



The Legal Aid Forum

Working Together For Equitable Access to Justice

THE IMPACT OF USE OF TECHNOLOGY ON ACCESS TO JUSTICE IN RWANDA



Prepared by The Legal Aid Forum



IDRC | CRDI

International Development Research Centre
Centre de recherches pour le développement international



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LEGAL ADVICE CENTRE

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List of Abbreviations and Acronyms

A2J:	Access to Justice
EDRMS:	Electronic Document and Records Management System
FGDs:	Focus Group Discussions
ICT:	Information and Communication Technology
IDRC:	International Development Research Center
IECMS:	Integrated Electronic Case Management System
IVR:	Interactive Voice Response
KIIs:	Key Informant Interviews
LAF:	Legal Aid Forum
MAJ :	Maison d'Accès à la Justice
NPPA:	National Public Prosecution Authority
RBA:	Rwanda Bar Association
RCS:	Rwanda Correctional Services
RDJ:	Registre de Dossier Judiciaire
RIB:	Rwanda Investigation Bureau
USSD:	Unstructured Supplementary Service Data

EXECUTIVE SUMMARY

Established in 2006, the Legal Aid Forum (LAF) is a membership-based network, comprised of 38 national and international NGOs, professional associations, academic institutions, legal aid clinics, and faith-based organizations. LAF aims to promote and support the delivery of affordable and high-quality legal aid services in Rwanda. As its core vision, LAF seeks to see a Rwanda where vulnerable and indigent communities enjoy equal access to justice.

In this regard, the International Development Research Centre and Kituo Cha Sheria Legal Advice Centre from Kenya have teamed up with LAF to conduct a comparative study on the use of technology in enhancing access to justice for indigent and vulnerable groups. The entire study uses Rwanda as a case study, to examine how the digitization of legal services has impacted both service providers and vulnerable people's access to justice in the region. The present is a part of the entire report for the case of Rwanda, with the aim to assess how digitization of legal services has affected access to justice for indigent and vulnerable groups. This entailed identifying not only challenges and lack of skills encountered while seeking or providing justice services while using ICT, but also the level of satisfaction of service for both legal service seekers and service providers as well as advantages and disadvantages associated with the use of technology in access to justice. The study is purely qualitative in nature.

Ninety vulnerable individuals purposively selected among those who used ICT to seek legal aid services in the last two years (since 2020), were asked open-ended questions using telephone interviews. In addition, key informants with the Ministry of Justice (MINIJUST) and the Judiciary of Rwanda were also conducted. To get more insight into practices and processes of service provision to vulnerable individuals, accredited cybercafe agents, professional court bailiffs, and legal aid attorneys were also involved in this study by way of Focus Group Discussion (FGD).

Overall, the digitalization of legal services has significantly improved the administration of justice in Rwanda to the extent of securing access to justice services even during the period of COVID-19 pandemic. Moreover, since 2017, the Integrated Electronic Case Management System (IECMS) served as a single point of entry, simplifying workflow and enabling smooth information sharing on time among all justice institutions in Rwanda. Although there are significant achievements with digitalization of the justice sector, several challenges are still encountered by both legal service providers and citizens. These include among others; IT and legal illiteracy, insufficient ICT equipment, low penetration rate of internet, and high costs

associated to legal service affordability in rural areas. Most importantly, valuable recommendations are suggested in this report, among which increasing internet connectivity in all over in the country emerges as key.

1. General Introduction

1.1. Background of the study

The rapid advancement of Information Communication and Technology (ICT) has opened new opportunities that have significantly improved the administration of justice in Rwanda. In the recent past, Rwanda's justice sector has quickly embraced various innovations in the delivery and administration of justice services. Both government and civil society justice actors have come up with customized ICT innovations to solve daunting challenges in the delivery and administration of legal services. This has had significant impact on improving the efficiency of legal service provision to the general community, more so to the poor and vulnerable groups of people.

In the justice sector, the use of technology has not only improved the performance of existing practices but also presented opportunities to create new innovative ones that are fundamentally changing justice delivery for the generally population.

This report presents the opinions, perceptions, knowledge and experiences of both selected key justice service providers and the vulnerable groups of people in Rwanda who used and still use different means of technology while providing and seeking justice. The study focuses not only on challenges encountered while providing justice services using ICT, but also on the advantages and disadvantages associated with the use of technology on access to justice by the vulnerable groups in Rwanda.

Worldwide, technology is advancing quickly, creating new opportunities that were unimaginable just a few years ago. Numerous legislative changes have been made globally to permit the use and interchange of electronic data and documents both inside national judicial systems and between them as well as with supranational courts.

The availability of telephones, computers, web services, the ability to access legislation and case law online, the use of electronic filing systems, and the exchange of legal documents electronically are just a few factors that are prompting judicial administrations all over the world to reevaluate their current roles and responsibilities. Numerous empirical studies have shown that ICT adoption in courts has led to a more efficient and effective judicial system, improved transparency of the way the judiciary works, increase in the citizen's level of access to the courts and increase in the confidence of the citizens and business in the judicial system¹.

¹ *E-justice : Using Information Communication Technologies in the Court System, Information Science Reference, 2009,*

However, at the same time such technologies potentially generate novel uncertainties and insecurities². The complexity of ICT systems has increased quickly, and current software engineering and information systems design approaches do not sufficiently address the problem. More specifically when it comes to the vulnerable groups, they encounter considerable barriers in terms of access to justice. This has led the adoption of technology in accessing and providing justice services to failure especially in some developing countries. To further understand such phenomena and enhance equal access to ICT innovation approaches in courts, more research is needed.

In Rwanda, digitalization of the justice sector has been facilitated by a confluence of factors, which include Rwanda's widespread adoption of internet-based and online services, underpinned by internet and telephone penetration, the increase of digital-literate and digital-awareness among citizens, and many more.

1.2. Objectives of the study

The overall objective of this research is to assess how digitization of legal services has affected access to justice to both service providers and the vulnerable groups in Rwanda.

Specific objectives of the research include:

- Assessing familiarity of self-representing court users in navigating electronic court systems and accessing legal services
- Assessing legal aid service providers' technical capacity to use electronic court systems in legal aid provision.
- Assessing the experience of digitalizing legal services as a measure to curb effects of covid-19 on access to justice by the vulnerable people in Rwanda.

1.3. Research Methodological Approach

The main method of gathering data in this study was purely qualitative through inquiry using phone interviews where open-ended questionnaires were used as data collection tools. A purposive sampling method was thus adopted, and 90 respondents participated in this research. Respondents included vulnerable citizens that have used ICT while seeking legal services all

² E-justice: Information and communication technologies in the court system, January 2008 accessed via https://www.researchgate.net/publication/293184405_E-justice_Information_and_communication_technologies_in_the_court_system

from within five Provinces in Rwanda. Self-representing court users that used ICT while seeking justice services during the period from January 2021 to August 2022 were purposively selected to participate in this research to share their different experiences on the use of ICT in accessing justice. The judiciary of Rwanda and Ministry of justice as potential Key Informants Interviewees (KII) were also consulted in this study. In addition, one Focus Group Discussion (FGD) was conducted composed of selected Cyber café agents, professional court bailiffs, and legal aid lawyers from within the city of Kigali.

Prior to data collection, secondary data was collected from secondary sources through a comprehensive desk review from different documentations that discussed the ICT transformation of the Rwandan justice sector and its current progress.

1.3.1. Data Collection tools

A remote data collection was performed whereby three (3) qualified enumerators interviewed selected respondents and asked them open questions about their opinions, perceptions, knowledge, and testimonies on access to justice using technologies via mobile telephones. Data collectors recorded responses onto a programmed digital survey tool via google drive, which helped the research team to access the collected data directly at any time for compilation and reporting.

1.3.2. Sampling frame

Since 2006, LAF has been providing legal aid services that include legal advice, legal awareness, and legal representation to the vulnerable people in Rwanda with use of different ICT tool. Since this research aims to collect opinions, perceptions, feelings, and experiences of respondents who used different means of technologies while seeking justice, the sampling frame consisted of individuals who filled their cases to courts via IECMS, through a lawyer or self-represented.

1.3.3. Pilot testing and Training of data collectors

During this research, hired enumerators were trained and during the training, enumerators were introduced to qualitative research, trained on how qualitative interactions are recorded using professional recorders of the telephone and how the audios are used for transcription in the provided templates to ease report writing. Prior to kick-starting data collection with use of mobile phones, enumerators conducted interactions to test the reliability of the tools and their familiarity with them.

1.3.4. Data processing and analysis

Perception, attitude, opinions, and emotions collected from respondents during interviews, were coded, cleared, and organised into different themes to facilitate their presentation and analysis. For life stories, narrative analysis methods were used to examine the cases recounted by the participants on their experience of using technology to have access to justice. In the same line, thematic analysis methods were applied by adopting a matrix-based structure that facilitates ordering and synthesizing the data. The "meaning units," or the words and phrases that transmitted similar or compared meanings, were identified, and coded throughout the analysis of each respondent's transcript³.

After considering a few computer aided qualitative data analysis software packages, by referring to previous reports and literatures (such as Barry, 1998 ; Muhr, 1991 ; Lewis, 2004; Konopasek, 2007), we decided to use a manual process methodology, to avoid missing critical evidence and to provide trustworthiness in the process of this data analysis (Malterud, 2001) cited in (Baugh, 2010). Using the constant comparative analysis methods, collected data was coded at the higher order classifications or categories, such as ICT tool, familiarity, advantages, resolved challenges, satisfaction levels, access to justice in COVID-19 period, and recommendations. During this process, we began to look at what makes a piece of data different and/or similar to other pieces of data (Boeije, 2002). This method of analysis is inductive as we examined the data critically and drew new meaning from the data (Glaser, 1965). Each of these themes were then broken up into smaller codes to fit into each of the bigger classifications (Draper, 2008).

1.3.5. Quality assurance

To ensure quality of collected data for the report, a systematic effort was made to review practices and procedures in order to develop appropriate research tools, collect credible information and record it appropriately.

