



OPRC Public Engagement response form

Respondent name: Ebube G. Ogbonda, Dr Sarah Nason, Prof. Jonathan C. Roberts, and Dr Peter W. S. Butcher

Organisation: Bangor University

Introduction and background

We at Bangor University welcome the opportunity to respond to the current consultation. This response is submitted on behalf of a research group comprising members of the School of Computer Science and the School of Law. The authors include Ebube G. Ogbonda, Dr Sarah Nason, Prof. Jonathan C. Roberts, and Dr Peter W. S. Butcher, who have collaboratively researched legal innovation, visualisation, and access to justice. Our work spans the design of explainable legal AI systems, ODR tools, and legal design evaluation methods. We draw on our recent works – including an IEEE (Institute of Electrical and Electronics Engineers) VIS 2025 poster on explainable visualisation for law, a study on harnessing generative AI for ODR in employment law, a comprehensive survey of visual tools for legal interpretation, and a critical design strategy for evaluating visualisation designs – to provide evidence-based answers to the consultation questions.

The OPRC's draft Inclusion Framework and Pre-Action Model set standards for accessible digital justice services, emphasising transparency, privacy, and referral protocols. These initiatives come amid a digital transformation in justice, with ODR gaining prominence, especially as legal aid cuts widen the justice gap. However, ODR tools are fragmented and often prioritise efficiency over inclusivity and understanding. There's a need for digital justice to be inclusive, transparent, and accountable from the start. Our response highlights how the Inclusion Framework and Pre-Action Model can embed legal design, access, transparency, explainability, and responsible innovation, supported by academic research and practical design efforts, including concepts and applications like Artemus (Roberts et al., 2022) (visualise administrative justice paths of redress); LexVizExplorer (a visual legal guidance prototype); and JSON schemas for explainable AI. These ideas aim to enhance access and trust, though some are still in development as part of funded research, including PhD research at the University.

We believe any “digital justice system” must be user-centred, transparent, and accountable from the start. Our response highlights human-centred legal design, user inclusion, ethical AI, and system interoperability – showing how these can be integrated into the framework. We also present research concepts like the visual legal guidance prototype (“LexVizExplorer”) and data schemas for explainable AI to demonstrate how technology can improve access and trust in digital justice. In the following sections, we address selected consultation questions (namely, Questions 1, 2, 3, 5, 7, and 9) that align most closely with our expertise. For each, we evaluate the OPRC's proposals and



offer recommendations supported by academic research and practical design insights. We conclude with overarching recommendations intended to help the OPRC refine the Inclusion Framework and Pre-Action Model to better serve the public through inclusive, transparent, and innovative digital justice services.

Questions concerning the OPRC's draft Inclusion Framework

Question 1: Are these the right purposes for the OPRC's Inclusion Framework? If not, what other purposes should the Framework have? If not, why not and what other purposes should the Framework have?

Comments:

Yes. The Inclusion Framework's stated purposes – to embed inclusion in rulemaking, ensure procedures are accessible and fair, and guide stakeholders to serve all users (including those at risk of exclusion) – are the right ones. They rightly focus on proactive, inclusive design and fulfilling equality duties. Emphasising inclusion “by design” is crucial, as new technologies can inadvertently create barriers if diverse users are not considered from the outset. By guiding rule-makers and service providers to focus on accessibility for vulnerable groups from the beginning, these purposes set the proper quality for a digital justice system that leaves no one behind.

Additional Purpose – Transparency: We suggest explicitly adding transparency (openness about how digital processes work) as a purpose. This would highlight that building public trust is a goal of equal importance. Users are more likely to engage with and have confidence in online justice services if they understand how decisions or recommendations are made. Research shows that people engage more when they know the reasoning behind an outcome [C:\file-P4Ni2XczeBBiGQC7DqNaY2](#) (Ogbonda et al., 2025). For example, if an online system triages a case and suggests a next step, the user should be able to see why that suggestion was made. Making transparency an explicit purpose of the inclusion framework would ensure the digital justice system is not only fair and accessible, but also clearly explainable to the people using it.

