“When I was researching prisons in Patna, I could see instant reformative action when I flagged an inmate not receiving legal aid or when I provided evidence of torture by the police. Once this research report was published, the Supreme Court of India mandated all states to have Bihar-like prison inspection. The parliament made amendments to the law.”

Smita Chakraburttty, Founder, Prison Aid + Action Research (PAAR)
LAW FOR ALL INITIATIVE

An overwhelming majority of Indians do not have access to justice. Government mechanisms and public entitlements only reach a small percentage of citizens. While social innovations have marginally expanded the reach of the justice system, we still have a long way to go to address the needs of 1.3 billion people.

Ashoka’s experience in driving change in different parts of the world has taught us that it is vital to develop ecosystems where leading social entrepreneurs can work together to unlock the changemaking potential of every citizen. It is only through this potential of the citizenry that we can mount a truly scalable and systemic response to the variance and magnitude of problems pertaining to the justice system’s inaccessibility. In India, this inaccessibility is particularly concerning given it’s the nation’s diversity, socio-economic inequalities and power structures.

The Law for All Initiative is aimed at developing an ecosystem to address these concerns by establishing three building blocks: a. a collective of leading social entrepreneurs, b. a growing movement of young justice changemakers, and c. critical sector catalysts and influencers. This ecosystem, equipped with powerful ideas such as Open Access to law and justice data, collaborative resolution of disputes, community justice solutions, and well-being of people through new ways of criminal justice can achieve widespread and sustainable impact.

Through this process, we identified common patterns in the approaches adopted by the different stakeholders to create a widespread change in the law and justice ecosystem. These exemplars signal powerful ways to reframe problems and suggest novel strategies to address them.
THE CURRENT LANDSCAPE OF LAW AND JUSTICE INNOVATION

This section reviews the present state of innovation in the law and justice landscape by highlighting stakeholders’ ground-breaking initiatives.
REFORMING LEGAL EDUCATION INTO JUSTICE EDUCATION
The need for a stronger legal education to establish an equitable justice system is of utmost importance in today’s India. Training students to not only understand the law, but also envision “justice” in a variety of different contexts is vital. This cannot happen with minor tweaks in conventional educational models. Instead, we must reimagine legal education by drawing inspiration from various global education models with “justice” as their core principle. Such a holistic justice education brings together entrepreneurs, changemakers, community paralegals and systems thinkers, in addition to mere legal practitioners.

South Asia Network for Justice Education (SANJE) aims to bring together educators and experts from diverse fields to create a transformative pedagogy that empowers all the sectors of society.

SHIFTING MINDSETS AT A SOCIETAL LEVEL
For issues such as gender justice, the primary hurdle lies in changing the prevalent social norm where gender specific roles are assigned to men and women. Lessons from history tell us that changing this mindset requires fundamentally different strategies extending beyond mere awareness and mass gender sensitisation. Central to such strategies is highlighting the anomalies and failures of existing gender roles, particularly noting how these roles affect both men and women. A successful strategy to change this mindset also presents an alternative reality by introducing evolving ideas of gender in places of public visibility and power.

RESOURCING JUSTICE INNOVATION
Innovations in the law and justice sector are poorly resourced across the world. This is partly due to a strong association of justice delivery with state responsibility and partly because of the fear of association with rights-based work. There is also very little non-state institutional funding for legal literacy, affordable legal services, dispute resolution and rights and entitlements. In India, this trend is further marked with inadequate Corporate Social Responsibility (CSR) funding and philanthropic funding for justice innovation. There is a dire need for more creative ways to bring together resources to further law and justice initiatives.

Internet Freedom Foundation has developed a membership-based funding model where members are given more oversight over IFF’s work, thereby naturally increasing their ownership and participation.