1.3.6. Ethical Considerations

Ethical principles in social sciences were fully respected in a way that participants were treated and engaged in this study during the primary data collection process. In this regard, the research team ensured that we obtained informed consent from participants before conducting phone

³ [“A Quality Approach to Qualitative Content Analysis: Similarities and Differences Compared to Other Qualitative Methods”](#) Forum Qualitative Sozialforschung / Forum: Qualitative Social Research, 20(3), Art. 31.

call interviews. In addition, while conducting interviews, respondents were asked again if they were still willing to be involved in the interview and as a result only consented respondents participated in this qualitative study.

1.4. Summary of Findings

The findings of the study are grouped into seven major sections:

- 1) Characteristics of respondents,
- 2) Types of ICT tools used by respondents and their skills of navigating them while accessing justice,
- 3) Familiarity of court users with ICT requirements and procedures,
- 4) Advantages and disadvantages of use of technology in the justice sector,
- 5) Respondents' levels of satisfaction with the use of ICT in accessing justice,
- 6) The impact of use of ICT while seeking legal aid services during the COVID-19 pandemic.
- 7) Views of different legal service providers

Characteristics of respondents

During the study, the major characteristics of respondents were age, gender, socio-economic category and disability status.

- **Age:** All respondents were above 19 years of age. The mean age of all respondents was 40 years with a standard deviation of 12.8, and 70% of the respondents were female while 30% were male.
- **Socio-economic category:** 29% of the respondents belonged to the 1st social class category, 52% of them belonged to the 2nd social class, and only 19% belonged to the 3rd social class. None of the respondents belonged to the 4th socio-economic category.
- **People with Disability:** In this research, 10% of the respondents were people living with different forms of disability.

Type of ICT tools used by respondents and their skills of navigating them

The research reveals that different ICT platforms commonly used in the legal aid providers and beneficiaries in the Rwandan justice sector include; IECMS, Sobanuzainkiko platform, 845 and 1022 toll free lines. Majority of the citizens reported to have used or still use simple mobile telephones to access legal services via toll free helplines. Others used smartphones, tablets and

computers to access their IECMS accounts and even attend court hearings via skype and video conferencing.

Familiarity of court users with courts' ICT requirements and procedures

Some court users highlighted that their familiarity with navigating ICT requirements and court procedures was still low. Majority of them reported that they were not familiar with use of the digital requirements since they always seek assistance from legal aid providers while filing cases to court through the IECMS.

Some vulnerable citizens especially the elderly and the disabled still find it hard to access legal services simply because they lack knowledge to use the digitalised court systems whenever a legal aid provider does not assist them. It was also found out that most of the respondents do not have enough skills to use digital platforms on their own; instead, cyber café agents of the Rwanda online service platform called Irembo assist them.

Advantages and disadvantages of using technology in the justice sector

The research reveals that there are more advantages of using ICT while accessing justice than disadvantages. Majority of respondents reported that, the use of ICT has eased access to courts and legal services, and eradicated numerous barriers that they used to face before the introduction of use of ICT in the Justice sector. They also reported that financial barriers and time wastage have been solved with the introduction of ICT in courts and therefore, they now easily access information regarding their cases in court or even communicate with their lawyers and judges through IECMS. Majority of the citizens happily said that they no longer travel long distances from villages to file their cases or inquire any legal information, but rather use IECMS or call toll free lines and get all the legal information they need.

However, some drawbacks associated to the digitalisation of the justice sector were also reported. Some respondents reported that internet connectivity was still low in some villages and therefore they still travelled distances to access Irembo services. Few other respondents also reported that digitalisation of court services requires them to have smartphones or computers to access IECMS which is a big challenge to the poor who end up not filling their cases to courts due to lack of means.

Provision of legal aid services during COVID-19 period

Findings from the research reveal that legal service provision was not hindered by the outbreak of the COVID-19 pandemic in Rwanda. During this research, almost all respondents happily

reported that even amidst the pandemic, they were able to appear before courts, follow up on their cases and even access legal information due to the use of IECMS, LAF's toll free lines and virtual court hearings.

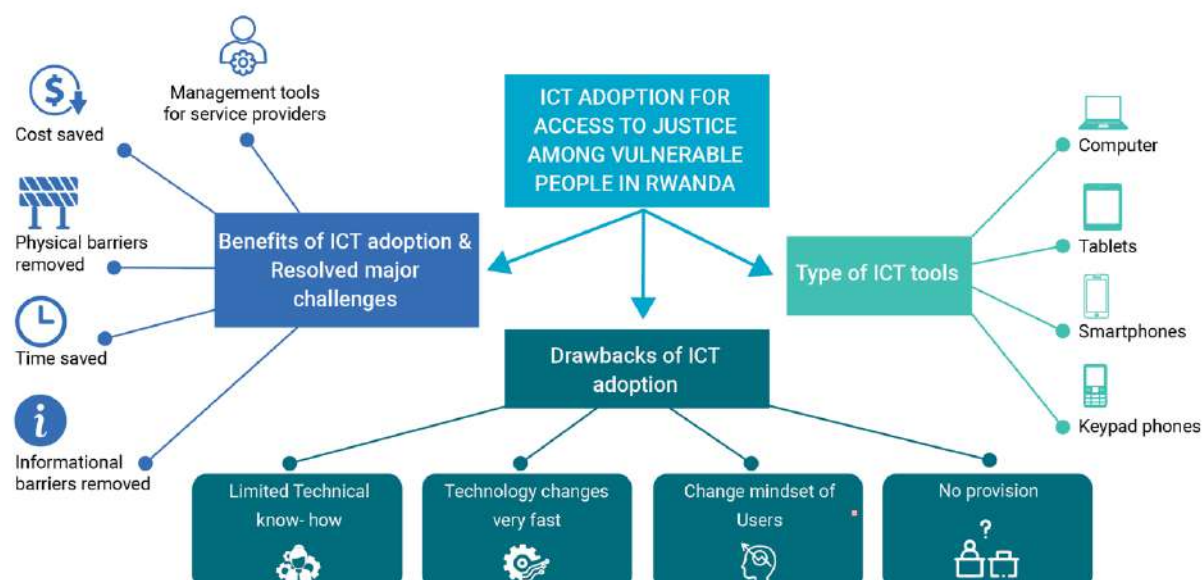
Levels of satisfaction with the use of ICT in delivering legal aid services in Rwanda

Respondents in this research expressed their maximum satisfaction with use of ICT while seeking or delivering legal services. The interviewed citizens that accessed court services and won their cases ranked their levels of satisfaction with use of technology to be very high. On the other hand, few respondents reported their low level of satisfaction with the use of ICT in the justice sector especially in courts and claimed that they had lost their cases in court due to tiresome procedure of using ICT.

1.5. Conceptual Framework

This section illustrates the expected relationship between variables of interest of the study and defines objectives of the study in relation to findings and conclusions.

Figure 1: Conceptual Framework



2. Background information on digitalization of Rwandan justice sector

2.1. Introduction

With judicial reforms made in Rwanda in 2003, there was a huge backlog of cases, with 57,088 cases pending in courts, most of which dated as far back as 1982⁴. Measures had to be taken to reduce this concern among which the foremost included establishing technology-based mechanisms to support the judiciary and all justice services. Promoting the use of court technologies to increase efficiency, speed up court processes, and ease access to justice was therefore considered the most effective mechanism that would be at the centre of these judicial reforms.

⁴ 2014 Report on the Achievements of the Judiciary of Rwanda (July 2004-June 2014)

Until those reforms started, there were only a handful of ICT tools like computers in the judiciary which were available only in the higher courts⁵. Recording of proceedings was also done manually, all documents were kept in folders, and storage was poor with risks of damage or loss of the files whether intended or unintended. Finding a particular case file was very difficult since it meant physically searching through huge volumes of files. Equally, determining how many cases were pending for planning purposes was slow and tedious which always required physical verification through piles of folders.

In 2006, a document management system called *Registre de Dossier Judiciaire* (RDJ) was initiated at the judiciary to ease access to case document information⁶. With this system, cases were filed physically at the court, and all case processing such as case number allocation were done manually. Court registrars would access RDJ to files, compared to searching physical documents.

However, the RDJ did not replace physical case documents, but was used concurrently to facilitate the search of case information. This therefore did not help in terms of reducing time or cost litigants spent in filing their cases nor was it very helpful to court staffs. The system did not facilitate uploading of documents such as pleadings or evidence nor could it be accessed online by the parties.

With the assistance of development partners, by 2008 almost all courts had computers for use by judges, registrars and other staff. In 2011 an *electronic filing* system was developed by the judiciary staff, which made it possible for litigants to file cases without having to come physically to courts. Pleadings could be scanned and attached into the system. This was an important step forward, saving time and cost for the litigant. However, the documents still had to be printed and compiled at the court registry to make them ready for the hearing. Case management after filing could not be done in the system, and the litigant was not able to track developments in the case.

With all the government's efforts and attempts to digitalize the justice sector, innovations were sought out and today, all courts in Rwanda have access to internet and communicate via email. Court proceedings are digitized and some courts have digital

⁵ Rwanda Law Journal Issue No 1; March 2020. (P.22)

⁶ Rwanda Law Journal Issue No 1; March 2020. (P.22)

recording systems for proceedings. More so, an electronic case management is currently being used by all courts users in Rwanda⁷.

2.2. Concept of Access to Justice

The combination of the concepts “ICT” and “Access to Justice” in developing countries have for so long been under searched in different studies⁸. Access to justice is understood as a basic principle in rule of law that describes how citizens have equal access to the legal systems more so the poor and vulnerable groups of people. Access to justice is more than simply access to lawyers and courts, it is rather a component of the rule of law comprised of a number of elements that facilitate individuals and communities with legal needs to know where to go for help, obtain legal assistance and easily navigate the system that offers justice. It is a fundamental right and a precondition to enjoyment of other rights⁹.

