

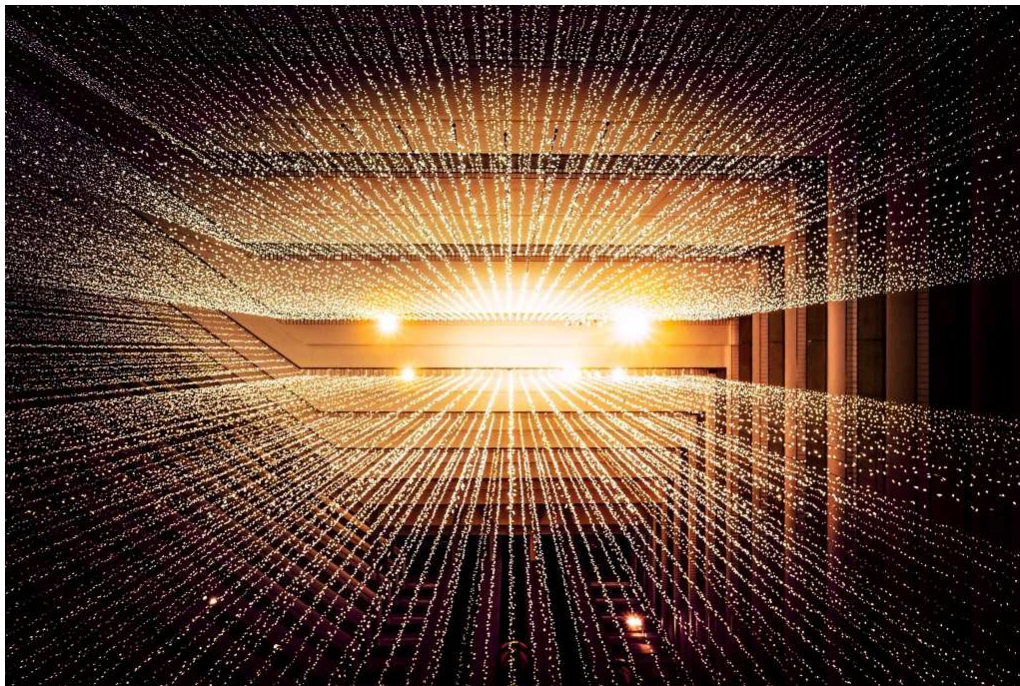
Global Pound Conference Blog

SHAPING THE FUTURE OF DISPUTE RESOLUTION AND IMPROVING ACCESS TO JUSTICE

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Are People Waking Up To Online Dispute Resolution?

on [MAY 22, 2017](#) • ([10](#))



Technology is playing an increasingly important role in all aspects of our lives. Digitalisation has transformed the way **we communicate**, work, access information and consume goods. However, while making many things easier, the [use of technology](#) also creates new problems – in the form of unprecedented

complex disputes and the constant [evolution of the online services](#).

The changing nature of the internet and the way we use it, in turn presses us to reassess the way we approach these issues. As a consequence the use of technology in the legal process appears to be inevitable.

Alternative dispute resolution (ADR) is no exception, with dispute resolution services being made available online through a number of initiatives – such as **European online dispute resolution** platform which deals with consumer **disputes within the EU**, or **Ebay** and **PayPal**'s dispute resolution portals. Online dispute resolution (ODR) has also been seen as a **valuable tool** in addressing **access to justice issues**, providing an accessible service at a low cost to a wide range of people.

Hot topic

The role of technology in dispute resolution was also a hot topic at last month's [Paris Arbitration Week](#) (PAW), as well as at the Paris [Global Pound Conference](#) on 26 April which included a panel entitled the 'Stakes of the digitisation of dispute resolution', in the same week, a round table

discussion organised by **Wake-up with Arbitration** addressed the topic of 'Arbitration and Legaltech'. In addition, the **ICC Institute Training for Tribunal Secretaries** event, **Erik Schäfer** trained participants on the use of technology and organisation of digital files.

The discussions during PAW, highlighted not only the need for further **incorporation of technology** in dispute resolution processes, but also the existing tools available to users and advisors. In addition to the continued development of ODR, there has also been debate on the **ethical principles** and standards for ODR, and the challenges posed by artificial intelligence, predictive justice, data collection & analysis, data protection, privacy and cyber security. These issues are crucial in ensuring the effective application and upholding appropriate standards of ODR.

A crucial evolution

Although the innovation and in technological advancements are occurring at a rapid pace, services to resolve disputes online remain extremely slow or even nonexistent in many countries. The absence of such services providing access to justice can potentially end up in effectively denying justice.

Even though we do everything online from buying a sandwich to paying taxes, the crucial function of dispute prevention and resolution is not yet widely available. Nevertheless, technology has invaded our social and economic lives in the last two decades including the dispute resolution field, inspiring a number of effective programmes online.

What is most significant about this emerging area is the way in which ODR will develop in the future. With a number of pilot projects and ODR platforms in use all across the world, there is huge scope for further development. A number of different countries have been at the forefront of applying ODR in courts, such as Singapore, **Korea, the Netherlands**, the UK and the United States among others.

Although most programmes are currently focusing on civil and consumer disputes, there is room to expand such practices to larger commercial disputes or even in the area of **employment and family** law and even criminal disputes. In 2016, Malaysia started its first **cyber court** specialising in hearing cyber crime cases, including bank fraud, hacking, falsifying documents, defamation, and spying, online gambling.

*Next month, the **Equal Access to Information & Justice – Online Dispute Resolution (ODR) 2017** Conference will further explore the future of dispute resolution and the role of technology in all legal fields, from mediation in conflict zones to commercial and civil disputes.*

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10 replies

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