INCREASING THE REPRESENTATION OF WOMEN IN LAW AND JUSTICE
Women’s participation accounts for 48% of the global workforce. However, in India, women’s workforce involvement drops to a concerning 27%. Consequently, India ranks alarmingly low at 120 among the 131 countries surveyed in female labour force participation (World Bank India Development Report, 2017). Further, in the justice field, the picture grows grimmer. Since India’s independence in 1947, only eight women have been appointed to the country’s apex court. Merely 78 judges of 685 judges serving in the country’s 25 High Courts have been women. These alarming numbers highlight the need for concerted efforts to increase women’s representation in the legal field.

“Internet shutdowns in Jammu and Kashmir with no 4G internet, especially at the time of COVID where people have to do remote work or access telemedicine, affect lives. Through strategic litigation, we argue that the internet is a fundamental right. In principle, the government finds it incredibly tough to resist demands and it cuts across the political spectrum.”

APAR GUPTA, EXECUTIVE DIRECTOR, INTERNET FREEDOM FOUNDATION; ASHOKA FELLOW
EMPOWERING LAW SCHOOLS AND LAW STUDENTS TO DRIVE JUSTICE INNOVATION.

The role of law schools is changing all over the world. From serving as environments to developing professional and career skills, they are increasingly being seen as critical social development hubs to drive innovation, develop required skills and instil leadership skills. Law schools have long had strong public orientation, and many law schools have legal services clinics. However, these models are outdated and inadequate in many places. What is heartening to see is more youth involvement overall in issues of law and justice, especially the way in which they organise themselves as peer networks to expand and take justice to the last mile.

Initiatives like Parichay are equipping law students to support the appeals of those excluded in Assam by the National Register of Citizens.

MAKING POLICE AND PRISONS MORE HUMANE AND ACCOUNTABLE.

Law enforcement plays a crucial role in justice delivery while acting as a gatekeeper of the criminal justice system in place. Burgeoning issues of police accountability made it to the headlines in 2020, with the Hathras case and the Delhi riots. Meanwhile, the prisons have long been hostile places for many marginalised individuals where the majority of those incarcerated—7 out of 10 are undertrials (2019 National Crime Records Bureau data). The sensitive nature of this area of work makes the progress slow, but we are observing a welcome trend in how changemakers and innovators are working towards reforming the system. Opening pathways for interaction and engagement will increase empathy on both sides, with better solutions and services.

The Police Knowledge Hub by IDFC Institute which seeks to create a cross-sharing learning platform of best policing practices and implementable solutions.

CREATING A COLLABORATIVE ECOSYSTEM FOR CHANGEMAKERS TO SOLVE COMPLEX PROBLEMS.

Many of the justice problems that we seek to solve are complex and systemic issues that require collaborative action. The disastrous consequences of the absence of collaborative networks became painfully evident in the early days of the COVID-19 pandemic as relevant systems were unable to kick into action and provide timely support to migrants. Innovations that focus on enabling collaboration are as important, if not more, than the innovations that solve justice problems.

Through collective action, organisations and individuals can operate as social architects, capable of breaking the mould to introduce new ideas, inject new energy and curate spaces to allow existing actors to collaborate and new actors to enter.

Studio Nilima is implementing interventions to facilitate greater collaboration and create solidarity amongst state institution stakeholders. Currently working in 8 Assam prisons, they have brought together judges and policymakers in dialogue with prison officers and District Legal Services Authorities through regular visits and roundtables. This has led to better coordination and legal representation across the 31 prisons in the state and is a model for more wholesome and inclusive prison reform.

Ashoka Fellow and Professor late Shamnad Basheer founded the “Increasing Diversity by Increasing Awareness” (IDIA) to correct the historical exclusion of young students from rural, economically poor, ethnically or religiously oppressed groups such as Dalits and Muslims in accessing legal education and practice. By building an expansive network of more than 500 volunteers in across 30 major schools, Prof Basheer was able to create a system for student recruiting, mentoring and preparation by volunteers. Beyond that, over 20,000 law students were sensitised about the need of diversity in the legal field. IDIA now has state chapters across India and staff to carry forward the work that Prof Basheer had started.
REALISING THE FULL POTENTIAL OF DATA FOR JUSTICE IN CREATIVE YET SAFE AND EMPOWERING WAYS.