The concept of access to justice therefore implies that people have knowledge and ability to understand the law and have the ability to easily access information about legal solutions. The absence of access to justice indicates that people are unable to have their voices heard, exercise their rights, challenge discrimination or hold decision makers accountable. In the Rwandan justice sector, the access to justice department was established in 2004, to deal with provision of public legal aid and coordinate access to justice services¹⁰.

2.3. Rwanda’s judicial transformation and improved Access to Justice

Access to justice is a pillar of the rule of law and efficiency in administration of justice is of no value to citizens especially the vulnerable if they do not have reasonable access to justice. According to the United Nations, “Access to justice is a basic principle of the rule of law and the absence of access to justice for people especially the vulnerable and marginalized should be hold accountable to decision-makers¹¹.

⁷ Remarks from the Minister of Justice in 2020, he reported that in 2020, all courts in Rwanda have full access to internet and proceedings are digitalized. Minister’s speech accessible on <https://www.newtimes.co.rw/news/busingye-makes-case-ict-justice-delivery>

⁸ Rule of law and access to justice in Eastern and Southern Africa. Showcasing Innovations and Good Practices April, 2013

⁹ See UN Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems, June 2013

¹⁰ Access to Justice services department at <https://www.minijust.gov.rw/access-to-justice-services>

¹¹ United Nations and the Rule of Law’, available at <https://www.un.org/ruleoflaw/thematic-areas/access-to-justice-and-rule-of-law-institutions/access-to-justice>

It is from this context that part of the vision the Rwandan justice sector has been to make justice more accessible to the citizens especially the poor and vulnerable¹². When access to justice is discussed, many people think about open courts and proximity to courts. This is basic access to justice. However, there is more to access to justice which means that justice is affordable for all especially the poor, and vulnerable with availability of legal advice centres free from any costs. In its broader conception, access to justice should include the use of simplified court procedures, alternative dispute resolution and other preventative measures in an effort to solve legal problems without having to resort to litigation.

In Rwanda, the use of technology in the justice sector has contributed to the country's development through various ways among which include; speeding up court cases, increasing quality of court decisions, reducing corruption and saving citizens' time and money previously wasted while following up on the court cases physically and rather invest it in other developmental work, extending justice to citizens living in places far from physical justice service providers among others.

2.3.1. The Electronic Document and Records Management System (EDRMS)

In 2012, the first attempt to digitalize services provided in the justice sector was made and the EDRMS was then introduced. EDRMS was conceived as a document management system, basically as an off-the-shelf software that was intended to be adapted to work as a case management system. Apparently, it had been used in different public institutions in Rwanda, but had never been tried in courts. The system did not include case filing which meant that litigants would file cases through electronic filing system and court registrars would manually fill information into the system¹³.

EDRMS was not a web-based system and each court worked in an isolated manner. The attempt to convert the EDRMS into a case management system took a long time of transformation and an improved case management system IECMS was thought of and introduced in 2016.

2.3.2. The Integrated Electronic Case Management System (IECMS)

IECMS is an electronic case management system integrating institutions of the justice sector and citizens in Rwanda. I.e., the Judiciary, Ministry of Justice, National Public Prosecution

¹² Core mission and vision of the judiciary in Rwanda is to make justice services more accessible to citizens, available at: <https://www.gov.rw/government/judiciary>

¹³ Rwanda Law Journal Issue No 1; March 2020

Authority, Criminal Investigation Department (Police) and the Rwanda Correctional Services. It was launched for the first time in Rwanda on 31st December 2015, and started to be used on 1st January 2016¹⁴.

The system provides an interface between the Judiciary and litigants for electronic filing and follow up of cases. IECMS was initiated to improve Judicial service delivery by reducing delays and transaction costs associated with judicial cases processing through the whole justice chain from the inception of a case to its final adjudication, thus, delivering timely, quality and accessible justice at reduced cost¹⁵.

Furthermore, it was also established to replace the paper-based case records and static spreadsheets and workflows within the justice sector in order to enable full reproduction of cases along with case proceeding information in the event of loss or physical damage of the case file. The IECMS was an initiative of the whole Justice Sector based on a needs assessment conducted by the sector and it has a fully integrated process in criminal matters, from investigations where RIB officers capture suspect details, arrest statements, seizure, and other procedures after which they send the case to the Prosecution.

At this level, prosecutors have access to the whole investigation case file, general information on the accused and any other case information is automatically filled into the prosecution case through the system. The prosecutor only adds prosecution related information like suspect statement made before the prosecutor, indictment, etc. which he then transmits to the court within the system.

In court, defendants and their lawyers have access to both the investigation and the prosecution case through IECMS. Once court proceedings are completed and a judgment is rendered, it is forwarded automatically to Rwanda Correctional Services (RCS) in prisons and to professional court bailiffs for execution with all supporting documents in the criminal process chain. The system also keeps track of the whole criminal record of the sentenced individual from detention through all appeals with the corresponding decisions from all the institutions.

On the civil litigation side, individuals and entities with legal personality as well as the civil litigation department of the Ministry of Justice have access to IECMS¹⁶. The litigant files a

¹⁴ Overview on IECMS available at https://www.judiciary.gov.rw/fileadmin/IECMS_Info/About_IECMS_Final.pdf

¹⁵ IECMS Rwanda Judiciary user manual. Version 1.0

¹⁶ IECMS Rwanda Judiciary user manual. Version 1.0

case to court having filled the submissions within the system and the defendant is automatically informed of the case against them whereby he/she also responds through the same system. After an admissibility compliance check by the registrar, an automatic case number is generated in the IECMS. During every stage in the case process, each actor builds on the previous actor's work and completes only his/her relevant requirement until the file reaches case disposal.

➤ **Main objectives of IECMS**

The main objective of the IECMS is to serve as a centralised and unique database for all justice sector institutions in Rwanda. It is also a sector-wide platform that assists all officials accessing the system to have an easy and ad-hoc access to the information required for processing cases and implementing their day-to-day operations.

The system is also intended to help standardise case record information storage and to streamline current processes and thus, ensure more effective follow-up at different levels. It serves as the main database and data collection and reporting system for justice actors. The system guarantees effective access to case data, promotes accountability, and increases public trust and confidence¹⁷. Numerous objectives of the system are narrowed as following;

- i. Prevent the loss and physical damage of documents in a case file,
- ii. Enhance information accessibility,
- iii. Enable case reproduction and eliminate duplication of case information within the justice sector,
- iv. Attain accurate reporting in the judicial system,
- v. Modernize the sector's operations,
- vi. Ensure accurate action audits and security.

➤ **Advantages of the IECMS**

The IECMS has numerous advantages to justice sector institutions and also far reaching benefits to court users. In general, the system has played a vital role in improving easy access to justice to the poor and marginalised people in Rwanda.

¹⁷ IECMS Rwanda Judiciary user manual. Version 1.0

1. IECMS is accessed from anywhere on computers, tablets or mobile phones for electronic filing of a case, issuing of summons, receiving notifications, and reminders of any deadlines regarding case processes via e-mail, sms, and system notifications.
2. Pleadings and other documents are easily filed online and new evidence is added after the initial filing by interested parties.
3. Court fees are easily paid using mobile money services over simple telephones which has avoided risks of delay in payment.
4. Litigants and Lawyers easily check on the status of their cases without moving from their places, which was one of the more frequent reasons that brought them to court. In 2014, the frequency of litigants coming to courts to check on their cases's progress was at 18.51%, whereas by 2017 it had dropped to 8.36%¹⁸.
5. Through IECMS, copies of judgments are obtained online and therefore trips to and from courts to obtain copies have been reduced considerably.
6. IECMS makes work easier for registrars and court clerks in preparing files for court hearings.
7. Besides enhancing efficiency, there is little or less contact between litigants or their lawyers and the court which minimises opportunities for corruption. This view is supported by a bribery index report of 2019 which showed that the top reasons why people bribed legal service providers was to "speed things up" (54.80%) and to "access service they did not deserve" (24%)¹⁹.
8. It is also impossible for court files to vanish since the system helps track unnecessary adjournments and other delays and also assists in compiling reports.
9. The system has also eased case schedules such as pre-hearings, hearings, pronouncements and adjournments. Legal service providers have been facilitated to follow up on their multiple tasks hence improving on better service delivery.
10. Litigants who are poor to afford services at cyber cafés are able to access it from employees of the MAJ/ access to justice centres located at the offices of every district

¹⁸ Integrated Justice: An Information Systems Approach to Justice Sector Case Management and Information Sharing Case Study of the IECMS for the Ministry of Justice in Rwanda" *International Journal for Court Administration, Special Issue, Vol. 8 No. 3, July 2017*

¹⁹ Information obtained from the Transparency International Rwanda, *Rwanda Bribery Index* published in 2019.

and sector centres closer to them²⁰. These centres enable the poor and marginalised to file and follow-up on their cases through the system free of charge.

➤ **Challenges in implementation of IECMS**

Implementation of the system has not been without challenges. One challenge was overcoming resistance to change and innovation among judges. There was need to change the mind-set, especially of the senior judges, to embrace electronic case management in cases assigned to them. The problem of change of mind-set also predictably applied to legal practitioners who had to represent their clients in filing claims, pleadings and other documents in the system.

There was considerable resistance at the beginning, but with the sensitization and training by the Judiciary's IT officers, as well as the courts' refusal to accept physical documents, led the practitioners eventually to come round and appreciate the system.

Another challenge was the inadequacy of necessary IT infrastructure in the Judiciary and other partner institutions. Initially, internet infrastructure did not reach all courts and other institutions like the Police which did not have enough computers in their outlying stations. For this reason, IECMS was initially deployed in 24 courts mostly in and around the capital city in January 2016. However, internet connection has been progressively extended and currently, all courts in the country are using the system and have access to internet²¹.

There was also another challenge of getting ordinary litigants to file cases and submit documents online, especially given that only about 30% of Rwandan society had access to the internet by December 2017 according to Rwanda Utilities Regulatory Authority statistics²². In order to get the litigant community to engage with online filing and other online services, there was need for awareness campaigns by judiciary officials to sensitise the public on the benefits of electronic case management.