Question 2: Are these the right aims for the OPRC's Inclusion Framework? If not, what other aims should the Framework have? If not, why not and what other aims should the Framework have?

Comments:

The draft Inclusion Framework lays out a strong set of aims detailing how to achieve its inclusive purposes. The draft prioritises designing services around user needs (including co-design with end-users), ensuring accessibility and clarity (using plain language and meeting disability access standards), providing multi-channel



support (so people can get help via online or alternative methods), and building in inclusive governance (for example, conducting inclusion assessments for new procedures, having an inclusion advisory group, and introducing a “Right to Challenge” so users or advocates can flag exclusion problems). Importantly, it also emphasises measuring outcomes through data – for instance, tracking who uses the services and where users encounter difficulties – to enable continuous improvement. These aims are comprehensive and align with modern best practices in digital inclusion and legal design. Simplifying legal language and interfaces makes processes more approachable for those with limited literacy or legal knowledge. Oversight and feedback mechanisms ensure accountability. Using evidence (metrics on usage and outcomes) will enable the OPRC to refine the system based on what works in practice and what does not, rather than assuming the design is effective.

We fully agree with these aims and suggest adding two complementary aims to strengthen the Framework further:

1. **Explainability of Digital Processes:** Any digital tool or process (especially if it involves automated decision-making or AI) should be able to provide users with an understandable explanation of the logic behind it. This means, for example, if an online platform suggests a particular action or provides a legal information result, it should (where feasible) also communicate the reason in simple terms (“You mentioned X, so the system is suggesting you consider Y”). Emphasising explainability as an aim guards against “black box” technology. Ensuring that users are not left bewildered by outcomes and can trust that the system is not arbitrary. This addition would reinforce the Framework’s commitment to fairness and user empowerment. This addition also aligns with emerging best practices, as transparency in algorithms leads to greater user trust and engagement. Our work with explainable AI for law underscores that even basic explanations significantly improve a user’s comfort with digital advice tools (Nason et al, 2025).
2. **Interoperability and Joined-up Services:** The Framework should aim for a cohesive ecosystem of digital justice services. Inclusion does not require only making each individual platform accessible, but also ensuring users can navigate across the *network* of services without falling through cracks. Many people’s justice journeys involve multiple agencies (courts, tribunals, ombudsmen, other ADR services and complaint handlers etc.). Therefore, the Inclusion Framework should promote collaboration and data-sharing among providers. For example, if someone starts getting help on a public legal education website, but where a court application is necessary to handle their issue, the transition should be easy, and the user should not be left to figure it out alone. Stating interoperability as an aim would strengthen the point for the Pre-Action Model’s referral system (at a paras 138 to 141 of the Model). This signals that from the outset, rules and systems should be designed to complement each other. In practical terms, this might involve



developing common referral protocols or technical standards (discussed in our answers to later questions) so that a user's information can move with them from one service to another. Our concept of a visual legal navigator (LexVizExplorer) directly seeks to address this need: We envision developing a user-friendly map of resources so that individuals can see all their options as part of one continuum, rather than isolated websites. By including an aim of joined-up services, the OPRC would encourage such all-inclusive solutions and underscore that *inclusion* means no user is left adrift in a fragmented system.

In summary, the existing aims of the Inclusion Framework – user-centric design, accessibility, multi-channel support, inclusive rule-making practices, feedback mechanisms, and data-driven oversight – are well-chosen and robust. Adding explicit aims for **explainability** and **interoperability** would further ensure that digital justice services are not only individually accessible and fair, but also transparent in operation and interconnected as a network. These enhancements would foster greater understanding and trust among users and create a more seamless experience, thereby advancing the Framework's ultimate goal of an inclusive digital justice system.

Question 3: Does the OPRC's draft Inclusion Framework correctly reflect the principles, standards and mechanisms necessary to ensure that digital inclusion is embedded from the outset in the work of the OPRC? If not, why not and what other principles, standards and mechanisms should the Framework include?

