

2025 | Background Brief 4.2

Justice Financing Framework

A Guide to Budgeting and Financing for
People-Centered Justice for the Justice Sector





BACKGROUND BRIEF 4.2

4.2 Financing Ambition #4: Research & Development, Governance, And Evidence-Based Practice and Continuous Improvement



Introduction

The JFF proposes that countries should prioritize funding for research, innovation, and implementation of evidence-based practice. In that vein, **Financing Ambition #4** proposes that countries should allocate a minimum of 0.5 percent of total justice expenditure to research and development and other mechanisms to drive performance improvements.

This background brief:

- Addresses the scope of Financing Ambition #4.
- Discusses the need for an integrated approach to research and development, an outcome-focused governance, and evidence-based practice and continuous improvement.
- Explains how Financing Ambition #4 has been derived.

1. Scope of Financing Ambition #4

Financing Ambition #4 covers a suite of interconnected functions needed to drive forward change to deliver people-centered justice:

- Research and development (R&D).
- Outcome-focused governance.
- Evidence-based practice and continuous improvement.

These three functions are essential conditions for effective spending and need to be integrated in an effective and continuous learning cycle.

1.1 R&D

Data and evidence-based innovation and learning are central to people-centered justice (see Box 1 on the next page).¹²⁸ Services to deliver people-centered justice need to be designed, developed, tested, and continuously improved, with a focus on user-centeredness, simplicity, efficiency, resolution focus, procedural justice, an experimental approach, and scalability.

¹²⁸ Statement, "Hague Declaration on Equal Access to Justice for All by 2030," *Pathfinders for Peaceful, Just and Inclusive Societies*, February 7, 2019, <https://www.sdg16.plus/resources/hague-declaration-on-equal-access-to-justice-for-all-by-2030>, emphasized the need to transform justice institutions and services by using a broader range of justice providers, and integrate high-tech as well as low-tech innovative solutions that are based on data evidence and learning. OECD Recommendation (see Box 1), supported by the European Union (EU), the United Nations (UN) secretary-general, and the UN rapporteur on judicial independence.

Box 1: The OECD Consensus on R&D Capabilities Needed for Access to Justice and People-Centered Justice

According to Section 2 of the OECD Recommendation on Access to Justice and People-Centered Justice Systems, R&D objectives aim to ensure that legal, justice, and related services are:

- Designed with people at the center, considering their rights and possible vulnerabilities, and based on empirical understanding of their legal and justice needs, preferences, and capabilities.
- Provided in clear, plain, and inclusive language and manner—avoiding complexity.
- Appropriate, proportionate, affordable, effective, and responsive to legal and justice needs, emphasizing the prevention and timely resolution of conflicts.
- Addressing recurring legal and justice needs on a systematic basis, with attention to underlying causes and considering different population subgroups.
- Supported by safeguards and procedures to ensure fair processes and fair outcomes, and ensuring quality of legal procedures.
- Developed through an appropriate mix of policy, regulatory, and other measures; and continuously improved on the basis of feedback from people, businesses, and communities about their experiences with these services.
- Ensuring that justice is within reach for everyone regardless of their geographical location, including rural and remote areas, promoting mobility to bring justice and legal services directly to the people.

LICs and LMICs may want to define the R&D capabilities in a way that is specific to their situation and resources.

1.2 Outcome-focused governance

Financing Ambition #4 covers funding for effective governance structures focused on outcomes and innovation. In many countries, the justice sector is institutionally fragmented. Cooperation and coordination between organizations will be needed for efficient and effective allocation of resources, including the delivery of joined-up services through seamless justice pathways. This may require new governance structures (which will need to respect the independence of the judiciary and other organizations).

Box 2 below summarizes OECD-recommended governance capabilities for people-centered justice.

Box 2: The OECD Consensus on Governance Capabilities Needed for Access to Justice and People-Centered Justice

The OECD Recommendation on Access to Justice and People-Centered Justice Systems, Section 3, describes the objectives for the legal and policy framework in the following way:

