

Evolution to people-centred justice

CONCEPTS



For at least the last 20 years voices have called for justice system reform that focuses on meeting the legal needs of the community from the citizen's or person's perspective, rather than reform driven principally by the justice system itself, however well intentioned. The calls have paralleled or followed similar movements for reform in other fields.

Client-centred

Early articulations often referred to a 'client-centred' approach, no doubt learning from the language of business and areas such as health reform. While still absolutely valid and commonly used in contexts where attention is focused on the actual clients of a particular service, over time at the policy level this term lost some favour, possibly a result of the evolution of legal needs research and legal needs surveys in particular. What this research revealed, among other things, was that the majority of people experiencing legal need do not use formal legal services and processes. A focus on 'clients' may thus imply a focus on only those who actually seek assistance (or receive assistance) from legal services. For many, a client-centred perspective was too narrow.

Citizen-centred

While not necessarily a direct consequence of a perception of 'narrowness' of client-centred, 'citizen-centred' gained use in some contexts for a period. This usage, however, was generally short lived, perhaps because it was also considered too narrow by some. While much wider than 'client-centred', a citizen-centred scope perhaps suggested that some groups within the community (such as temporary residents, refugees, asylum seekers, etc.) were excluded from access to justice. Importantly, however, the concept of a 'citizen' did convey a sense of government obligation – to its citizens – to provide appropriate access to justice.

People-centred

'People-centred' is now widely used. The underlying intent is to promote a justice system that puts people at the centre and has as its purpose and its design the goal of meeting the needs of the people of that jurisdiction in ways most suitable to them. People-centred is sometimes interchanged with 'person-centred' but the two terms should be distinguished. 'Person-centred' generally reflects a justice system and processes that are appropriate and suitable to the hypothetical individual 'person'. 'People-centred' perhaps more clearly evokes a concept not only of a justice system and justice processes that are designed primarily to meet the needs of individuals, but also implies the responsibility of governments and their justice systems to be designed and established to meet the needs of their people – diverse groups of citizens, residents, refugees and visitors.

Learning from the health sector

With the increasing attention to a 'people-centred' approach to legal needs and justice reform research, the value of learning from other sectors, especially health, has been widely recognised. In many ways health globally has chartered an important trajectory – focusing more and more on the needs of people rather than 'disease', on the appropriate investment in rigorous research and evaluation, and in the investment in, and use of, data. Justice outcomes, like health outcomes, require understanding the needs of participants in order to respond appropriately and deliver the necessary services. Advancing people-centred transformation in health or justice requires data on the extent to which services deliver improved experiences and outcomes. Quantitative development of people-centred indicators in this regard is necessary to the design and delivery of truly people-centred services.