



GOVERNMENT OF MALTA  
MINISTRY FOR JUSTICE

CELEBRATING 20 YEARS OF CEPEJ MALTA | 27, 28 JUNE 2022

**38<sup>TH</sup> PLENARY MEETING**  
**20<sup>TH</sup> CEPEJ ANNIVERSARY**

**Intervention by Jānis Bordāns, Deputy Prime Minister and Minister of Justice of Latvia**

**Which challenges are faced by a digitalized justice system?**

Honourable Mr Ramin Garagurbanli, [President of the CEPEJ],

Mr Justice Francesco DePasquale,

Dr Jonathan Attard, [Minister of Justice of Malta],

Ladies and Gentlemen, honourable Members, and Secretariat of the CEPEJ,

First, let me share heartfelt congratulations to all of us on the 20th Anniversary of the CEPEJ.

Deepest appreciation and sincere gratitude to the CEPEJ community for over the years sharing the values of efficient and qualitative justice systems. The example of CEPEJ represents the perfect tandem of cooperation to bring the targeted and practical solutions to meet current and future justice challenges.

I would like to thank CEPEJ for your invaluable contribution in shaping the excellency of European judicial systems. For finding the ways to collect and share the best and useful practices at the different levels, for combining the academic, analytical and practical perspectives in the most brilliant way.

The work done by CEPEJ is at utmost value to contribute to access to justice and strengthening the human rights as the basic elements in the hearth of the Council of Europe and European states.

And I wish you to continue this success for many more years to come.

My sincere gratitude for the kind invitation to join the ceremony today. It is great honor for me especially considering close cooperation throughout past years established between Latvian judiciary, Ministry of Justice and CEPEJ. Years full of great outcomes, contributions, and friendship.

Anniversary and discussion today are an opportunity to reflect, take stock of inspiring achievements and to highlight the priorities.

The conversation on efficiency and quality of justice is obviously now very much focused on digital perspectives. Emerging digital solutions has a strong potential to enhance access to law and justice.



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As one of the responsible for digitalization of Latvian justice system through past years I appreciate this opportunity to share couple of observations, arguments and challenging questions faced.

**At first**, case management and daily work of the judicial institutions, cooperation between different actors and communication with parties without doubt could be streamlined and supported by the technology. However, why the “digital case” projects sometimes come with number of controversies, delays in implementation, different procedural, and technical dilemmas?

Reflection to the conservatism, lack of digital skills, necessity to enhance cooperation between the different actors in my opinion does not provide much of help. In this perspective I would like to highlight the two points:

- Necessity “to change mindset” mentioned as the crucial aspect in digitalizing the work of the judiciary. I think that we need to elaborate it in a more practical perspective. We all agree that most of our laws, procedural provisions are not directly suitable for digital world, however we continue to try to put them as the basis in building the digital paths. The bunch of examples, know-how and methods how to make it different in building case management in the new digital perspective would be very useful in the current stage of digitalization.
- Our opinion on how the “digital case” should be build is often based on number of subjective elements and views, impacted by professional background and experience. None of the involved is an impartial and it would be useful to have the qualitative analysis based on a hard data as regards the link between the introduction of different elements of “digital case” and efficiency and quality of the procedure.

**Secondly**, once the priority remains on people centricity - digitally-enabled, people centred legal and justice services, there is no risk that the digital offering is not in line with fundamental guarantees.

Pandemic created the turning point for the digital justice, when availability of e-devices and previous efforts in development of e-justice ensured that in general we were able to provide judicial services without substantial delay. In some cases, institutional and regulatory barriers were effectively reduced, and technology served the process, not otherwise.

Thus, I would like to invite us to look on the possibilities that the period of “forced remote access” provided to us. In 2022 e-devices are associated with the access to justice more than years before. This creates the momentum when e – devices could propose to be used to citizens for a wider range of e-services. Further development of pre-trial online tools, possibility to obtain legal aid online and state provided platforms for online dispute resolution (ODR) would be helpful and widely demanded in the years to come and is an invaluable area for the CEPEJ to explore.



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For example, last year in Latvia we started the broader discussion on development of ODR concept with the focus on uncontested money claims, small claims, and access to court for businesses.

**Thirdly**, the power of data is not under the doubt. Institutions providing justice services and courts are not only the place to solve the legal issue, but also an information hub. Thus, if we are capable and able to gather, use and analyze the data – we could at very much extent prevent the conflict and to deliver the information on justice problem in a more comprehensive, better, and targeted way.

Interconnection with the resources used by law enforcement agencies, finance, economic, social, and other sectors is obvious necessity.

Let me also mention just a couple of words **on the usage of AI**.

If digitalization is more about efficiency and speed, I believe that AI is also about the quality of judicial decision. Thus, the potential of AI to support legal analysis and research is undoubtable and practically to be used by judicial systems.

I would like to mention one more field I see the potential of usage of AI to be explored further - AI to support court management considering CEPEJ instruments. For example, in planning of judicial timeframes, “weighting” the complexity of the cases, predicting the case load and monitoring and evaluating the results of completed justice reforms.

Let me stop here by wishing the next 20 years of CEPEJ work to be full of inspiration, innovation, and courage in the continuous efforts to strengthen court efficiency and boost an access to justice. Probably, in another 20 years the technology will be able not only to break the barrier between the courts and citizens, but also between jurisdiction and states creating the base for full trust and mutual support in implementation of most effective approaches.