeproject.org/rule-of-law-index>

#### Further reading

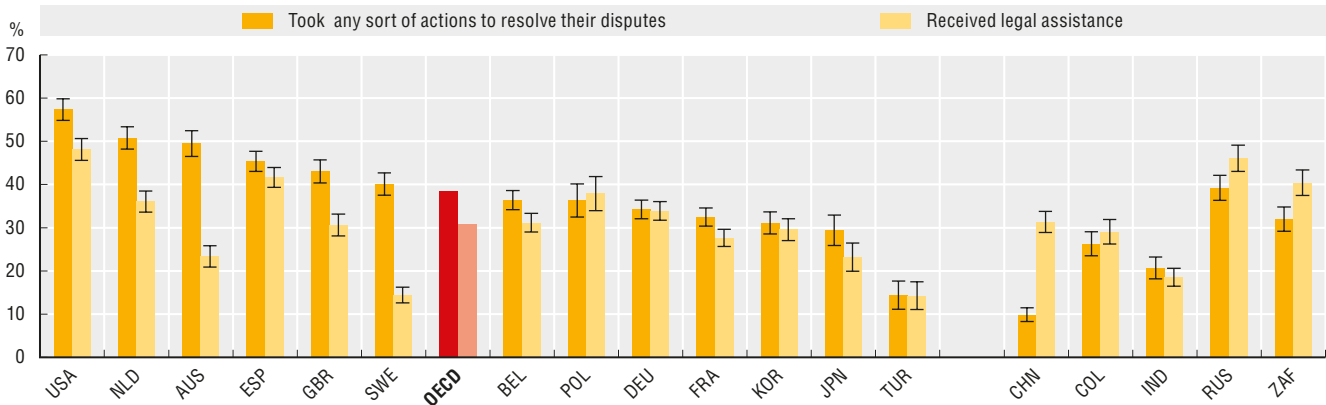
World Justice Project (2016), *The Rule of Law Index 2016*, World Justice Project, Washington, DC.

#### Figure notes

Data for the three figures are not available for Austria, Canada, Chile, Czech Republic, Denmark, Estonia, Finland, Greece, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Luxembourg, Mexico, New Zealand, Norway, Portugal, Slovak Republic, Slovenia and Switzerland. France makes reservations with regards to the use of one single source of data (the World Justice Project), which relies on a limited number of respondents and does not reflect the objective situation in terms of access and quality of judicial services.

14.15. Data for Poland are based on a very limited number of observations (<100).

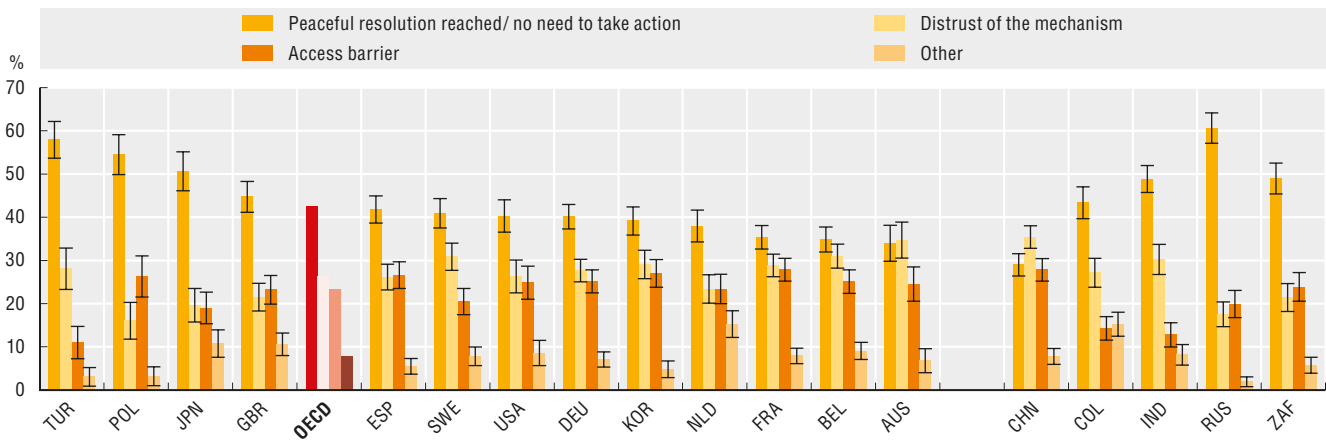
**14.13. Percentage of individuals that took action and received legal assistance to resolve any disputes over the past 12 months, 2016**



Source: World Justice Project, 2016 General Population Poll

StatLink <http://dx.doi.org/10.1787/888933534005>

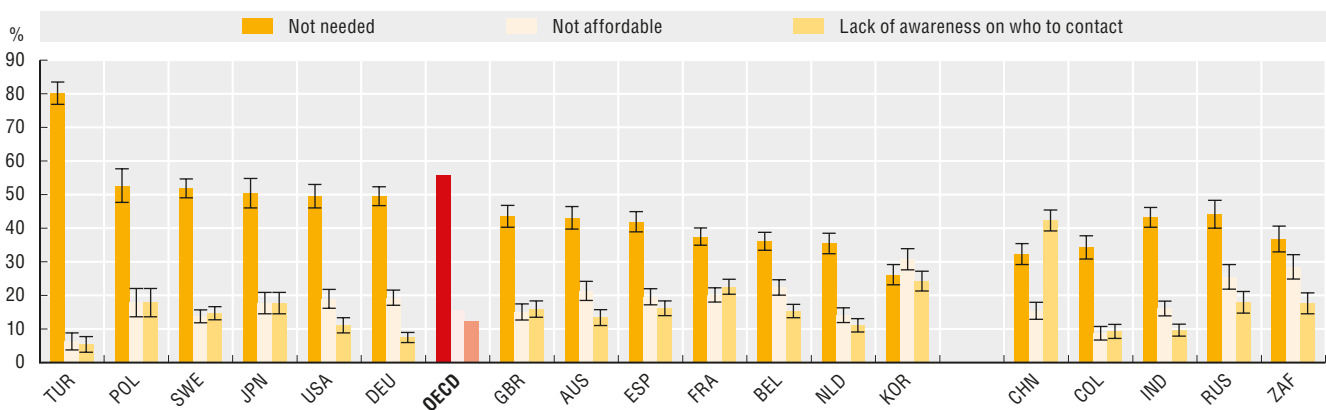
**14.14. Reasons for not taking action to resolve a dispute, 2016**



Source: World Justice Project, 2016 General Population Poll

StatLink <http://dx.doi.org/10.1787/888933534024>

**14.15. Top three reasons for not attempting to obtain legal assistance to resolve a dispute, 2016**



Source: World Justice Project, 2016 General Population Poll

StatLink <http://dx.doi.org/10.1787/888933534043>



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