- Enabling seamless, efficient, integrated, sustainable, resilient, and user-centered justice pathways, in line with data privacy and protection laws and principles and respecting the independence and autonomy of the bodies involved, by:
 - Meaningfully and consistently engaging with groups of people impacted by justice systems in their own languages, including those in vulnerable situations, as well as through legal aid and civil society organizations to inform justice policies and practice.
- Strengthening coordination and cooperation mechanisms across government bodies and agencies, as well as levels of government, across public service sectors and across the justice system, including private sector providers.
- Supporting the efficiency and performance of justice institutions on the basis of data and evidence, including people-centered justice data, and strengthening openness, transparency, integrity, fairness, independence, and accountability of justice institutions.
- Ensuring sufficient resources, capacity, and appropriate management across the justice system in a manner that is inclusive and context-appropriate.
- Increasing transparency of justice system budgeting.
- Taking measures to enable effective enforcement of, and respect for, outcomes across the dispute resolution mechanisms in both the formal and informal parts of the justice system, as appropriate.
- Promoting responsible digital transformation across the justice sector by maximizing the potential of technology and data in designing and delivering people-centered legal and justice services, while preserving access to justice for people experiencing barriers to accessing technology and ensuring trustworthiness and transparency of digital tools such as appropriate artificial intelligence tools' design and audit.
- Fostering innovation and experimentation to identify and enhance simplicity, effectiveness, efficiency, and scalability of people-centered justice pathways.

1.3 Evidence-based practice and continuous improvement

Supporting improved designs, governance, and implementation for people-centered justice requires an evidence-based planning, monitoring and evaluation function (see Box 3 below). Activities include data collection, monitoring, and evidence-based design of policies and reforms, including systematic efficiency and expenditure reviews (see [Background Brief 4.3](#)).

Box 3: The OECD Consensus on Evidence-Based Planning and Monitoring and Evaluation

In Section 5, the *OECD Recommendation on Access to Justice and People-Centered Justice Systems* describes the necessary planning, monitoring, and evaluation cycles which are focused on enhancing the role of evidence for operational, policy, reform, and decision-making purposes, in line with data protection standards, by:

- Improving data availability and quality, especially from a people-centered perspective, to inform decision making, planning, investment, and reforms in the justice sector. This includes disaggregated data related to the marginalized, underserved, and groups in vulnerable situations using a comprehensive range of data sources that can be easily accessed, utilized, and made publicly available.
- Developing sound and coherent governance arrangements for justice data and evidence, supported by appropriate data security, sovereignty and privacy safeguards, interoperable systems, as well as tools and protocols to facilitate data access and sharing across the data value cycle—also to ensure equity and nondiscrimination in data collection, analysis, exchange, and use.
- Integrating justice impact assessments into the early stages of the policy, budget, and service delivery process.
- Developing and implementing monitoring, evaluation, and accountability mechanisms for people-centered justice strategies and initiatives—among others, to determine whether access to justice is experienced by all people equitably, and to eliminate any systemic barriers to opportunities and benefits for groups in vulnerable situations.
- Identify reform needs to laws, policies, or processes to advance equity and accessibility for all people—by regularly conducting robust review, evaluation, and assessment of the performance of justice systems and services, including based on people-centered justice data and at the systemic level.

- Encouraging and providing support for people-centered justice research, data generation, collection, and collaboration.
- Building the skills and capacity of relevant institutional actors to generate, collect, and disseminate up-to-date inclusive, representative, and reliable information, evidence and data—including people-centered justice and anonymized aggregated open data.

2. Need for Integrated Approach to Financing Ambition #4 Functions to Address People-Centered Justice Challenges

A long list of current challenges could be addressed through the three functions covered by Financing Ambition #4 (R&D, outcome-focused governance, and evidence-based practice and continuous improvement). An example of possible priorities developed by Hiil appears in Annex A.

To address these challenges, and as an essential condition for effective spending, these three functions need to be integrated in an effective and continuous learning cycle.

3. How Financing Ambition #4 Has Been Derived

The current international classification for justice sector budgeting¹²⁹ identifies spending on R&D but does not separately identify spending on outcome-focused governance nor on evidence-based practice and continuous improvement. Gathering data on the current spending on these two additional functions and assessing what that amount should be on a consistent basis across countries is not currently possible. Such an analysis would need to be undertaken on a country-by-country basis.

For this reason, Financing Ambition #4 is framed in terms of a minimum spend, and the level is based on available data on the R&D function. Where more data and analysis exist at a country level, those countries are invited to use Financing Ambition #4 as a foundation to set a broader and higher financing

¹²⁹ OECD/International Monetary Fund (IMF)/United Nations (UN) agreed Classification of Functions of Government category 703, public order law and safety. For more details, see "Glossary of the 1993 SNA - Definition of Term." *UN Stats*, <https://unstats.un.org/unsd/nationalaccount/glossresults.asp?glD=60>; UNDESA Statistics Division. "ST/ESA/STAT/SER.M/84," *United Nations*, 2000, https://unstats.un.org/unsd/publication/seriesm/seriesm_84e.pdf; Report. "Government at a Glance 2023." OECD, June 2023, https://www.oecd-ilibrary.org/governance/government-at-a-glance-2023_0ffb2b04-en.

ambition, based on funding required for stronger outcome-focused governance and evidence-based practice and continuous improvement.