We as a society are learning both about the transformative potential of data while the magnitude of its misuse is yet to become clearer. The legal frameworks for regulating the identification of personal data and its collection, management need an immediate intervention worldwide before nation-states impose data sovereignty and the personal data becomes a state subject. On the other hand, the solutions that can be built using public data, as well as the challenges that it presents need to be studied and laid out well for entrepreneurs. There are signs of newer solutions at many levels—greater access to available data, collection of new data, building systems that manage better data, guarding against possible misuses of data, and increasing capacity to use data, to name a critical few. We are beginning to see how data can be envisioned as a vital tool to grease the wheels of justice delivery and effectively respond to the needs of all, particularly the most vulnerable. We are seeing impactful data-driven initiatives in areas such as case reporting and management, legal journalism, property rights and the future of our courts. TrustIn and Samāna are shifting corporate culture by demonstrating how private data can work in tandem with public data to create more trusted outcomes.

MAINSTREAMING DIGITAL ARCHITECTURE FOR LAW AND JUSTICE.

Digital solutions are transforming almost every aspect of law and justice, with the pandemic propelling this forward. Advancements in foundational technology such as Natural Language Processing and other Machine Learning technologies, greater access to data sources along with the buy-in of the government and judiciary at the highest levels has supported this. However, for technology to increase access to justice— inclusion, accessibility and security are critical to the very conception and design. The implementation of digital infrastructure, particularly public solutions, must be carefully calibrated and should function as an option alongside existing offline systems. The Supreme Court Vidhik Anuvaad Software (SUVAS), launched in 2019, is an example of a digital infrastructure that is enabling accessibility and inclusiveness in courts. The AI-driven translation tool currently has the capability to translate judicial documents, including orders and judgments, into nine other languages, and can be extended to other languages in the future.

EMPOWERING CITIZENS AS JUSTICE CHANGEMAKERS.

The greatest opportunity to advance access to justice lies in seeing our citizens as justice changemakers, and not as consumers and beneficiaries. Innovations at the grassroots level are long known for achieving community well-being.

In order to mainstream this ongoing evolution, we need to build the changemaker muscle—critical capacities to solve local problems, navigate complex systems and collaborate with ease, whilst nurturing personal and collective well-being. Justice innovators can take inspirations from national and international organisations that activate citizen changemakers.

Initiatives such as ARTAM, Criminal Justice & Police Accountability Project (CPAP) and Haqdarshak are enabling community changemakers to advance local dispute resolution, access government entitlements and ensure police accountability.
INVITING NON-TRADITIONAL ACTORS TO DRIVE INCLUSIVE INNOVATION
BY BRINGING EXPERTISE AND NETWORKS

Complex language, archaic processes and dominant operatives have long kept non-legal actors out of law and justice. Innovators entering the sector have struggled to gain acceptance, access networks and secure resources. The emergence of networks and resources, including many from within the current system, to provide technical as well as emotional and social support is thus vital—and as important as the solutions for law and justice problems.

As validation of the unique capabilities of non-law actors to innovate law and justice, all winners of the first Agami Prize were non-lawyers—Indian Kanoon, Provakil (with one lawyer as co-founder), Civis and Impulse Model Press Lab.

INCREASING OUR CAPACITY TO RESOLVE DISPUTES COLLABORATIVELY AND REMOTELY.

The resolution of disputes outside of courts, preferably through collaborative means such as negotiation and mediation, has always been regarded as essential to ensuring the ease of doing business and greater access to justice. We’ve seen steady growth in such alternate dispute resolution (ADR) in the last two decades, but it has remained a fringe phenomenon. The rise of online dispute resolution (ODR), where technology is used to supercharge alternate dispute resolution, is changing this.

