February 3 - 5, 2020
The Hague
Building the case for financing justice
Report of the highlights
Key note from the City of the Hague

It is often hard to scale up innovative justice solutions due to lack of finance. It is important that we not only look at concrete innovations - such as those of the nominees - but also at developing new financial models to make these solutions more sustainable.

- Saskia Bruines
Put people in the centre of justice and finance that.

Legal tech is attracting upwards of a billion dollars in investments each year. In 2019, 97% of this was going to services supporting law firms or big businesses. Only 3% of the investment went to people-centred justice services. This hurts. Yes, it is an impressive pile of money, yet it does little to address the underlying causes of inequality that pervade the justice system. This needs to change if we want to get people centered justice realised in 2030.

Welcoming address to participants of the Innovating Justice Forum by Sam Muller, CEO HiiL
Pressure cooker sessions

Explore the best innovations and ways to increase revenues

From stalemate to co-create: stretch your collaboration to optimise financing justice for all

Getting the most bang for your buck

Define measurable outcomes to make the case for investment

Potential of public/private partnerships to finance access to justice
1. Explore the best innovations and ways to increase revenues

Partnering with social impact investors means less dependency on government. They expect a return on investment, but leave room to make social impact.

- Laura Kistemaker
Explore the best innovations and ways to increase revenues

**MAIN FINDINGS:**

- You need **user-data to reinvent yourself**, improve your services and become sustainable. Investors love these data.
- **Keep asking**: what are people’s needs and are we really fulfilling them?
- **Dialogue** with people in charge of processes that existed for centuries.
- Money is not the problem, it is about **changing acceptance and mindset**.
- For people to find your new solution, they need to get **outside the mindset of existing solutions**.
- You need to **become known in a trusted way**. Good experiences of people using your new solution helps to change the mindset.
- **Referral from government builds trust** for the new solution.
- Focus on low hanging fruit. Create and lock in value to **focus on good quality services**.
2. Getting the most bang for your buck

While it is very important to have political will, we must ensure that the issue of access to justice does not become politicised.

Allyson Gibson
Getting the most bang for your buck

MAIN FINDINGS:

- We need **smart investment** in **data-driven, needs-based, and adaptable innovation** that creates a **multiplier effect**
- **Not necessary to be tech:** affordable documents, community paralegals, problem-solving courts and legal literacy all **give bang!**
- **Inter-agency collaboration** can help policymakers see how increasing A2J funding will help achieve other priorities
- Resolving justice problems can **save money**
- International and local investors want to see **efficiency**
- **Community justice funds** - paid by private actors in agribusiness, mining or industry - are a viable form of responsible investment
3. Define measurable outcomes to make the case for investment

We have to be smart about data and about what we want to measure. We need to create consensual measures of justice outcomes that we can start collecting and comparing.

Alejandro Ponce
Define measurable outcomes to make the case for investment

MAIN FINDINGS:

- Work with local service providers to define indicators. Involve community to verify improvements in their lives.
- Justice reduces costs elsewhere. Prove this by measuring outcomes.
- **Measure empathy**, how is the service affecting a person’s life. Use also linked administrative data to show impact on different areas.
- **Pricing of outcomes** to attract investors. Know your audience.
- Outcomes-focused approach for social change: making the business case around outcomes to make them investable and measurable. Focus on the beneficiary.
- **Expose what doesn’t work to improve outcomes**.
- Experiment is needed, data driven.
- **Engage self-interest of those who need justice for others**.
- Methodologies like storytelling, ethnography may help.
4. From stalemate to co-create: stretch your collaboration to optimise financing justice for all

Each stakeholder group has their own needs and concerns and there is a stretch they need to make to unlock the stalemate.

Mille Bojer
From stalemate to co-create: stretch your collaboration to optimise financing justice for all

MAIN FINDINGS:

● Stretching comfort zones and imagination is key
● Make a sculpture together of how your group feels
● **Regulators**: Bureaucratic change is difficult, but they see need to recognise that innovation isn’t a threat but an opportunity
● **Courts and lawyers**: Tend to protect monopoly, but could harness knowledge of law to become innovators themselves
● **Innovators**: Need to explain added value, wish for a shared communication platform to share story with other stakeholders
● **Social impact investors**: want involvement in entire access to justice chain, recognise they need to become comfortable with long-term reform and investment plans
5. Potential of public/private partnerships to finance access to justice

"We see an opportunity for legal interventions and providers to measure outcomes and begin tying those outcomes to potential payers."