High costs associated with capacity building and trainings of the system's users. There was need to educate the public on the use of the system and given the very limited human resource capacity in the IT department, the justice sector came up with the innovative strategy of training young people, mostly students and recent graduates with skills or interest in law or IT, in the use of the system to serve as IECMS facilitators. They were then deployed across the country

²⁰ Ministerial Instructions N° 002/INSTR/MOJ/AG/20 of 30/09/2020 relating to services provided by a person authorised to assist the public in the use of integrated electronic case management system

²¹ IECMS Rwanda Judiciary user manual. Version 1.0

²² Information available at <http://www.internetworldstats.com/africa>.

to offer their services to members of the public who wished to file their cases. For a small fee, facilitators assist potential litigants to create user accounts and file cases online. Operators in cyber cafés and smart villages are trained to provide the service which has been an effective strategy.

Furthermore, an on-going challenge is that maintenance of the system is costly since it requires constant technology updates and experts to run the system. Qualified technicians are hired to oversee the functionality of this system and ensure that no technology breaches and cyber-hacks affect the system.

Currently in 2022, the Rwanda Governance Scorecard which indicates citizen's satisfaction with public services, gave a score of **76.10%** for citizen's satisfaction with online submission and filing of cases in courts²³.

2.3.3. Sobanuzinkiko Platform

Sobanuzinkiko is an electronic platform that was developed by the judiciary of Rwanda in collaboration with Transparency International Rwanda in 2018, to enable citizens file their complaints regarding legal services. This tool was established to supplement the already existing IECMS tool and other different mechanisms which were already in place to ensure that those who seek justice services access them easily and also other justice sector institutions easily follow up courts functioning. Through this ICT-based tool, citizens especially the poor and marginalized submit injustice related cases to courts and tribunals via the website <http://sobanuzinkiko.gov.rw/> or by sending a free SMS to the toll free number 2040.

In particular, citizens record cases of corruption or complaints about poor service and conduct that may involve corruption in a particular case, and a unique code is allocated to the person providing such information or filing for review to enable them to follow up on their case. Citizens are also able to file an application for review where the appeal process has been exhausted but the litigant is convinced there was injustice in the process and determination of their case.

On the other hand, the Judiciary of Rwanda, the Office of the Ombudsman, NPPA, RBA, and other responsible institutions use this tool to handle complaints submitted to them by citizens and hence easing the provision of legal services to the general population and more so the poor

²³ 2022 Rwanda Governance Scorecard, 9th Edition

and marginalised who may not have the means to travel long distances to submit their claims to responsible legal aid providers²⁴.

Although the platform has been operating only for a few months, it is yielding results with a substantial number of communications on the platform. The Judiciary of Rwanda and TI-R proudly reported that the effective use of this tool has and still contributes to reduction of corruption in the justice sector and contributes to improved legal service delivery²⁵.

2.3.4. Virtual Courts and Tele-presence

Virtual Courts is a concept established globally that aim at reducing the presence of litigants and lawyers in courts²⁶. With virtual courts, hearings take place through phone or video conferences instead of in-person hearings in the courthouse and neither litigants nor Judges have to physically appear before the court for effective adjudication and resolution.

In Rwanda, the use of virtual courts has also been established and is advancing gradually. Video conferencing facilities have been used while conducting various court sessions especially since the outbreak of the Covid-19 pandemic. Foreign jurisdictions have investigated and heard cases of persons suspected of crimes committed during the Genocide against the Tutsi through video-conferencing facilities to interview witnesses in and out of Rwanda²⁷.

From 9th April 2020, measures to curb the spread of COVID-19 were taken as citizens had been requested to stay at home yet hearing of cases was supposed to proceed. Due to that, the Judiciary of Rwanda initiated video conferencing for meetings of all judicial officers as they gathered at different centres around the country and service delivery was not put on hold.

As indicated in the picture below, a court hearing was ongoing by video conference on 20th April, 2020 at the Supreme Court in Kigali.

²⁴ Sobanuzainkiko User Manual available at

https://www.judiciary.gov.rw/fileadmin/SC_Info/Basic_info/User_Manual_-_Sobanuzainkiko.pdf

²⁵ Transparency International (Rwanda), *Rwanda Bribery Index* 2018

²⁶ Information regarding the establishment of virtual courts and tele-presence in Rwanda accessible on

<https://ecommitteesci.gov.in/service/virtualcourts/#:~:text=Virtual%20Courts%20is%20a%20concept,avenue%20to%20settle%20petty%20disputes>

²⁷ The Judiciary and Video conference, information available at;

https://www.judiciary.gov.rw/index.php?id=13&tx_news_pi1%5Bnews%5D=621&tx_news_pi1%5Bcontroller%5D=News&tx_news_pi1%5Baction%5D=detail&cHash=3729ffea0ad52d5d2c748f7c7085bf4d



The bench conducting a hearing by videoconference in Kigali: April 2020 (Photo/ SC)

2.3.5. Digital Execution of Court Judgements

Shortly after the lockdown, Rwandan courts and the Ministry of Justice implemented an online auctioning and judgment execution solution using the IECMS which intended to help expedite case execution while minimizing human interaction to limit the spread of COVID-19. With this tool, litigants were able to pay judgment copy fees online, request and acquire execution stamps from courts, then proceed to bailiff assignment, online auctions and final executions of court judgements. This ICT-based system played an important role in promoting access to justice to citizens since court judgments were fully executed during the covid-19 period and still does.

Currently in Rwanda, execution of court judgments has shifted online including managing, leasing, auctioning, or taking over of properties in the event of client default. These processes are conducted through “cyamunara.gov.rw” an electronic collateral auctioning system. The electronic system of execution of enforcement orders is organised in a way that the whole process related to execution of enforcement orders is done electronically²⁸.

²⁸ Ministerial Order N° 05/MOJ/AG/20 of 12/05/2020 relating to the electronic execution of enforcement orders

2.3.6. LAF's legal Aid helplines

In 2018, LAF established its first ICT-based platforms that used simple mobile technology with aims improving on the better provision of legal aid services to the general community especially to the poor and vulnerable that faced cost related issues while accessing legal services. To effectively achieve this, LAF embraced the power of technology by establishing ICT based solutions to expand access to justice for the beneficiaries it serves with platforms like 845, 1022 toll free lines and a call center, as mechanisms that are being used in providing legal services to the community. All these ICT-based platforms at LAF intended to address legal issues and concerns the general public were facing among which the following included;

- i. Lack of awareness on rights and laws that affect large portions of the population,
- ii. Long distances that citizens have to travel to seek legal services,
- iii. Affordability of services,
- iv. Lengthy of time it takes to process legal problems in the community,
- v. Provision of legal services during COVID-19 (2020 & 2021).

❖ The 845 toll free platform

Provision of Legal aid is essential in guaranteeing equal access to justice to citizens especially to the poor and marginalised groups. LAF's ICT based platform known as "845" was established to broadly extend legal services to many people via simple cell phones by simply dialling 845. With this platform, beneficiaries dial 845 on their simple mobile phones and access legal advice or book an appointment to directly talk to a legal officer. Since 2018, this platform has served over 2,977,892 people through its IVR system and more than 614,694 people through the USSD platform²⁹.

❖ The 1022 toll free helpline

Additionally in 2018, LAF established a toll-free legal aid helpline (1022) that aimed at connecting the Rwandan population to convenient, cost-free and impartial legal aid information and services. This platform helps all people seeking legal advice free of charge with the assistance of LAF's legal officers. Through this toll-free legal aid helpline, beneficiaries speak in confidence to LAF Lawyers and are provided with the following services;

- General information on the range of legal aid services available to eligible beneficiaries and how to apply for legal aid at LAF,

²⁹ 2022 LAF database on beneficiaries of legal aid services through the 845 platform

- Free legal advice and information on different legal matters;
- Referrals to other programs and services that provide legal aid services,
- Update on beneficiary's case status,
- Lastly, beneficiaries who qualify for legal aid services are provided with other legal aid services such as: Legal assistance and representation in courts.

It is worth noting that since the establishment of the platform in 2018, more than 7,407 People have called 1022 and have been provided with legal assistance from LAF.

2.4. Use of ICT in legal service delivery during the Covid-19 Pandemic

The outbreak of the COVID-19 pandemic emphasized the importance and urgency of transforming justice systems and delivering public services online not only in Rwanda but all over the world. Having begun the journey of digital transformation, the justice sector in Rwanda no longer relies on manual, paper-based case processes. The Judiciary's use of an online case management solution kept courts, as well as other agencies, functioning during the COVID-19 pandemic and this supported the goal of making the justice system more accessible and efficient to all. It is therefore worth saying that despite the Covid-19 pandemic, all justice services providers did not stop at all to deliver services to the population in a timely, fair and effective manner.

In March 2020, Rwanda experienced a total lockdown after the first case of COVID-19 was identified and restrictive measures were put in place among which all institutions, including the Judiciary were prohibited from opening to the public and had to find innovative ways to sustain service delivery. Following the fact that the Judiciary of Rwanda had already invested in ICT-based innovations like the IECMS, adopting to the new reality was significantly streamlined. The IECMS served as the backbone for facilitating case filing and follow-up, including case registration, adjudication, and judgement execution, as well as new features for online auctioning.

Litigants continued to file and follow up on claims and cases online through the IECMS. Over 14,637 cases were filed in court during the total lockdown from March 16 to May 31, as compared with the first months of 2020 (pre-lockdown from January 1st to March 15th) when the total number of filed cases was around 21,015³⁰.

³⁰ Online Access to Justice: *How Rwanda uses digital tools to mitigate Covid-19 challenges*. Available at <https://www.synisys.com/news/online-access-to-justice-how-rwanda-uses-digital-tools-to-mitigate-covid-19-challenges>

Court registrars also continued to register cases online through the IECMS, mostly working from home. Over 13,660 cases were registered in court during the total lockdown while around 20,618 cases were registered in the equivalent period immediately before the lockdown.