All citizens must be able to participate and benefit from these systems, or else it can lead to further disenfranchisement of people who do not have high levels of digital literacy or access. There is a huge opportunity to learn from and incorporate traditional mechanisms of resolution embedded within communities and create the next generation of dispute resolution solutions that can serve all Indians. Bolstered by community-level insight and cultural and social knowledge, these new solutions will be more resilient and scalable.

Agami launched a national initiative to drive innovation, market adoption and policy change in ODR. Agami’s efforts have helped create a thriving ODR environment with over a dozen start-ups; 50+ enterprise users; a national ODR policy initiative led by NITI Aayog and supported by Vidhi Centre for Legal Policy; and a vibrant community of ODR enthusiasts (called Autonomy).
CITIZEN PARTICIPATION IN JUSTICE-MAKING

New roles and pathways are being created for citizens to participate in the justice system. This is a shift away from the traditional reliance on lawyers and formal stakeholders to access justice. Examples of innovation include platforms where citizens can raise grievances, learn about their rights, appeal for greater transparency and influence public policy.

Internet Freedom Foundation (IFF) is bridging the gap between the ‘public’ and ‘public policy’ through digital rights advocacy in India. Their jargon-free and relatable content, filled with pop culture references and humour, has been able to inform and engage the public effectively. SpeechBill.in, their online campaign which attempted to repeal criminal defamation and consolidate civil defamation, generated over 4,000 signatures, consultations with former Member of Parliament (Lok Sabha) Tathagata Satpathy, who filed The Protection of Speech and Reputation Bill, 2016. This model has been replicated by the ‘SaveOurPrivacy’ campaign to publicly present a draft law for data protection in India.

CRIMINAL JUSTICE AND PRISON REFORM

Prisons systems in India have historically suffered from severe ‘othering’ as opposed to being spaces for rehabilitation. Innovations in this space include legal representation for the most vulnerable groups and rehabilitation programs that enable former prisoners to reintegrate back into society.

Project Second Chance: Project Second Chance works with incarcerated youth to equip them to become change agents. Through a fellowship programme, they come together with young liberal arts graduates to start interventions inside and outside the prison that are sustainable, scalable and systemic in nature. The Second Chance Fellows work full-time in prisons during their 12-month tenure, with a focus on reformatory and transformative justice.

I see four system change areas in our work. First, our approach to change the criminal justice system as a whole rather than attempting to change the prisoners. Second, through our Fellowship, we help transform the experience of college grads from just theoretical understanding of justice to ground reality that leaves a stronger and deeper impact. Third, we work closely with the prisoners and support them with education, access to jobs and even mental health. Fourth, we have a very young team which makes us ignorant in this space and it helps us learn more through experience. Instead of trying to be successful in the first few years, we’re working for a long-term change.”

MOHIT RAJ, FOUNDER, PROJECT SECOND CHANCE AND ASHOKA FELLOW
EQUITABLE LEGAL EDUCATION
Legal education develops and nurtures those who shape the legal system. There is a steady rise in the number of initiatives that are enhancing access to and the quality of legal education, especially for students who are barred from such access because of generational and systemic social discriminations such as the caste system. There is a concerted effort being made by a handful of organisations to not just upgrade law school pedagogy but also supplemental education and skill development. The new ways cut across barriers of caste and ethnicity-based discriminations, fluency of English and extremely high level of rigour for entering into academia.

Increasing Diversity by Increasing Access to Legal Education (IDIA) is making legal education more accessible to underrepresented, underprivileged and students with disabilities. Their student volunteers have driven IDIA’s agenda of inclusion, by both sensitising and recruiting prospective students, training them for admission, and mentoring them while at law school. Since its inception, IDIA has sensitised over 38,000 students and trained 450 students for CLAT and other law entrance examinations. 20.3% of IDIA’s students are visually-challenged and 32.8% belong to Dalit (Scheduled Caste), Adivasi (Scheduled Tribe) communities.