Shivan Sarin
Potential of public/private partnerships to finance access to justice

MAIN FINDINGS:

- Outcome based financing, third party litigation and social impact bonds can bridge the funding gap
- Service providers scale work, investors take risk, government pays for public good
- Building the evidence base (data, what works) is key
- Impact on end users must be central to investors
- Refine the message/case for justice to attract private funding
- Challenge is Cherry picking herry-picking lowest risk interventions by impact investors: high risk interventions pay out more
- Do public/private partnerships erode public sector leadership in justice?
Sheria Kiganjani
Tanzania
Law in your palm

Africlaim
Nigeria
Africlaim protects and compensates for poor airlines
**rAINbow South Africa**

AI-powered solution to support victims of domestic abuse

**AirLaw Ukraine**

AI-powered solution for air travellers affected by inefficient airlines
**Essential Social Service:**
Tanzania

Pay now or pay later, but always get justice with ESS legal assurance

**Yunga** Uganda

Community security software for crime prevention in hotspots
Bankly Nigeria

Theft and fraud can’t touch Bankly users

Vesicash Nigeria

E-commerce escrow systems to support smooth digital transactions
Legal Hub Uganda
Uganda
Podcasts to get the answers needed without making a special visit to a courthouse

Easy Laws Lebanon
All laws should be EasyLaws
LegIT Uganda
Easy as 1, 2, 3 for SME’s needing legal documents

Appruve Ghana
Inclusive financial services made possible by Appruve’s ID infrastructure
LawBasket Zimbabwe

LawBasket insures to ensure Zimbabweans stay protected against legal risk

JusticeBot Uganda

Providing free legal information and connecting those in need of legal services to legal service providers
Winner of the Innovating Justice Award is... Bankly, Nigeria
Day 2:
10th annual Innovating Justice Forum
There are a couple of things we need to seriously do differently as a justice sector. Think differently about budgeting and income streams. Open up the justice marketplace. Work on sustainable business models based on scalable solutions. You will hear more about this in the course of the day.
The pulse report makes the interesting point that funding for the justice sector is often not tied to performance, or outcomes, but the needs of justice sector institutions. Could these investments be tied more to performance?
ENLARGING THE MONEY PIE

Q: How to cost justice, increase revenues and determine what actually changes people's lives?

A:
- Think outside the box: do not just throw money, infrastructure, or technology at the problem
- The solution has to match the need, and governments must ensure that, otherwise investment in justice may be wasted
- Justice Innovation Center: A consolidated platform for aggregating data collected by various (government as well as grassroots) justice actors and looks at both the supply and demand sides of justice
- Community Justice Fund: Large-scale land investors pay into a blind basket fund for justice to balance power in land negotiations and prevent related legal problems that emerge in disadvantaged communities
- In the private sector, money will flow to businesses with high potential (those that can stabilise, innovative, reach a lot of people quickly, and show results over time)
- Hold governments accountable for building revenues and managing income flow in the interests of their people
- Form coalitions for justice at a country-level, working to establish business incentives schemes whereby government funds can be channelled for justice
How do justice innovations scale?

- **Establish partnerships** (with mainstream corporates and universities, in particular)
- **Rely on data**, but focus on **telling individual stories** rather than just showing numbers
- Be open to change, **pivot at the right time**
- **Get into the streets and innovate** so that online tools can be implemented offline
- Simultaneously **develop products for the corporate world and SMEs**
- Be persistent, set ambitious goals, and **remember why you created your innovation in the first place**
1. Set goal of universal access for most urgent problems.
2. Safeguard core funding, then smart contributions
3. Allow justice sector organisations to keep extra revenues.
4. Regulatory space for game-changers replacing current services.
5. Attract investment for services that are outcome focused, evidence-based, scalable and financially sustainable.
6. Focus on local delivery, then develop free basic package
7. Support local delivery by world class know-how.
Access to justice gap: 55% unresolved problems.
Well defined, fair outcomes:
- Satisfy people’s needs
- Motivate justice workers
- Bring in investors
- Bring in revenues
- Deliver access to justice

Charging for justice
= charging for outcomes
We need gamechangers
Q: If the Climate Fund works for SDG17, how can make a similar set-up work for SDG16?

A:
- Why think in different SDG-silos? Rather think in how to reach the parameters for economic, environmental and social returns.
- Conclude partnerships that can contribute to the mission. Private investment funds can partner up with public partners. Find a common language.
- Scalable and sustainable solutions are not dependent on subsidies. If it is difficult to find a solid business model, look at existing funding programs with a link to justice (SDG16 is cross-cutting).
- Scout for market success to scale up what works.
- Be aware of the context you invest in. Involve the people that are directly affected.
- Emphasize the need to invest in SDG16.
Q: How can we budget for universal justice care for (imaginary) country by 2025? Justonia is a middle income country with 50 million people, with a history of civil war. In the workshop, 4 formal justice stakeholders and 4 innovative services negotiated a budget.