Comments:

The draft Inclusion Framework outlines the fundamental principles and mechanisms required to integrate digital inclusion from the outset. The draft emphasises accessible design (meeting standards like WCAG 2.1 and using plain language), multi-channel support (so services are usable by those offline or with low digital skills), and affordability and connectivity considerations (e.g. designing for mobile use and low broadband conditions). These measures are essential to prevent digital exclusion. The Framework also introduces accountability mechanisms, such as a "Right to Challenge," which allows users or intermediaries to flag when a digital process is not accessible or working for them. We support this, as it creates a formal feedback loop for correcting accessibility issues. Ideally, such challenges would be reviewed by an inclusion advisory group or similar body, ensuring that valid concerns lead to improvements. Another strength of the draft Framework is the commitment to **co-design and user engagement**. This suggests that OPRC will require the involvement of people with diverse needs (including those who have historically been excluded) in designing and testing digital procedures. We strongly support this approach: designing *with* users, not just *for* them, is the best way to ensure services meet real-world needs. Often, usability testing with individuals who have disabilities or who are not confident with



technology reveals barriers that developers may not have anticipated. By making co-design and iterative testing standard practice (for example, requiring user testing results to be considered before launching a new online process), the inclusion can be embedded into the lifecycle of service development.

We suggest a few additional principles and standards to reinforce inclusion from the outset:

1. **“No Wrong Door” & User Guidance:** The digital justice system should be easy to navigate, even for users who do not know where to begin. This means that whichever “door” a person knocks on – whether it is a court website, an advice portal, or a government helpline – they should either get the help they need or be guided to the appropriate place. Practically, this requires strong signposting between services and possibly a unified entry portal (as we discuss in Question 7). This also means embedding guidance and education into digital tools. For instance, online forms could include plain-language explanations of legal terms or interactive help agents to answer common questions. Short tutorial videos or infographics could prepare users for processes (like what to expect in an online hearing). These kinds of user support features ensure that people of varying digital literacy can use the systems confidently. The goal is that users never feel lost or overwhelmed – the system should actively assist them in navigating their legal issue.
2. **Ethical Use of AI and Automation:** If the digital processes incorporate AI tools (for example, a chatbot for legal triage or an automated system to classify case types), there should be standards to ensure these are inclusive and fair. This includes using diverse and representative data to train AI models, so they do not inadvertently disadvantage certain groups, and making AI decisions explainable and contestable. Users should be informed when an AI is aiding a decision (rather than a human), and there should be an option to have a human review or override an automated decision if necessary. Moreover, AI should be deployed only where it genuinely improves efficiency without sacrificing accuracy or empathy. Our research on **generative AI for ODR** (Nason et al., 2025) has shown that combining AI with up-to-date legal information and human oversight produces the best outcomes. The Framework should incorporate guidelines like *use AI to assist, not replace; keep a human in the loop for judgment calls; and continuously test AI systems for bias or errors*. By including ethical AI principles from the start, the OPRC can prevent problems such as “algorithmic exclusion,” where a one-size-fits-all automated process might poorly serve certain users.
3. **Language Accessibility:** To truly be inclusive, digital justice services should accommodate the linguistic diversity of users. In Wales, this means all essential interfaces and information must be available in Welsh as well as English, treating both languages equally. Additionally, the Framework should encourage providing content in other prevalent community



languages or at least making translation services readily available (for example, offering easy links to translated guides, or integrating with translation tools). Language should not be a barrier to understanding one's legal situation. Ensuring bilingual and multilingual support from the outset also signals respect and inclusivity to communities that might otherwise feel alienated by an English-only interface.

4. **Inclusion Oversight and Safeguards:** We recommend establishing a dedicated inclusion support or unit within the OPRC structure (and/or Moj/HMCTS) to monitor and enforce these standards. For example, before a new online court procedure is rolled out, it may undergo an "Inclusion Impact Assessment" – a systematic review of accessibility, followed by a sign-off from the inclusion body to confirm that proper testing and accommodations are in place. Additionally, periodic audits (perhaps annually) could be conducted on each digital service to identify any emerging inclusion issues (e.g., a new technology that is not screen reader compatible, or a trend in complaints from a particular user group). Formalising such oversight mechanisms will keep inclusion at the forefront of OPRC's work beyond the initial design phase.