LEGAL JOURNALISM
While the entire journalism sector has been grappling with the rise of misinformation, legal journalism has been experiencing an additional layer of challenge—legal news is rarely accessible to those outside the legal circle. There is also a proliferation of insensitive reporting and misreporting. This leads to general civic apathy and has an adverse impact on victims of crime. Innovations in legal journalism foresee the development of capacity-building of journalists with legal knowledge so they can better investigate and report on issues.

Article 14 is pioneering research journalism to deeply investigate and amplify issues of justice while collating relevant historical data. With reputed legal professors and journalists on their editorial team, it is effectively blending nuanced perspectives of law to build legal awareness amongst the public while maintaining journalistic flair and storytelling. It was called on by the commission formed by the Delhi government to investigate the Delhi riots in February 2020, in the light of their story on Facebook’s role in the riots.

LEGAL LITERACY
One of the key reasons why citizens have always been intimidated by the justice system is because of their inability to understand their rights and navigate the system to either avail them or challenge injustices. Some of the emerging innovations in this space include making vulnerable communities aware of the legal remedies available to them, building legal capacity of youth and driving digital rights awareness.

Land Rights Initiative (LRI) by the Centre for Policy Research employs a range of research tools to understand the applicability, interplay and impact of over 1,000 relevant laws and provide actionable insights in concise, accessible and jargon-free research reports. By organising events for relevant stakeholders from academia, policy, government and civil society, LRI is not only helping to activate citizen agency but is also building pathways for those in the legislature, executive and judiciary to make informed policy decisions.

CONTRACT AUTOMATION AND MANAGEMENT
Tools such as Natural Language Processing are helping automate template contracts which have previously struggled due to a lack of consistency and standards in drafting. Standardisation in industry practice and changes in the state machinery towards digital signatures and e-registration will be needed to accelerate this change.

SpotDraft is arguably the first Indian contract review and management solution of global standard. Their clear understanding of the exact pain points of contract review and management has led to the creation of a highly user-friendly solution with features including bulk contract review, renewals, identification of critical clauses and deviations from standards, the ability to extract data from historical contracts, and an AI-powered native editor.
Legal transactions have long been held back from being fully digitised due to their dependence on government services like registration and stamping and legal requirements around signing. In 2020, convergence of factors such as legal changes, new government services, an overall push towards digital experiments and the persistence of entrepreneurs in the face of a pandemic has led to new experiences and innovations.

Leegality is transforming the way transactions are executed by digitising the lifecycle of a document. Building on the frameworks set by the Information Technology Act, Indian Evidence Act and Stamps Act, Leegality applies highly automated, end-to-end digital processes, eliminating the need for digital signatures, stamping and other courier/delivery and physical compliances.

Legitquest is building on an interlinked database that integrates multiple sources of information such as cases, laws, news, etc. offering a standalone platform for all the research, analytics and even networking needs of legal professionals. Their AI-powered search makes research less time consuming and more efficient, and their analytics tools enable data-driven decisions for the best strategies relating to a case.

Criminal Justice & Police Accountability Project (CPAP) is enabling marginalised communities to anchor and drive the process of holding everyday policing procedures accountable, through data-driven research and strategic litigation. The CPAP team collects data on different policing functions such as detention, arrests and externment, which helps understand and reveal the impact of specific laws on the criminalisation of the Denotified Tribes (DNTs) and other marginalised communities.
RIGHTS AND ENTITLEMENTS
For many citizens, the idea of justice has less to do with litigation in courts and more to do with their ability to secure rights and benefits under various laws and schemes. Lack of awareness, resources and skills, coupled with systemic biases, hinders their ability to rightfully claim such rights and benefits. This status quo is slowly changing as innovators are using helplines and active on-ground engagement to equip vulnerable groups with the knowledge and support to avail what is sanctioned for them as per legal norms.

