

Beyond 2015: Shaping the future of equality, human rights and social justice (12 and 13 February 2015)

Session 3: Access to justice

Discussion notes

In plenary discussion after speaker presentations, the following points were made and issues addressed:

- It was suggested that changing the tribunal system to make it more friendly to non-lawyers will not fundamentally change things for the better as there will always be scope for those who have previous experience (such as DWP representatives) to do better at engaging with the process.
- Is there evidence in the fact that there has been an 80% drop in tribunal claims that employers feel they can get away with paying less than the minimum wage or not following employee law, because they know the employee has no remedy?
- It may be useful to give judges greater power in tribunal cases as this has been shown to be effective at empowering claimants in Ireland.
- Why have we accepted that legal aid will never go back to the way it was? The current government is opposed to quality access to justice and we are doing the movement no favours at all in accepting that.
- How can we get more research into a position where it influences hearts and minds, making an impact on MPs, ministers, Parliamentary decisions and laws?
- It was pointed out that most people give up before they even get to tribunal.
- Questioned as to whether more money in legal aid is actually the best way to provide legal services.
- A more inquisitorial approach would be difficult for lawyers to come to terms with, as they are so used to being adversarial.
- We and legal professionals should not be afraid of more experimental approaches!