In conclusion, the OPRC's draft Inclusion Framework already reflects most of the necessary principles, standards, and mechanisms for embedding digital inclusion from the start. By adding the above elements – a **no-wrong-door** approach with strong user guidance, explicit **ethical AI** guidelines, robust **language accessibility**, and proactive **inclusion oversight** – the Framework will ensure that the digital justice system is accessible and usable for *all* users, especially those who have traditionally been left behind by technological changes.

Questions concerning the OPRC's draft Pre-Action Model

Question 5: Does the OPRC's draft Pre-Action Model correctly reflect the principles and standards necessary to promote the wider use of efficient digital processes, including artificial intelligence, to identify legal problems, provide legal advice, and resolve disputes promptly? If not, why not and what principles and standards should the Pre-Action Model include to achieve this?

Comments:

The Pre-Action Model's overarching aims – to encourage public use of digital tools, improve access to early dispute resolution, save time and cost through appropriate early settlements, and ensure smooth transition to court when needed – are sound.



Our focus here is on the principles and standards to achieve those aims through effective use of technology, including AI.

The draft Pre-Action Model does highlight key principles for using digital tools (including AI) to resolve disputes efficiently. We agree that technology can significantly assist in early legal problem-solving, but the deployment must be **responsible, transparent, and user-centric** to gain public trust. Below, we outline and augment the principles that should guide this effort:

1. **Transparency and Explainability:** Users should know when they are interacting with an automated system and should be given explanations for any significant output or recommendation. The Model rightly mentions transparency as essential. In practice, if an online platform uses an algorithm to, say, suggest a user try mediation instead of court, it should disclose that this suggestion came from an automated analysis and briefly explain why (“e.g., based on the information you provided about a landlord/tenant dispute, mediation is recommended as a first step”). Providing a view of the logical reasoning demystifies the process. We have found that users are much more likely to trust and follow advice from an AI-driven system when they understand the rationale behind it (Nason et al., 2025). Therefore, the Pre-Action Model should explicitly require that AI-driven legal assistance tools include user-facing explanations or a way to “get more info” about how an outcome was determined.
2. **Appropriate and Proportionate Use of Automation:** Not every legal dispute is suitable for a quick, algorithm-driven solution. The principles should state that digital processes (including ODR platforms and AI advisors) should be used where they are **proportionate** to the nature of the problem. For relatively straightforward, low-value, or high-volume matters (for example, a simple consumer complaint or a small money claim), automated triage or negotiation tools can indeed save time and resolve issues promptly. However, for complex, emotionally charged, or high-stakes disputes (such as cases involving domestic abuse or large financial claims), human judgment is crucial, and technology should play a supporting role at most. The draft Model hints at this by emphasising that processes should be context-appropriate, and we strongly reinforce that point. Standards should encourage early triage to route cases to the *right* pathway: simple cases to digital self-help or mediation, and complex cases to human lawyers or hybrid processes. This approach ensures efficiency gains do not come at the cost of justice in more complicated scenarios.
3. **Ethical AI Standards:** If AI tools are to be widely used in pre-court processes, the Model should incorporate emerging best practices for ethical AI in law. Key standards include: **accountability** (providers of AI tools must take responsibility for their outputs and provide avenues for users to seek human review or appeal), **accuracy and currency** (legal AI systems should use up-to-date and verified legal information; they require continuous updates and oversight by legal experts to prevent errors, as we



demonstrated by grounding an AI in current law via retrieval techniques (Nason et al., 2025)), and **bias mitigation** (AI systems should be tested and audited to ensure they do not systematically disadvantage any group—e.g., not treating those with lower literacy differently in outcomes). Additionally, as noted earlier, **explainability** is part of ethical use: even if the AI’s internal workings are complex, it should output results in a way that can be understood and interrogated.