What we learned from this process:

- Start budgeting process with the **needs of people**
- Cross-institutional/inter-disciplinary design, rather than negotiation, to **identify areas of common ground and share resources**
- **Upstream interventions**, such as consensual processes, are one of those areas of common ground. **Integration** can increase the size of the budget pie.
- Institutions are reluctant to increase the % of smart contributions to increase budget.
Design process towards a justice budget that delivers universal justice care for Justonia.
<table>
<thead>
<tr>
<th></th>
<th>2020</th>
<th>2021</th>
<th>Costs p.</th>
<th>Outcomes (80% success rate assumed)</th>
<th>Number of people served</th>
<th>% covered by smart contributions</th>
<th>Government costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police</td>
<td>540</td>
<td>540</td>
<td>550</td>
<td>Smart policing, joint taskforce, crime reporting app, police on street, satisfaction reports, with incentives for policem.</td>
<td>1%</td>
<td>1%</td>
<td>544.5</td>
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<tr>
<td>Prisons</td>
<td>200</td>
<td>200</td>
<td>208.5</td>
<td>Rehabilitation, restorative justice program.</td>
<td>20%</td>
<td>20%</td>
<td>186.8</td>
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<tr>
<td>Judiciary</td>
<td>145</td>
<td>130.5</td>
<td>156.6</td>
<td>Faster. User experience feedback. % of cases solved through collaboration. Data integration.</td>
<td>12%</td>
<td>12%</td>
<td>137.808</td>
</tr>
<tr>
<td>Prosecution</td>
<td>100</td>
<td>100</td>
<td>103</td>
<td>Setting up anti-corruption unit, corruption are complex, whistleblower tool</td>
<td>10%</td>
<td>10%</td>
<td>92.7</td>
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<tr>
<td>Legal aid (criminal)</td>
<td>10</td>
<td>15</td>
<td>25</td>
<td>$300 Better defence is less people convicted. More representative prison population.</td>
<td>40,000</td>
<td>20%</td>
<td>20</td>
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<tr>
<td>Online docs and contracts</td>
<td>0</td>
<td>3</td>
<td>3</td>
<td>$50 People can work at home, disputes reduced, quick service.</td>
<td>48,000</td>
<td>90%</td>
<td>0.3</td>
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<tr>
<td>One stop shop procedures</td>
<td>0</td>
<td>5</td>
<td>5</td>
<td>$500 Disputes resolved fairly, lower crime rate, prevent future disputes and conflict within community, a more safe and peaceful society, impacts on education, public safety.</td>
<td>8,000</td>
<td>100%</td>
<td>0</td>
</tr>
<tr>
<td>High quality community justice</td>
<td>5</td>
<td>150</td>
<td>155</td>
<td>$50 Legal empowerment. 10% less crime. 50% less in prisons. Increase resolution rates.</td>
<td>2,400,000</td>
<td>5%</td>
<td>147.25</td>
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<td>Investments</td>
<td>0</td>
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<td>100</td>
<td>Private share of public/private investments</td>
<td></td>
<td>40%</td>
<td>60</td>
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<td>Budget total</td>
<td>1000</td>
<td>988</td>
<td>1206</td>
<td>Tax contribution</td>
<td></td>
<td></td>
<td>1169</td>
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**Budget 2020**
- Legal aid (criminal): 1.7%
- Prosecution: 10.1%
- Judiciary: 13.2%
- Prisons: 20.3%

**Budget 2021**
- Investments: 7.7%
- High quality community justice: 11.9%
- One stop shop procedures: 0.4%
- Legal aid (criminal): 7.9%
- Prosecution: 7.9%
- Judiciary: 12.0%
- Prisons: 16.6%
DATING & KNOWLEDGE EXCHANGE
I found out...
the private sector’s role in justice investment should not dilute the nature of justice as a public good

I learned...
piloting ideas and proving their viability first, before rolling them out across the public sector
I found out...
investors need measurable outcomes

I learned...
engage in broad partnerships, but not politicise the issues
Q: How can we mobilize an international coalition for SDG16?

Work better together: focus on what we agree on, and leave the rest to the side
Accelerate action at a national level
Build a global and regional alliance to support national action
Move from justice for a few to justice for all
Place justice at the heart of sustainable development
Put people at the center of justice systems
Increase financing for justice and use the resources in a smarter way

Focus on 3 areas: justice for women; justice for children; and justice for refugees
A Decade of Action for
Justice for All

A Shared Strategy for Justice for All

https://www.justice.sdg16.plus/

1. Accelerate action at national level
2. Build a global and regional alliance to support national action
3. Mobilize for justice for all
Q: What is a justice leader?

- Leadership begins with everyone.
- Leadership is about inspiring people, building their confidence and trust in the system.
- Bottom-up: people have to know that we will be there for them.

Link to documentary trailer: [https://vimeo.com/380526343/6f791157dd](https://vimeo.com/380526343/6f791157dd)
Q: How can we budget for universal justice care for a (imaginary) country by 2025

A: - Design a budget, rather than negotiate it
- The way budgets are currently built compromises the opportunity for collaboration
- People-centred, transparent budgeting process centred on the needs of citizens (rather than necessarily the budget outcome)
- Budget outcomes should be SMART
- Over-simplification of budgets is a risk, but excessively complex budgets can encourage competition
- Outcomes driven by citizen needs can increase government accountability (even when not achieved)