Annex B sets out current spending patterns on justice R&D. These do not distinguish between the type of R&D spending (e.g., civil and administrative justice, versus prevention of crime and terrorism). Countries will want to ensure an appropriate allocation of resources for people-centered justice within Financing Ambition #4. Evidence from the Netherlands, for example, shows most R&D spending is on prevention of crime and terrorism.¹³⁰

Annex B also sets out, for comparative purposes, R&D spending data from the health and education sectors. One striking feature of the current spending patterns in OECD and UMICs¹³¹ is how much less their justice sectors spend on R&D, compared to either education or health (see Figure 1 below).

In OECD countries, the median R&D spend is

0.09 percent	of total government expenditure on justice.
0.6 percent	of total government expenditure on education.
1.4 percent	of total government expenditure on health.

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Comparisons with the health and education sectors are useful: like justice, they are also services to be delivered at scale and locally, with sufficient prioritization for primary front line services.

There is a notable range of spending on justice R&D within OECD countries, with four countries spending more than 1 percent (ten times more than the average of 0.9 percent), while others spend negligible amounts (see Figure 1 in Annex B).

Currently, there is no methodology for costing the necessary level of R&D to deliver people-centered justice. Until such methodology is developed, the Financing Ambition of 0.5 percent is based on the seemingly reasonable assumption that justice R&D should at least match the amount spent on R&D in the education sector. The Financing Ambition should be regarded as a minimum because it also covers outcome-focused governance and evidence-based practice and continuous improvement.

While the Financing Ambition is set as a minimum, it would still imply a five-fold increase in R&D spending in OECD countries (from 0.09 percent to 0.5 percent) and an eight-fold increase in spend in UMICs (from 0.06 percent to 0.5 percent).

¹³⁰ See analysis of Netherlands' budget with very low R&D on justice pathways here: Maurits Barendrecht and Krijn van Bee, "Regie en geld voor de derde macht," n.d., <https://docs.google.com/document/d/1ZU55ge3ymalpdVWmwKz8YCJwvRIV7Zol/edit#heading=h.35nkun2>.

¹³¹ Data for R&D spending in LICs and LMICs is too limited to calculate robust averages. But the existing data suggests they spend an even higher proportion on justice R&D than OECD and UMICs.



4. Further Analysis and Data Collection Needed

Implementing the functions of the OECD Recommendation requires a rethink of how justice sector institutions are organized. Additional analysis and data collection will be needed in order to go beyond the current minimum Financing Ambition. As the OECD Recommendations are implemented in a number of countries, more data and best practices are likely to emerge.

Annex A: Key People-Centered Justice Challenges and Need for Integrated Approach to Financing Ambition #4 Functions

A1. Key people-centered justice challenges

HiIL has identified a number of challenges that the justice sector must address before it can move toward a people-centered approach (see Box 4 below). Such challenges can be effectively met with strong R&D, outcome-focused governance, and evidence-based practice and continuous improvement.

Box 4: Examples of People-Centered Justice Challenges Which Can Be Addressed Through R&D, Outcome-Focused Governance, and Evidence-Based Practice and Continuous Improvement

- More effective processes, in order to remedy delays and overburdened agencies throughout the justice system (legislation, justice interventions provided by governments, urban/rural planning processes, prosecution, and adjudication).
- User-friendly processes for citizens, addressing complaints regarding the burdens of regulation and administrative costs.
- Increasing resolution rates, as a substantial proportion of pressing justice problems experienced by citizens are ongoing or not resolved in a satisfactory way; fair and scalable resolution of pressing justice problems persisting for decades in many countries (personal injury, family/youth problems, land problems, debt problems, proportional and effective criminal justice interventions).
- Increasing coverage due to low rates of usage of many justice services.
- Rules of procedure and ways of working that have not been updated regularly in a substantial way, and may even be centuries old.
- Few standardized processes that are linked to clearly identified and measurable outcomes, and little monitoring of outcomes in general.
- High approval rates for individual judges, lawyers, and other justice professionals—linked to low satisfaction with the overall experience and many negative side effects (stress, secondary victimization).
- Continuously declining scores on (participatory) democracy (V-Dem Institute) and rule of law indexes (World Justice Project).
- Serious doubts among substantial proportions of populations in many countries about the performance of rule of law-based democracies.