Haqdarshak is combining research and technology with a strong service network to advance access to welfare schemes. Their research team has codified over 6000 central, state, municipal and private welfare schemes and translated them into local languages. Their product is designed to enable any person to determine which scheme or benefits they are eligible for. Haqdarshak has also recruited and trained a cadre of women to act as ‘haqdarshaks’, rights-mentors who help their communities become more aware of their rights, process their claims and address their grievances.

ONLINE AND ALTERNATE DISPUTE RESOLUTION
Mounting court backlogs, made worse by the COVID-19 pandemic, and increasing interest in Alternate Dispute Resolution (ADR) mechanisms, particularly mediation, have led to a tremendous growth of Online Dispute Resolution (ODR) ecosystem in the last two years. ODR is a system for resolving disputes collaboratively and mutually outside of court through integration of technology. Existing and trusted forms of dispute resolution such as negotiation, mediation, conciliation, and arbitration are well integrated into this system. A mechanism traditionally confined to family matters is now demonstrating its applicability to many other types of disputes such as commercial disputes. This has also encouraged the emergence of several new initiatives through innovation.

Legal Education and Aid Unit (LEAD) by Aajeevika Bureau has a strong network of 200 paralegals across Delhi, Gujarat, Maharashtra and Rajasthan that provide pre-migration counselling to workers at pre-identified ‘source’ centres of migration, promoting awareness of rights and entitlements.

“We have to reimagine the economics of judicial transformation with smart thinking supported by smart technologies. We must reduce the unit cost of change across the Indian judicial system so that we can efficiently administer justice for the most vulnerable at scale.”
SANJAY PUROHIT, CHIEF CURATOR, SOCIETAL PLATFORM

The ODR Handbook by Agami has insights and learnings to equip users for ODR adoption. More at https://disputeresolution.online
1. Abhay Jain, Co-Founder Zenith Society for Socio Legal Empowerment
2. Aditya Shivkumar, Co-Founder, Resolve Disputes Online
3. Amba Salelkar, Bridge CRPD-SDGs Officer at International Disability Alliance
4. Apar Gupta, Internet Freedom Foundation (IFF) and Ashoka Fellow
5. Bhavin Patel, Founder Bayside
6. Bill Carter, Ashoka
7. Gangadhar Patil, 101 reporters, Ashoka Fellow
8. Gagan Sethi, Centre for Social Justice
9. Gaurav Godhwani, Founder Civic Data Lab
10. Gopal Sankarnarayan, Lawyer, Supreme Court
11. Harish Narsappa, Daksh, Founding Partner Samvad Partners
12. Janet Visick, Ashoka
14. Laila Ollapally, founder of the Centre of Advanced Mediation Practice (CAMP)
15. Leena Kejriwal, photographer/social artist has done work on sex trafficking
16. Mohit Raj, Project Second Chance and Ashoka Fellow
17. Mrinal Satish, Law Prof, Researcher
18. Osama Manzar, Digital Empowerment Foundation and Senior Ashoka Fellow
19. Paul Radu, Organized Crime and Corruption Reporting Project (OCCRP) and Ashoka Fellow
20. Pramod Verma, Chief Architect, Aadhaar
21. Pulkit Sharma, Co- Founder, Provakil
22. Ravichander, Heads BIC
23. Sanjay Jain, Partner, Bharat Innovation Fund
24. Sanjay Purohit, Chief Curator, Societal Platform
25. Smita Chakraburtty, Prison Aid + Action Research (PAAR) and Ashoka Fellow
26. Stephanie Hankey, Ashoka
27. Sushant Sinha, Founder Indian Kanoon
“So long as you do not achieve social liberty, whatever freedom is provided by the law is of no avail to you.”

“If you ask me, my ideal would be the society based on liberty, equality and fraternity. An ideal society should be mobile and full of channels of conveying a change taking place in one part to other parts.”

DR. BHIMRAO RAMJI AMBEDKAR,
DALIT LEADER, SOCIAL REFORMER AND
CHIEF ARCHITECT OF INDIAN CONSTITUTION