Furthermore, the IECMS facilitated other sector institutions to continue operating during the covid-19 period and it is reported that RIB received 14,227 complaints while the NPPA received 10,510 complaints and processed 10,501 complaints³¹. This therefore ensured that even during the lockdown, citizens had access to justice and their complaints were addressed. Litigants were also able to follow up their cases remotely through the online platform, receiving email and SMS notifications about the status of their case. They were informed of the next stages in the case when admissibility decisions had been made or were asked to provide additional information required for the case proceedings.

³¹ Online Access to Justice: *How Rwanda uses digital tools to mitigate Covid-19 challenges*. Available at <https://www.synisys.com/news/online-access-to-justice-how-rwanda-uses-digital-tools-to-mitigate-covid-19-challenges>

3. RESEARCH FINDINGS

The present chapter provides findings from different categories of respondents as highlighted in the methodology chapter. Results from the study include important demographic characteristics of the respondents and main research outcomes. Results are based on the experience of both respondents who used technology while seeking legal services and key informants, including focus group discussions with people who used ICT to provide legal services. For the purpose of this study, descriptive statistics are used only to present demographic characteristics of respondents. While the next section of this chapter focuses on information related to socio-demographic characteristics of respondents, the third one discusses the results as far as six key themes of this research are concerned.

3.1. Findings from respondent seekers of legal services

3.1.1. Social Demographic information of respondents

This section describes characteristics of respondents and illustrates their main information and general details. It focuses on various parameters of interest mainly age, gender, social economic category (ubudehe category), disability status. In addition, the nature of reported cases to courts, and the different modes of ICT tools used are described under this section. This section also reflects on the respondent's district of residence during the period they were seeking legal aid services. Furthermore, to assess the impact of use of technology in accessing justice in Rwanda, 90 respondents were surveyed from twenty-one districts of the country.

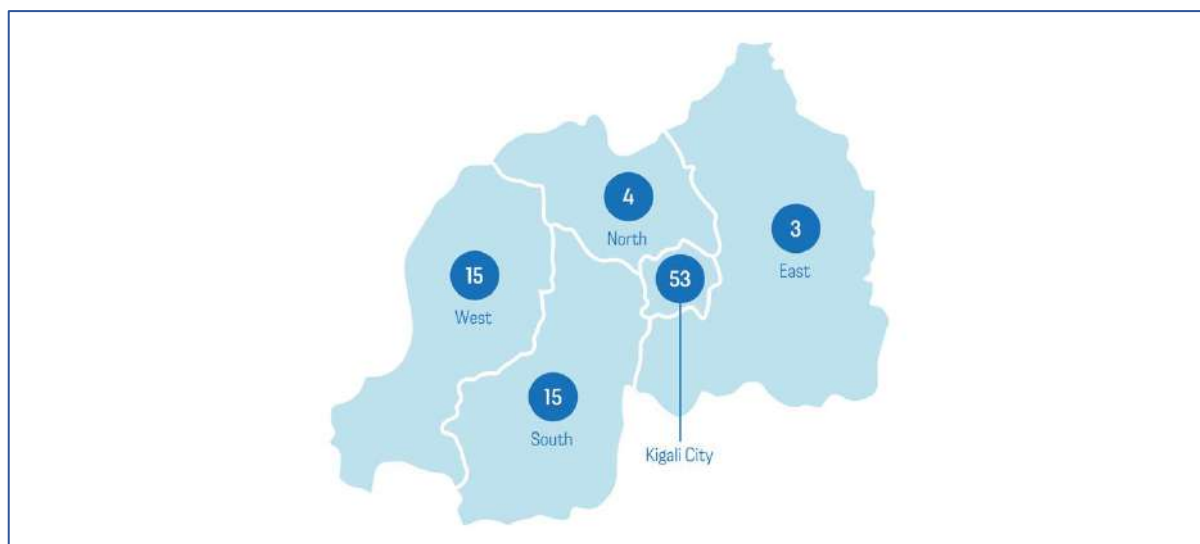
The figure below shows that most of the respondents (70.0 percent) are female while small proportion (30 percent) are male.

Figure 2: Distribution (%) of respondents by Gender



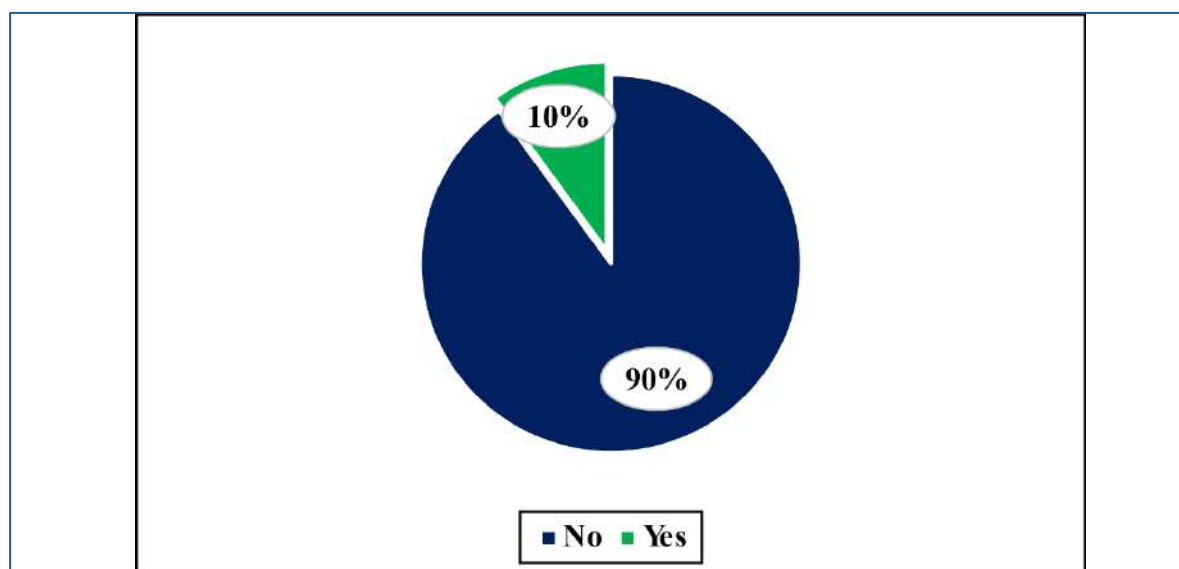
As illustrated in figure 3, among all respondents, 53 percent were from the City of Kigali, followed by Southern and Western provinces with 15 percent each.

Figure 3: Distribution (%) of respondents by Province



As shown in figure 4, an important proportion (10 percent) of the respondents, are in the category of people living with disability. This research was an opportunity to explore different obstacles encountered by people with disabilities in terms of access to justice using technology.

Figure 4: Distribution of respondent by disability status



It is readable from Figure 5 that the vulnerable people on 29% and 52% were from the 1st and 2nd social classes of category (ubudehe). Only 19% were from the 3rd class of social category whereas none of the respondents was from the 4th social class. It is important to emphasise

therefore that information obtained from these categories of people will depict clarity on the poverty dimension as far as access to justice is concerned while using ICT.

Figure 5: Distribution (%) of respondents by social economic category (Ubugede category)

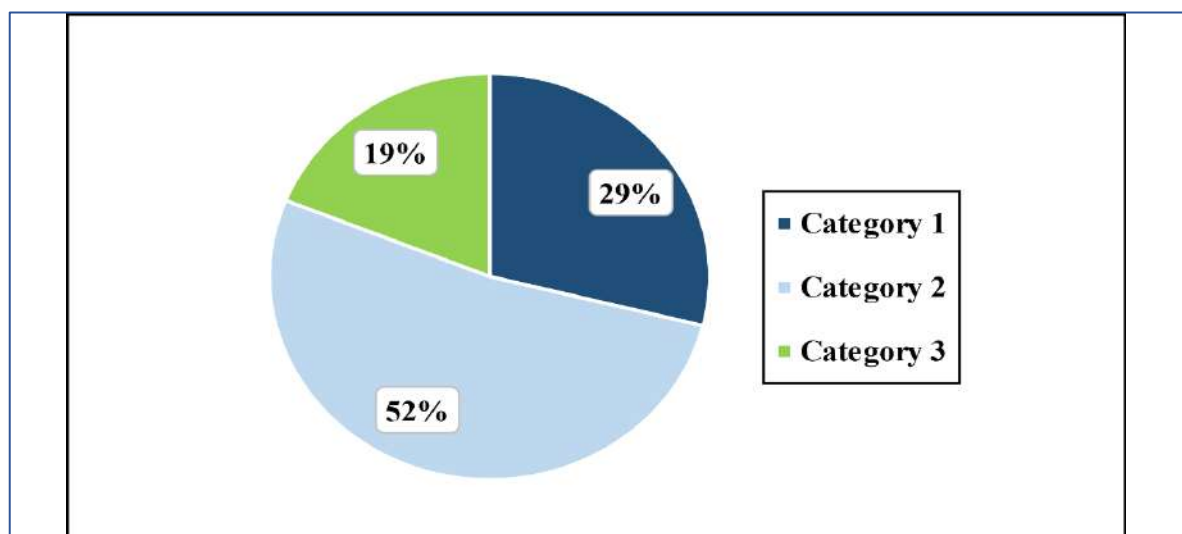


Table 1: case source

To assess issues affecting easy and effective access to justice using ICT, we also considered means through which the vulnerable people accessed legal aid from LAF offices as one of the legal aid providers in Rwanda that uses ICT.

Table 1: case source

Case Source	Frequency	Percent
Walk-In to legal aid service providers	45	50%
Call-In	20	22%
Referrals from ministries and other Government agencies	18	20%
Referrals from LAF Members	5	6%
Referrals from Paralegals	2	2%
Total	90	100%

Table 2 : Case specification

As illustrated in the table below, Divorce and Succession were found to be the most common cases reported by the vulnerable people to legal aid providers with 18%, followed by Search for Paternity cases 12%. Other legal issues like cases claiming for inheritance, extortion, insults, insurance, murder, and theft were also reported.