To illustrate these principles, our team’s prototype **“EmployODR”** system provides a useful example. We developed a conversational AI chatbot designed for employment disputes. We constrained it with a curated legal knowledge base (to ensure accuracy), and whenever the system suggests a course of action (say, “You might consider filing an unfair dismissal claim”), it simultaneously presents the user with a brief explanation or a visual chart showing how the system arrived at that suggestion (highlighting the user’s inputs like type of issue, employment length, etc., and how they meet the criteria for that claim). The system also provides the user with options—such as viewing alternative routes (mediation, ombudsman, etc.) or connecting to a human advisor if the user appears unsure. This design reflects many of the standards we advocate: the AI is transparent about its reasoning, it is used in an area suitable for standardisation (employment disputes with well-defined processes), and it always keeps the user’s agency and understanding in focus. We recommend the Pre-Action Model encourage developers of digital legal tools to adopt similar **explainable and user-friendly AI** design practices.

4. **Human Oversight and Fallback:** Even with advanced AI and automation, a noteworthy principle is that users should never be left without recourse to human help. The Model should require that digital services include clear pathways for escalation to a human adviser or official. For instance, if an online negotiation tool is not making progress, or if an AI legal information provider cannot confidently answer a question (or the user is skeptical of the answer), the system should facilitate a handoff—whether that is connecting the user to a free legal advice helpline, scheduling a consultation with a duty lawyer, or allowing the user to proceed directly to a court process if required. This “safety net” preserves the user’s right to a fair process. It also recognises that technology will not always have the full context or empathy that a human would, especially in sensitive cases. In short: **AI should assist, but humans must remain available.** This principle will also reassure users that embracing digital tools does not mean they forfeit the option of speaking to a human or having their day in court.

We note that only four paras of the Model specifically refer to duties of Legal Information providers. At present our research demonstrates that there is extensive provision of legal information online, some of which is of questionable accuracy, especially that driven by AI, in contrast to still limited provision of ODR services in some areas of law. Whilst there are other means to promote and regulate the presentation of accurate information online, we question whether the



Model could impose additional requirements on providers of legal information, particularly public legal education materials, and whether there is scope to explore additional standards for providers of public legal education materials, particularly where they are providing information about ODR services within the digital justice system.

In summary, the Pre-Action Model is on the right track in promoting the use of digital and AI-based processes to resolve disputes quickly. We recommend reinforcing this aspect of the model with clear standards around **transparency** (explainable AI outputs), **proportionate use** (matching the dispute to the appropriate process), strict **ethical guidelines** (accountability, accuracy, bias-checking for AI tools), guaranteed **human oversight** and fallback options, and technical **interoperability** (ensuring these digital tools can integrate into the wider justice system). With these in place, the public can be encouraged to make fuller use of online legal services and AI assistants, with confidence that these tools will be effective, fair, and complementary to traditional justice channels rather than a black-box replacement.

Question 7: Does the OPRC’s draft Pre-Action Model correctly reflect the principles and standards necessary to improve public access to the wide range of legal services available online? If not, why not and what principles and standards should the Pre-Action Model include to achieve this?

Comments:

A core goal of the Pre-Action Model is to help people find and use the many online legal services and dispute resolution avenues that exist (or will exist). We agree that the draft emphasises the correct principles, especially discoverability, clear signposting, and interoperability among services. To strengthen this aspect, we propose several existing standards:

1. **Unified Entry Points and Signposting:** Users often do not know where to start with a legal problem, especially with a fragmented landscape of providers. The Model should encourage the development of a central “front door” or a well-coordinated set of entry points for legal information and guidance. This could be a publicly funded **solutions explorer** or triage website that asks users simple questions and directs them to the appropriate service (The Law Society, 2025). Even if such a one-stop portal may not be immediately available for every area, every major legal service should commit to robust signposting. In practice, this means if a user lands on a platform that is not right for their issue, that platform will guide them elsewhere rather than leaving them at a dead end. For example, a tribunal website might prominently say, “If your issue is X, you may actually need to go to Y” and provide the link. The emphasis is on **no wrong door**: wherever



a person seeks help, they get either the help they need or at least a clear referral to the right place.

