



Judicial roundtable discussions: Meeting the needs of court users

Friday 12 March 2021 (starting 07:00 GMT, 11:00 GST, 15:00 SGT, 18:00 AEDT, 20:00 NZDT)

Please note there are pre-recorded contributions available for preparation ahead of this discussion

Objectives:

1. Responding to user needs following the economic consequences of the pandemic.
2. Identifying appropriate ways of courts keeping in touch with user needs.
3. Focussing on the importance of the rule of law to users.

Narrative:

The court system exists to serve all. The legal profession is an important court user but the parties, and those who might become parties, are the ultimate users and may be able to speak about specific user needs, including through representative organisations or associations in a sector.

In some jurisdictions, the pandemic has seen users enabling systems to continue functioning. With the economic consequences of the pandemic, users will have ideas to help the courts prepare and make improvements to the system at a time of great potential for change.

It is important that engagement with users does not compromise confidence in the courts. Councils, user committees, working committees, consultations and surveys have been used in some jurisdictions, sometimes generally and sometimes on a specific subject. Objective research informed by data is increasingly possible and may become more important.

The relationship between the courts and its users extends to the subject of alternative dispute resolution. This includes the appropriate encouragement of mediation and the enforcement of arbitration awards.

In business and investment the stability, confidence, feasibility, standards and fairness that the rule of law brings is fundamental. There may be ways in which this can be recognised more explicitly and furthered through the work of the world's commercial courts. Engagement with users may also illuminate how commercial courts can contribute effectively and appropriately to higher corporate standards and responsibilities.

Potential points for discussion:

- How do we identify and respond to user needs especially as we prepare for the economic consequences of the pandemic and the age of technology? For users, what is the future landscape and distribution of commercial dispute resolution?
- How do the courts further a positive and appropriate relationship with mediation and arbitration in the interest of users? Where there are current challenges in arbitration, how can the courts help the users?
- To what extent is the rule of law important to users and how can this be furthered? What part does international judicial cooperation play?
- How do commercial courts contribute to higher corporate standards or greater corporate responsibility? Can this be developed and if so how?