Table 2: Case specification

CASE	Frequency	Percent
Divorce	16	18%
Succession	16	18%
Search for Paternity	11	12%
Land	9	10%
Assault	5	6%
GBV cases	5	6%
Child defilement	3	3%
Matrimonial regimes	3	3%
Others	22	24%
Total	90	100%

Table 3 : Respondent's Age distribution

Regarding respondents' age, court users that participated in the research were found to be of 19 years and above.

Table 3: Respondent's Age distribution

Variable	Observation	Mean	Std. Dev	Min	Max
Age	90	40	11	19	96

3.1.2. ICT tools used by respondents and their skills to navigate the digital justice platforms.

Since June 2017-2018 all court users in Rwanda access court services electronically³². This means that ICT tools are a necessity for every court user to access legal services in Rwanda. Digitalisation of the justice sector can be divided into three categories based on (1) technological complexity, (2) actors and activities involved (3) level of adoption. In this report ICT tools used by individuals who solicited any kind of legal service were highlighted to be basic technologies such as simple mobile telephones, smart phones, tablets, computers, for legal aid service beneficiaries.

³² “The judiciary of Rwanda, strategic Plan 2018-2024 ” accessible at www.judiciary.gov.rw

From collected data, analysis revealed that majority of the general population had used or still use simple mobile telephones while seeking legal aid services rather than smartphones. Some other few respondents reported that they had used computers to access court services. One of the interviewees narrated; *“I had to go to LAF’s offices first to obtain more information on what to do as far as my case was concerned. After listening to me and advising me on steps to take, they gave me their toll-free line to call in case I need further guidance without necessarily coming back in person to their office. Since then, I have been calling a lawyer from LAF for more help using my small phone ».*

Another respondent reported; *“I do not have a phone, but I borrowed my friend's simple phone. Then, I called at LAF for advice on the issue I had, and they advised me very well.”* These and other similar experiences of the most vulnerable people that were interviewed in this research confirms the mobile connectivity in Rwanda and computer penetration which are at more than 78.7 percent and 3 percent respectively³³.

Even when few respondents confirmed that they had knowledge on how to use ICT platforms, there were others who think that except for using a simple mobile phone for calling or texting, they don’t believe that they can easily navigate the digital platform on their own without the help of a legal aid provider. Findings revealed that most of the respondents did not have enough skills to use digital platforms and therefore they are often assisted by agents of an online service platform called **Irembo**. As one respondent narrated; *“I have no knowledge on how to use technology at all and it is very difficult for me. If I need to send or check the progress of my case in the IECMS, it is always with the help of my friend. I didn't know how to use this IECMS system.*

Another respondent reported *« As you may have heard from our conversation, I do not know how to read and write. Even when any message or notification from court comes on my phone, I wait for my son who is in secondary four to return from school and to read it for me».*

3.1.3. Familiarity of court users with courts’ ICT requirements and procedures

In assessing how court users, especially the self-represented court users were familiar with court procedures including the digitalised and electronic court systems, respondents were asked about their technical knowhow and experiences in using these ICT based platforms. It was

³³ See the source : <https://datareportal.com/reports/digital-2022-rwanda>

revealed that some respondents were not familiar with use of these digital requirements since most of them always ask for help from legal aid providers.

One respondent sadly reported « *I was not familiar at all with the requirements that were needed in order to access court services. I went through many public institutions requesting them to file a case for me in court. One day I even went to the National Unity and Reconciliation Commission since I thought they could do so; however, I was told that they could not file a case for me in court rather referred me to LAF where I was helped. Today, the lawyer assigned to me by LAF does everything in the system but for me, I really do not know if I would be able to do all that work, he does with technology* ».

Another respondent also confirmed the following “*Before seeking help from LAF, I didn't understand what I was supposed to do to file my case to court since everything was said to be done in the **system**, I even had no idea what that system was, but when I went to LAF, their lawyer explained to me of the requirements like having and IECMS account, email and others things before filing a case to court*”.

It was therefore noted that there are some people who still find it hard to access justice simply because they lack knowledge to use the digitalised court systems whenever they do not have access to a legal aid provider or lawyer. This therefore calls for improved efforts on teaching the general population, especially people in the rural areas, on the digitalized court requirements, functions, and operations, and how to navigate these services.

3.1.4. Justice services in Rwanda during COVID-19 pandemic

The outbreak of the COVID-19 pandemic emphasized on the urgency and need for the justice sector to be fully digitalised. After starting the process of digitally transforming court proceedings more than five years ago, Rwanda's justice system no longer uses manual, paper-based case procedures. During the COVID-19 pandemic, the judiciary of Rwanda adopted an online case management technology that kept the courts and other organizations operating, supporting the objective of making the legal system more accessible. This research revealed how digitalization of the justice sector helped Rwandan courts to expedite the administration of justice especially during the lockdown and the whole period of the pandemic.

Some respondents testified that even during the COVID-19 pandemic, they were able to appear before courts and follow up on their cases. This was made possible with the available online platforms that facilitated them like IECMS, and they fully accessed court services while seated

comfortably indoors, since movements had been restricted and the country was in a partial or total lockdown. In the word of one interviewee *«Considering the global situation of total lockdowns and restrictive measures of social distancing and avoiding overcrowding during the COVID-19 pandemic, technology greatly influenced provision of legal services. We initially could not believe that we would be able to file cases to court or attend court hearings and pleadings, surprisingly, nothing prevented us from doing so with the use IECMS. »*

He added, in my case, I pleaded online, and I did not believe that I would be granted fair justice when I was not physically present before the judge. Honestly, I thought I could not win the case since there were no physical meetings with my lawyer and seemed frustrating and stressful to adopt for the first time. However, I finally won the case, and I am very happy that I obtained justice even amidst the restrictive measures of the pandemic.».

3.1.5. Satisfaction levels with the use of ICT in access to Justice

Research findings reveal that the majority of respondents that accessed court services and won their cases ranked their levels of satisfaction with use of technology to be very high. During interviews, some of them went far beyond to give a percentage representing their satisfaction levels and verbally expressed their satisfaction levels.

One lady expressed, *« The use of ICT in Justice is very good. I am confident to rate my satisfaction level as 100%. A gentleman from the City of Kigali said « I truly appreciate the use of technology in the justice sector, and I rate my satisfaction at 90% simply because one is able to navigate through the legal proceedings at the comfort of your home. The fact that someone does not have to line up every day to look for legal services but rather send every requirement to court by email, it is the most exciting thing».*

Another respondent said *»I would say that my level of satisfaction with use of technology in the justice sector is at 89%. Even when the advantages may surpass the disadvantages, there are still some challenges faced with this digitalisation simply because sometimes network issues arise, connectivity fails and one may fail to access justice due to such issues.* He also added that the affordability of the internet is not easy for everyone and therefore the poor and vulnerable may always be hindered by this obstacle.

3.2. Results from providers of legal services

The impact of use of technology for access to justice could not be fully captured by considering only opinions and perceptions of vulnerable citizens that used or still use ICT while seeking

justice. Instead, respondents providing legal services must also be involved. Having this in mind, key informants were consulted, and focus group discussions were conducted. The following are the main findings obtained from key informant interviews conducted with the Chief Digital Officer at the Ministry of Justice in Rwanda (MINIJUST), and the Inspector General of Court at Judiciary of Rwanda. More so, trained, and certified cybercafé agents, professional court bailiffs and legal aid attorneys were also invited in a FGD to collect their practical insights into their practices, capacities and challenges while supporting general citizens to file their cases.

When asked to describe the ICT transformation in access to justice particularly for the vulnerable and the marginalized communities in Rwanda, a brief background on the evolution of the ICT integration in justice sector was discussed. The Chief Digital Officer at MINIJUST explained that before 2011, the justice sector of Rwanda was solely relying on manual, paper-based case processes. She added that an attempt to digitalize legal services and develop a simple electronic case filling system was made between 2011 and 2015.

This is in conformity with the argument of Inspector General of Courts at the Judiciary of Rwanda. When asked the same question, reported that various initiatives have been made to digitalize court procedures in Rwanda, but the procedure reached a turning point in 2016 when an Integrated Electronic Case Management System (IECMS) was adopted. She explained well that initially, IECMS was implemented in few Kigali City courts and then throughout the entire court system of Rwanda in 2017. She also added that since then in 2017, no litigants have shown up to courts rooms with papers while filling their cases.

Quoting the words of the Inspector General of Courts in Rwanda, she narrated “*The IECMS was introduced to enhance the delivery of judicial services by minimizing the transactions costs and delays that were involved in processing judicial cases through the entire justice chain, from the beginning of the case to its final adjudication*”. She added that IECMS has become a robust case management system that integrates the Rwandan justice sector institutions, such as the judiciary, the National Public Prosecution Authority (NPPA), the Rwanda Investigation Bureau (RIB), the Correctional Services, the Civil Litigation Service of the Ministry of Justice, and the Rwanda Bar Association. Happily, she also mentioned that IECMS currently serves as a single point of entry for all institutions in the justice system, automating workflow and enabling smooth and real-time information sharing.

On the same concern, the Chief Digital Officer at MINIJUST also reported that “currently, the whole justice chain is fully digitalised and MINIJUST is working on constant measures to upgrade the existing digital platforms to make them better and more accessible to all people especially the poor and vulnerable groups”. It was highlighted by both key informants that the digitization of court procedures, has created more intelligent judicial systems in Rwanda. In the same agreement, the two key informants independently, confirmed that the availability of internet services, the ability to consult case law and legislation online, the use of electronic filing and document exchange, and the ability to conduct court proceedings via video are just a few examples that justify the real transformation in Rwanda's legal service delivery using ICT.

During the interviews, the ministry of Justice of Rwanda reported that it has trained qualified individuals to assist the public in the use of IECMS throughout the country. The ministry has also established the justice bureaus (MAJ) composed of three trained lawyers per each district in the country, to help vulnerable citizens file their cases and receive free legal information as a measure to ease access to justice for the vulnerable people. On the other hand, these trained and certified cybercafé agents during the FGD, reported that digitalization of justice services has created jobs for at least 792 certified people in Rwanda to assist the public in using IECMS.