2. **Seamless Referrals and Data Handoffs:** Hand in hand with signposting is the need for smooth referrals. If a user is passed from one service to another (say from an online advice chatbot to an ombudsman portal), the process should minimise the effort on the user's part. Ideally, basic information about the case (with the user's consent) should travel with them so they do not need to repeat their story. We recommend the Model establish standards for a **referral package** – a set structure for key data (names, issue summary, steps already taken, etc.) that can be digitally transferred between services. This ties into the technical data standards discussed in Question 9. The principle here is that the user experience should be of one connected system, not dozens of isolated websites. A person might use multiple services to resolve a dispute (information site, mediation platform, court form), and each handoff should feel like part of a unified journey.
3. **User-Centred Navigation and Design:** Improving access is not only connecting systems in the background; this also means presenting options to users in an intuitive way. People think in terms of problems (“I have a wage dispute”) and outcomes (“I want compensation”), not in terms of the names of agencies or specific legal procedures. The Model should require services to adopt plain-language categorisation of issues and, where possible, visual or step-by-step navigational aids. For instance, instead of a court website listing forms by code, it could first ask the user, “What is your issue about?” and then guide them (“You said employment issue – have you tried ACAS conciliation? If not, start here. If yes and it did not work, next you can submit a tribunal claim.”). Our developing **LexVizExplorer** prototype concept seeks to exemplify this approach by displaying a visual map of possible pathways, so users can see, for example, how a complaint might flow from an ombudsman to a court or what alternatives exist at each stage. Even in simpler form, things like flowcharts, guided questionnaires, or FAQ-based navigation can help clarify the range of services. We urge the OPRC to include a standard that the information architecture of online services should be designed from a user's-eye view – organised by everyday problems and stages, not by institutional structure.
4. **Collaboration and Cross-Referral Culture:** To make the above happen, the various players in the system need to actively cooperate. The Pre-Action Model should set an expectation (even if by voluntary commitment) that providers maintain awareness of each other's offerings and keep referral information up to date. This might be facilitated by the OPRC or the Ministry of Justice hosting regular stakeholder forums or creating a shared knowledge hub about online services. The key point is that improving access is a collective endeavour: courts, legal aid organisations, advice charities, ombudsmen, and private ODR platforms should see themselves as part of one ecosystem. For example, if a user comes to a small claims court with a complaint that is actually suited for a consumer ombudsman, court staff or the court website should be able to point the user to that



ombudsman scheme immediately. A culture of warm referral (where one service actively connects the user to another, rather than just telling them to try elsewhere) will significantly enhance user experience.

5. **Inclusive Access Across Services:** Finally, it is not enough that the entry point is accessible – every service in the chain must be accessible. The Model should tie back to the Inclusion Framework by requiring that any service to which users are referred meets basic accessibility standards (e.g., disability, language). There is little benefit in referring a user with limited English to an online tool available only in English, for instance. This could be handled through an accreditation or vetting process: services that wish to be part of the official “digital justice network” should demonstrate that they meet the inclusion criteria. The OPRC could maintain a registry of approved/preferred online services that are known to adhere to these standards. This way, improving “access to the range of services” also means ensuring those services are usable by the range of people who need them.

In summary, the draft Pre-Action Model accurately identifies that public access to online legal services needs to be improved through enhanced navigation and integration. Our recommendations above highlight how to operationalise that: **no wrong door** entry and signposting, seamless referrals with data transfer, user-focused design of information, active collaboration among service providers, and consistent accessibility across the board. If implemented, these standards will make it far more likely that someone with a legal problem can find the right online resource at the right time and move through the process without unnecessary frustration.

Question 9: Does the OPRC’s draft Pre-Action Model correctly reflect the principles and standards necessary to facilitate the smooth transfer of data between pre-action public and private providers, and, where necessary, from those providers into the online court and tribunal dispute-resolution systems? If not, why not and what principles and standards should the Pre-Action Model include to achieve this?

Comments:

We strongly agree that seamless data transfer is essential in a digital justice system. When a user’s journey spans multiple platforms (as is often the case, moving from advice to ADR to court), it should feel to the user like one continuous process, and they should not have to input the same information or upload the same documents repeatedly. The draft Model’s focus on a “common framework of principles and standards” for data is correct. To realise this, the Model should also include the following technical principles:

1. **Open Data Standards:** All systems in the pre-court and court ecosystem should speak a common language. We recommend developing or adopting



a standard data schema for case information that any platform can use. For instance, a structured e.g. **JSON/XML case file** format could be defined to include all key details of a dispute (parties' names and contact info, type of dispute, important dates like when the problem started or when pre-action steps were taken, a history of what resolution attempts have occurred, and any documents/evidence submitted). If an advice website or ODR provider can export this data, a court system should be able to import it (and vice versa). The OPRC should work with HMCTS and perhaps standards bodies to either utilise existing standards (like LegalXML for certain legal documents) or create a lightweight new standard for this purpose. The principle is that data entered once by the user populates every system that needs it thereafter. This reduces transcription errors and administrative burden. We suggest that the Pre-Action Model explicitly require that providers **enable export/import of case data** in a format approved by the OPRC.

2. **Core Data Set Definition:** As a first step, the OPRC can coordinate stakeholders to agree on a **minimum core data set** that should be transferred. Based on our experience, this would include: identification of the parties (and any reference numbers they have in each system), the nature of the case (perhaps using a standardised list of dispute categories), a brief narrative of the issue, and a log of actions taken or outcomes achieved in pre-action (e.g., "Mediation conducted on 01/09/2025 – partial agreement reached on rent arrears"). By standardising these elements, any platform handing off a case can ensure it provides the necessary context to the next platform. For example, if an ODR platform knows the case category (say "small business supply contract dispute") and that no agreement was reached, it can package that information for the user to take to the court website, which could then pre-select the appropriate claim form and even flag the case as one that attempted mediation.
3. **Include Private Providers via Incentives:** Much of pre-court dispute resolution might occur on private-sector platforms (for example, a property dispute might be handled by a tenancy deposit scheme's resolution service). These providers should also be encouraged to adopt the data standards. The OPRC could establish an **accreditation or partnership** scheme: services that comply with data transfer protocols (and other ethical standards) could be officially listed or integrated into the court's systems. For instance, a mediation platform that produces a compliant case summary could allow users to directly file that summary into a court e-filing system if the dispute needs escalation. Conversely, if a provider keeps their data siloed, users will have to manually re-enter everything, which is a disincentive to use that service. Thus, creating a "digital justice ecosystem" badge or API access for compliant providers gives a market incentive for them to prioritise interoperability. The Model should state that the **best outcomes arise when all providers cooperate on data exchange**, and the OPRC will facilitate that cooperation (perhaps through technical working groups as mentioned in our recommendations).



4. **Unique Case Identifiers:** Another helpful standard is to use unique identifiers to track a case across platforms. This could be as simple as each platform accepting a **Court case number or a unique dispute ID** if one has been assigned. For example, if a user starts on a government portal and gets a reference number, they could input that number on a private ODR site when they continue their case there, so that any data the ODR site collects can later be matched back to the court file. Eventually, a single digital identity or single account for users across justice services would be ideal (for example, logging in through a gov.uk account that all services recognise), but until that exists, passing reference numbers and consistent case naming conventions can help link the data behind the scenes.
5. **Privacy and Security:** Finally, while enabling data to flow freely, the system must also protect users' privacy. The Model should affirm that data sharing will be done securely (using encryption and secure APIs) and only with user consent and for justice purposes. Each handoff should be transparent to the user – they should know what information will be shared and have the ability to opt out if they prefer to re-enter data manually (though the hope is they see the benefit in not doing so). Compliance with data protection laws (like UK GDPR) is a given, but beyond that, maintaining user trust will require clear communication that their personal data is handled carefully when moving between platforms.

In conclusion, the draft Pre-Action Model is appropriate in principle about the need for smooth data transfer. By implementing the above standards – developing common data formats, agreeing on a core data set, incentivising all providers to participate, utilising unique case IDs, and safeguarding data privacy – the OPRC can create a truly interoperable system. This will mean that from a user's perspective, if they try an online resolution and then have to go to court, the online court will "know" what's already happened; or if they start with the court and a judge suggests trying mediation, the mediation service can be provided with the relevant case information. Such interoperability eases the burden on the user and also improves efficiency and fairness (since the court gets a record of prior efforts). This enables the transformation of a collection of digital services into a **connected digital justice network**, which is precisely what is needed to fully realise the benefits of a digital-first approach.