3.2.1. Capacity to deliver legal service using ICT platforms.

When asked about the ministry of justice's capacity to provide digital legal services, the chief digital officer reported that all the staff members at MINIJUST can navigate all ICT platform that are currently being used in the justice sector. She emphasized that the fact that MINIJUST was the driving force behind the establishment and implementation of IECMS and other ICT-related initiatives in the justice sector, implies that the ministry was ready to use this new system and was adequately equipped to do so. She further mentioned that MINIJUST employs a permanent team whose job it is to supervise and keep track of IECMS's effectiveness across the country. Similarly, the Inspector General of Courts in Rwanda explained that digitalization of courts processes in Rwanda being not an option but a must, all concerned users were trained to make sure that they get familiar with IECMS. She added that, it was not an easy exercise at the beginning, especially with old employees, but by the time of interview she confirmed that judiciary of Rwanda is well equipped to IECMS for use.

In contrast, most participants in the FGD agreed that even though they are routinely trained on digital platforms in the everyday businesses, it is still evident that many of them lack the

technical know-how to formulate court orders in IECMS. In the words of one cybercafé agent who participated in the FGD, *“Since IECMS was introduced in Rwanda, we were trained only once on the use of this platform, yet we are expected to assist citizens filing their cases using this platform. It is still a challenge for us to use IECMS especially when it comes on issues related to the formulation of court order where our expertise and skills is really limited.”* He added that, *“citizens assisted filing their cases repeatedly come to us over and over again for follow-up which is really very tiresome because sometimes they come when they have forgotten their user accounts and passwords and they don’t pay us again for these follow up exercises, which is also a big problem to both citizens and cybercafé agents”*.

3.2.2. Advantages of introducing technology in providing and accessing justice

Digitalization of all courts processes in Rwanda has not only presented a better approach to carry out existing practices but also has presented the opportunity for developing additional practices and fundamentally changing the way justice administration provides services. When both seekers and providers of legal services were asked to highlight advantages of using ICT for providing and accessing justice services, they reported that with the use of ICT, several barriers were broken down including delays connected to judicial proceedings, lack of necessary information, money and time wasting, unequal access to legal services, lack of transparency and physical barriers and exclusion of people with disabilities among others.

3.2.2.1. Barriers related to delays in getting justice and lack of information were broken-down.

Digitalisation of the justice sector helped Rwandan community to easily access legal information which has played an important role in crime prevention. At the same time, legal service providers also easily access case reports and relevant legal documentations that enable them to effectively discharge their duties. One of the respondents is quoted to have said; *« Digitalisation of the justice services is much faster than in-person services, this helped me because my case needed urgent attention and close follow up. I was also able to save money that I would have spent on travelling back and forth for my documents, appointments and so on. The use of ICT in accessing legal services is vital in access to case information he added»*.

3.2.2.2. Barriers related to money and time wasting and unequal access to justice services were broken down.

Prior to the adoption of the use of ICT in the justice sector, citizens in need of legal services were responsible for any costs incurred in the processing of court documentation and services, as well as lawyers' travel expenses. As a result, the vulnerable who could not afford all these expenses could not access justice while others opted for self-representation before court. Currently with improved use of technology in the justice service, respondents reported that the issue of financial burden and high court was resolved. Majority of court users that were interviewed reported that they now perceive the justice system as accessible to all due to the adoption of ICT in justice sector.

In a happy voice, one of the respondents reported; *«Some of the major challenges that were resolved due to use of technology, especially in courts, include travel and meal expenses. Initially, we used to spend a lot of money on travelling and food while going to courts to submit cases. Sometimes we could be asked to go back and return later yet we had already made long distances and spent a lot of money. But now, we no longer travel to courts to file cases, we simply use IECMS and go to court when it is necessary in case, we have been called on to plead. Additionally, a young man that participated in the interview is quoted to have said.*

«Initially, it used to be too expensive to follow-up on a case and be present for every meeting. The constant travels to and from legal aid centres was tiresome that we would just abandon the case. Today, we simply email the legal aid providers like LAF or reach their toll-free lines. We do not have to go there physically, hence finding it very convenient and time keeping”.

Moreover, another poor woman emphasised on the importance of using technology while accessing legal services and she said, *“ICT is good because it is quick even though it may be difficult for us the elderly to use. For instance, instead of spending ten thousand Rwandan francs, you will pay one thousand Rwandan francs because you do not need to travel by bus or even pay for meals and drinks while on your way. Had it not been for the use of IECMS in my recently concluded cases, I would have sold my pig to get transport for all the travels to court. I am glad IECMS saved me from losses of constant transport fees to and from court.”*

On the same note, another respondent was quoted to have happily reported, *«The very most advantage I have seen associated with using ICT while seeking legal services is that I was able to attain justice at zero cost. I called LAF's toll free number using my simple mobile phone and their lawyer advised me on my issue. My case was resolved without making any single movement from my village to Kigali. I just heard that LAF works from Kigali, but I had never been to Kigali, yet they resolved my issue without even physically meeting me.*

3.2.2.3. Barriers related to lack of transparency and efficiency were broken down.

The digitalization of justice services in Rwanda has significantly increased the transparency and efficiency of the judicial systems and has considerably reduced the risk of corruption. Deriving the words of one key informant from the judiciary of Rwanda, *“The use of ICT in providing legal services like digital processes and virtual hearings has improved access to justice services and has demonstrated a significant positive impact on quality and legitimacy. Additionally, increased transparency was achieved by making information more accessible, securing legal documents, and reducing the risk of corruption”*.

3.2.2.4. Barriers relate to exclusion of people with disabilities and geographical imbalance of legal aid providers were broken down.

As it was revealed by some respondents, legal service providers/ institutions are not equally distributed in all parts of the country, especially in the rural areas. The geographical imbalance of legal aid providers was negatively affecting access to justice in rural areas before the introduction of use of technology. However, since the virtual decentralization of courts, legal aid providers and the vulnerable people in need of legal services can now access all the services they need easily.

One respondent is quoted to have expressed himself; *“In my view, the use of technology in courts has solved many physical barriers. We used to spend hours travelling back and forth to courtrooms, while others would be unable to travel to cities where most of the courts are located due to transportation issues and weather conditions. As of today, there are limited barriers that can hinder us from accessing court services simply because we get all updates through IECMS and sobanuzainkiko»*. He also added, *“Another big challenge that we completely solved is overcrowding in courtrooms as we used to all be physically present at court premises for any slight inquiry we needed from courts. Today not everyone has to be physically present in a court since we are able to make follow-ups on our cases online which I think is a positive thing.”*

Besides the reported barriers that were broken down with the use of technology, persons with disabilities that participated in this research reported to have been facing great challenges while accessing court services due to the geographical imbalance in the distribution of courts. However, with the adoption of ICT in the Justice sector especially in courts, limited access to legal information, courts and other dispute resolution avenues, lawyers, and legal aid programmes for this specific group of vulnerable people was resolved.

One of the respondents among people with disability however reported that more efforts are still needed to support people with disability to easily access justice. He said, *“For those of us that live with different forms of disability, authorities in charge should create accessibility systems for the visually impaired because the use of some ICT tools is very difficult for us.”*

3.2.3. Disadvantages of using ICT solutions in providing and accessing legal services

Disadvantages related to the use of technologies to provide and access legal services were commonly highlighted by all seekers and legal service providers selected for this study to be loss of interpersonal communication, high setup costs and technical difficulties, consequences related to internet connectivity problems, tech illiteracy, personal information breach and the trial process of sensitive cases via ICT platforms and probability of cyber insecurity.

3.2.3.1. Interpersonal communication loss

The additional disadvantage reported by the interviewees in this study is a loss of interpersonal communication due to digitalization of justice services in Rwanda. Many respondents of this study viewed interpersonal communication as being essential in communicating especially in courts related business. Again, respondents narrated that often technology takes more time as reviewing a video of a 3-hour testimony takes the whole 3 hours, whereas reading a transcript only takes 30 minutes.

3.2.3.2. High setup costs and technical difficulties:

The respondents reported that all technology is not the same. For instance, compared to audio recordings, video recordings are more expensive and require larger e-files to store. Similarly, any courtroom technology also needs competent employees who can use it successfully, which raises the cost for training and support. More so, respondents added that even the set-up cost is relatively high, and that the cost for frequently maintaining the devices is also considerable. Lastly, the interviewee narrated that, judicial work can frequently suffer from computer/telephone and internet problems.

3.2.3.3. Tech illiteracy:

A significant portion of the population in Rwanda lacks computer and smartphone operating knowledge. In their responses respondents found it incredibly challenging to use and comprehend e-justice. One elderly woman sadly narrated; *“technology in legal services only*

favours those that have means to afford and to use ICT tools effectively, however for a person like me, I find it to be a bad thing since it complicated and stressed me while I was seeking justice in court to the extent that I lost my case. I strongly believe if it wasn't for the complicated IECMS, I would have not lost my case». Another respondent was quoted to have said; My satisfaction with the use of ICT in courts is very minimal simply because I experienced the worst while using IECMS for the first time. How can someone submit all the required documents via the IECMS system and then find out that they were not uploaded, and the judge did not find them. These were supporting evidence and documents that would have helped me win my case, but when the last day of pleading reached, I was told the evidence was missing. I lost the case, and I am still angry to date.

3.2.3.4. Personal information breach and Cybercrime:

There is always a chance that private information about citizens held in digital legal systems may be stolen. In addition, an information leak can cause the public to lose trust in the judiciary's ability to protect rights and freedom of the people, making cybercrime a severe problem. On the top of that, other common disadvantages report including difficulties in making certain that information provided is validated and authenticated as necessary and that data security is assured. In the word of one respondent “*With the modern technologies of artificial intelligence and deep algorithms, original video and audio can be altered to false but convincing images, sounds, and video. Besides that, many Rwandans are computer illiterate, to be able to use technologies for access to services is challenging. I remember one day when IECMS shut down for almost the whole day, legal service delivery was seriously affected, and we were really frustrated.*”

3.2.4. ICT and legal service delivery during the COVID-19 pandemic in Rwanda

During the difficult times, when COVID-19 rocked the entire world, Rwanda continued to provide legal services using Information Communication and Technology. This was confirmed by the chief digital officer of MINIJUST when she was asked about how the use of ICT affected legal service delivery during Covid times in Rwanda. Happily, she replied. “*During the COVID-19 pandemic where most services in all countries stopped functioning, we are happy that the justice sector had already adopted the use of ICT, and this helped us to continue providing legal services to the general population*”. Even when people were locked down in their homes, those that needed to file cases to court were able to make it, since it was not requiring them to walk to courts”. Similarly, the FGD emphasised the role of ICT during the

COVID-19 pandemic times. During this discussion, one legal officer from LAF stated in his words. *“It is surprising that even when citizens were locked up in their homes due to the restrictive measures against the pandemic, they happily accessed legal assistance of any kind that they wanted. Many people used to call our toll-free lines using their simple mobile telephones and inquired from LAF’s legal officers on how to handle different legal issues they had”*.

3.2.5. Levels of satisfaction of legal service providers with the use of ICT in service delivery

When invited to talk about their degree of satisfaction, the Chief Digital Officer from MINIJUST and the Inspector General of Courts of Rwanda, reported their high level of satisfaction with the use of ICT in providing access to justice for all, in Rwanda. Similarly, when asked the same question, some FGD participants stated that they highly appreciate the improvement of the legal service delivery in Rwanda using ICT. However, other participants were not fully satisfied. In his words, one FGD participant said, *“My level of satisfaction with the use of ICT in legal service delivery is low. I am not happy with how some people we assist, especially those that are illiterate on navigating the ICT platforms, cannot navigate these platforms on their own. There is lack of privacy when another person has to go through your case while submitting it to court on your behalf. We are just happy that our work has been eased with the use of ICT, but I think there are some vulnerable people who end up failing to access justice simply because they are required to use digitalised platforms which may be hard for them to afford and use”*.

3.2.6. Challenges still faced in using ICT to access justice

The selected providers of legal services in this study noted a variety of challenges encountered while providing legal services with the digitalized court procedures. These include, among others, issues with ICT infrastructure (low internet penetration, high cost of electronic devices like computers, smart phone, or tablets, etc), electricity supply that is not yet covering the whole country, IT literacy which is very low especially among vulnerable people in Rwanda, and issues with information security (it is easy for parties conflicting in a case to easily access information about the other party through ICT. At the same time, during the court hearing, scammers can create fake audio and video evidence using deep-fake technology that creates false but convincing visuals).

Borrowing the words of one FGD participant *“In comparison to the need of the required legal services by citizens, especially, vulnerable individuals, there are still a very small number of cybercafé agents who are trained and accredited to assist citizens submitting cases in IECMS. Again, it is very difficult to see a cybercafé agent working from remote areas since there is still a problem of insufficient internet connectivity and other ICT infrastructure. This makes it challenging for some residents to access legal services. Moreover, when someone wishes to file a case in court, there is once again a lengthy process involved in using ICT. For instance, during the paper-based era, people were submitting their cases directly to the courts, which seemed to be a faster option. However, today with e-justice, anyone wishing to file a case must first open an email and an IECMS account, safely keep his/her login information, and then file their cases with the appropriate court. This lengthy process can deter some uneducated and disadvantaged persons from seeking justice. To end, the fees associated with accessing IECMS may discourage the poor from seeking legal assistance”*.

4. Recommendations

Although there are significant obstacles to ICT adoption in the legal system of Rwanda, they are not unsolvable. Based on the findings of this study, respondents addressed their recommendations to different concerned stakeholders.

to significantly improve access to justice and legal services for citizens as well as to develop a thriving legal technology sector that will provide equal access to justice for all and at the same time reduce the workload for judicial officers and their staff. It was recommended that:

4.1. Recommendations to increase the knowledge and skills of using IECMS for digital inclusion

- No Rwandan should be excluded from the advantages of ICT use for access to equal justice.
- Increase trainings and capacity building for legal aid providers on the use of ICT platforms especially IECMS. This is because some legal aid providers like paralegals, have limited knowledge on the use of IECMS and therefore, they do not assist the vulnerable people in court submissions.
- Increase the number of certified cybercafé agents at district levels and decentralize them to village level so that the poor and vulnerable citizens easily access legal services through them

- All local citizens in Rwanda especially the poor and vulnerable at village levels should be trained on the basic use of ICT court procedures so that even in the absence of a legal aid provider, they can easily navigate ICT platforms like IECMS and be able to file cases in court without any hindrances.

One interviewee reported *“Digitalized legal services must be decentralized, teach them to those who don't know how they operate because they are some tricks that people use as they navigate IECMS. They are some payable services, but vulnerable people do not know them, others cannot afford them and sometimes this may result into injustice. The service providers should make them closer to the public for free”*.

- Legal aid providers should always assist self-representing court users in processes of navigating court procedures like IECMS, to ensure that all vulnerable people are able to file their cases or follow-up on their cases in courts.
- Public ICT education programs should be promoted and awareness rising on the existence of digital platforms at village levels, to educate the general community on the use of technology-based platforms like IECMS, sobanuzinkiko and other platforms used while accessing legal services.

In the words of one interviewee, she narrated: *“Since all citizens don't own TVs and Radios, I would recommend campaigns to teach citizens how those digital platforms work during community works or in their different meetings. The legal services providers should also approach prisoners and transit centres to facilitate them”*.

Another respondent also emphasized by saying, *“Educate people who don't have knowledge on how to use those digital platforms including the poor and disadvantaged ones”*.

- Digitalisation of legal services should be a gradual process that goes hand on hand with use of paper/ manual.
- The ministry of Justice should ensure that the use of IECMS is not the only option for local citizens to seek legal services.

4.2. Recommendations to reduce high cost of internet and IT equipment and increase awareness of fundamental rights

- The justice sector should pattern and collaborate with telecommunication networks like MTN and Airtel to make internet less costly and accessible in all areas of the country to ease procedures of case submissions through IECMS.

- In remote areas where internet connectivity is still a challenge, the government should collaborate with internet providers to address such concerns.

One respondent reported in her words; *“It would be great if digital justice services were less expensive and more accessible”*.

- The government of Rwanda should promise to contribute some funds to boost the poor and vulnerable people's understanding of their fundamental rights and use of ICT by implementing a public legal education program,

One respondent in his words reported, *“Most of ICT infrastructures are well set in Rwanda, what can be improved is the reduction or removal of prices when we use the government online service platform (like IECMS), because many vulnerable people fail to afford the cost”*.

- The Rwandan Justice sector should continuously innovate and introduce affordable and easy-to-use ICT tools in the administration of legal services to facilitate the poor and vulnerable court users to access legal services,

In the words of one quoted respondent, *“I wish internet connectivity is well fixed, because there are times when there is often internet instability, or the system is down for a period of time”*.

- Individuals with disabilities and other disadvantaged people should be granted additional specialized care in both training and access to affordable ICT equipment.
- The government of Rwanda should assist for access to ICTs for all, with a focus on accessibility and affordability,
- It was observed that a very clear roadmap to use ICT for equal access to justice should be created if it is to live up to its potential. Particularly, poor persons and vulnerable groups with legal needs should be at the centre of this plan,

4.3. Recommendation related to data and information privacy of courts users

As more data is digitized and shared online, interviewees of this study believe that data privacy is becoming more and more important. To enable its residents, public authorities, as well as private sector actors, to conduct their online activities securely and with the maximum protection of their privacy, respondents suggested that Rwanda's contemporary digital government, should ensure that proper data protection mechanisms are in place.

- Cybercafé agents should be trained on data protection and data privacy of court users.
- The judiciaries should put adequate cyber security measures in place to bypass fake evidence.

- Judiciaries should also avoid conducting sensitive cases on ICT platforms.

In the words of one respondent said; *“for personal information to be displayed to the public, must first consent with the concerned parties. The culture of disclosing personal information to the public using ICT must be eradicated or they should first confirm a consent with the concerned parties”*.

5. Conclusion

To sum up, it is demonstrated that the adoption of use ICT in the Rwandan justice sector has resolved a number of social economic and legal problems. The study reveals that such adoption has a range of positive and negative repercussions. It should be noted that ICT adoption has sped up the pace at which cases are resolved in comparison to before its adoption, and it has also helped to drastically reduce the backlog of cases in courts. On the other hand, the use of ICT has brought up some issues in the justice sector especially on indigent and vulnerable groups of people.

The use of technology in the justice sector has significantly improved work productivity, transparency, research accessibility, accuracy, and swift justice delivery. The most important results from the ICT use by the Rwandan judiciary was found to be the assurance of access to justice amidst the pandemic and the ability to significantly boost the effectiveness of the judicial system in Rwanda. Given the existing level of access to ICT among indigent and vulnerable citizens of Rwanda, the benefits in terms of access to e-justice are likely to be spread slowly.

First, it is important to select the staff members in charge of the community access centres to ensure that they go miles and miles to assist the vulnerable in rural areas. Secondly, it would be beneficial to create ICT applications that guarantee data security. Privacy of people and organizations may be jeopardized if not controlled adequately. When a lot of service delivery processes are automated, handling exceptions is challenging. Some special cases for people living with disabilities should be considered to leave no one behind.

In this report, several valuable recommendations are made for effective use of ICT to access justice in Rwanda. While the research team is confident that the results of this study will serve the purpose for which it was commissioned, it still believes that further studies both quantitative and qualitative to investigate more about, persisting challenges to access quality justice for all, in spite of the adoption of ICT for service delivery would be very useful. This would help to

dissect all the aspects underpinning the existence of major challenges that are not resolved and how they may be addressed. The research team therefore finds it more desirable to undertake multidimensional and cross-sectoral approaches to analyze the impact of ICT for access to quality justice.