Summary of our contribution and recommendations

In closing, we commend the OPRC's proactive efforts to modernise the justice system through the Inclusion Framework and Pre-Action Model. Our analysis finds these drafts well-aligned with the goal of a more accessible and efficient justice system, and we have offered enhancements based on our interdisciplinary research. We summarise our key recommendations as follows:



1. **Embed Transparency and Explainability:** Digital services (especially those using AI) should be transparent in operation and provide users with understandable explanations for their actions or outputs. This builds trust and accountability – people are more confident when they can see *why* a system suggested a certain action (Ogbonda et al., 2025a).
2. **Co-Design and User Testing:** Continue designing with and for users, including those from vulnerable groups, and conduct iterative user testing. Mechanisms like the “Right to Challenge” and inclusion advisory panels should be formalised and well-resourced to ensure user feedback continuously improves services (Nason et al., 2025).
3. **Accreditation and Quality Assurance:** Develop an accreditation for online legal services and ODR tools that meet the OPRC’s standards. An independent panel can evaluate providers against clear benchmarks for accessibility, accuracy, data security, and fairness (Roberts et al., 2025). Integrating only accredited tools into official pathways will incentivise providers to meet these quality standards.
4. **Data-Driven Monitoring:** Regularly collect and review data on usage and outcomes of digital services. Key metrics (e.g., user demographics, completion rates, resolution rates, satisfaction levels) should be tracked and published. This evidence will help identify gaps – if certain groups are not using the services or are struggling with them, targeted design adjustments or outreach can be undertaken (The Law Society, 2025).
5. **Technical Standards Governance:** Convene a technical working group to set and update data exchange and interoperability standards (OPRC, 2025). All platforms should adopt open data schemas and secure APIs so that a “single source of truth” follows each case. This will prevent duplicate data entry and information loss as cases move between systems.
6. **Pathway Visualisation and Guidance:** Promote the development of interfaces that visually guide users through their legal options and the steps in a process. Interactive flowcharts, decision trees, or visual maps (as piloted in our EmployODR project, and Artemus (Roberts et al., 2022)) can make complex processes easier to grasp (Ogbonda et al., 2025b). Even simple visual aids can significantly improve comprehension of legal procedures (Creutzfeldt & Hagan, 2022).
7. **Responsible AI Integration:** Use AI to augment human efforts, not replace them. Deploy AI for suitable tasks (like information retrieval or form-filling assistance) but always provide a route to human help. AI outputs should reference the sources or rules they rely on, allowing users to verify and trust the information (Nason et al., 2025). Keeping AI “grounded” in authoritative information will maintain accuracy and credibility.



8. **Interoperability and No Wrong Door:** Build a digital ecosystem where every entry point can connect users to the help they need. Strengthen partnerships and data-sharing across courts, ombudsmen, regulators, and private providers so that referrals are smooth and users experience a unified system (OPRC, 2025). Common referral protocols and data standards will ensure no user is lost between services.
9. **Preserve Fairness and Choice:** Ensure that efficiency measures do not compromise fundamental rights. Online dispute resolution and advice tools should be offered as opportunities, not mandated as obligations. Every user must retain the option to seek a hearing before a judge if needed. Early online resolution should enhance access to justice, not replace the guarantee of a fair hearing.

We suppose that by implementing these recommendations, the OPRC can realise a digital justice system that truly broadens access, reduces delay, and maintains public trust in the rule of law. Our research suggests that technology and visualisation, applied thoughtfully, can demystify legal processes and empower citizens. The Inclusion Framework and Pre-Action Model provide a strong foundation for this innovation. Finally, we reiterate our support for the OPRC's vision. Transforming the justice system is ambitious, but the benefits for the public are immense – a system that is more accessible, navigable, and fair for all. Our Bangor University research group remains committed to this effort and stands ready to assist the OPRC with further evidence or pilot projects as needed.

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Responses should be sent to OPRCConsultations@justice.gov.uk by 5pm on Friday 19 September 2025.