- Lack of or slow uptake of technologies (logistics providing a one-stop experience for clients, information technology (IT)-supported case management, internet, mediation and conflict resolution know-how, online dispute resolution, insights from criminology). Even simple yet promising innovations like case tracking, alternative (ADR) and online (ODR) dispute resolution, or even using email instead of paper-based communication, are often overlooked.
- Integrating informal justice (flexible, unguided, conciliatory, low-cost, outcome-focused) with formal justice (structured, expensive, adversarial, procedural) is another major area for potential improvement.
- Outcome monitoring at country level (yearly legal needs and crime victimization surveys), and at service delivery level (user surveys and standardized outcome monitoring by service providers).
- Evidence-based practice for the most pressing problems.
- Consolidation of international research and local best practices in guidelines similar to the health care sector, with funds for implementation in accordance with insights from implementation science.
- Integrating informal facilitation (informal justice processes, ombuds, mediation, ADR, settlement) facilitation and decisions (informal courts, local formal courts) into seamless, consensual resolution processes, leading to agreements and/or accepted and effective outcomes.

Annex B: Financing Data

B1. Key points on spend on R&D

- Median level of justice R&D spend in OECD countries (as percent of total government justice expenditure) is 0.09 percent (Netherlands 1.25 percent, UK 0.26 percent).
- Median of the best five OECD countries is 1.25 percent.
- The comparable figure in UMICs is 0.06 percent.
- There is insufficient data to estimate median for LMICs and LICs.
- Median level of education R&D spend (as percentage of total government education expenditure) is 0.6 percent in OECD countries (Netherlands 0.3 percent, UK 2.1 percent).
- Median level of health R&D spend (as percentage of total government health expenditure) is 1.4 percent (Netherlands 4.6 percent, UK 1.4 percent).

B2. Additional details

This analysis, prepared by ODI Global, covers sixty-six countries. The data is compiled from IMF Government Finance Statistics. The full details of the analysis are available from ODI on request.

Table 1 presents the median spending levels for each country income group, and Table 2, the number of countries where data is available.

Table 1: R&D spending as percentage of total expenditure in each sector

Government Expenditure On R&D	Justice R&D As Percentage of Total Justice Expenditure	Health R&D As Percentage of Total Health Expenditure	Education R&D As Percentage of Total Education Expenditure
Medians (percent)			
UMICs	0.063	0.430	0.429
OECD	0.093	1.379	0.610

Table 2: Data availability

Income Group	Number of Countries with Data			Total Number of Countries in Income Group
	Justice	Health	Education	
LICs	4	5	7	26
LMICs	6	9	8	52
UMICs	13	13	17	54
OECD	23	30	29	38

Figure 1 shows the level of spending on justice R&D as percentage of total government justice expenditure in OECD countries. Figure 2 compares the median level of spending on R&D in justice, education, and health as percentage of total expenditure on each sector.

Figure 1: Spending on Justice R&D as Percentage of Total Government Justice Expenditure in OECD Countries

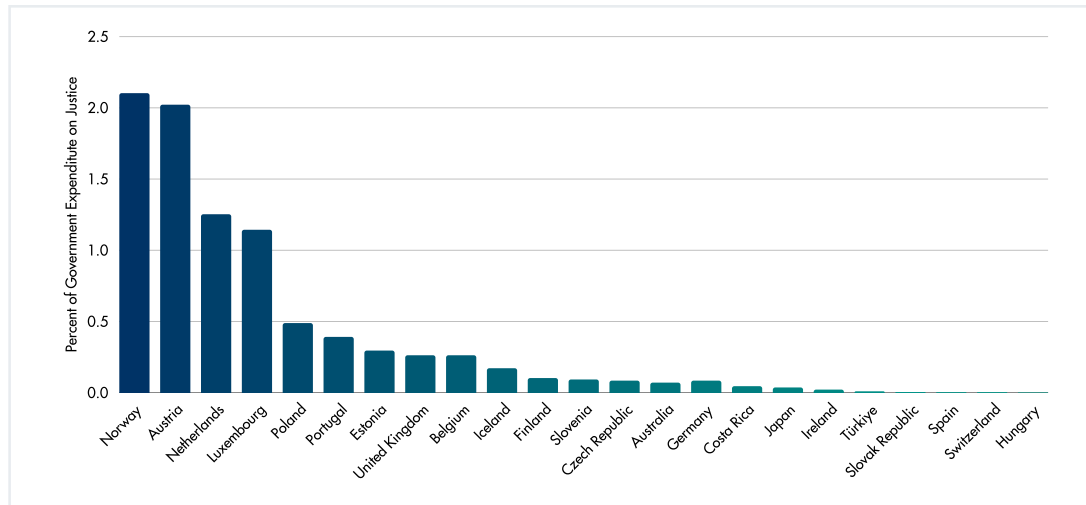
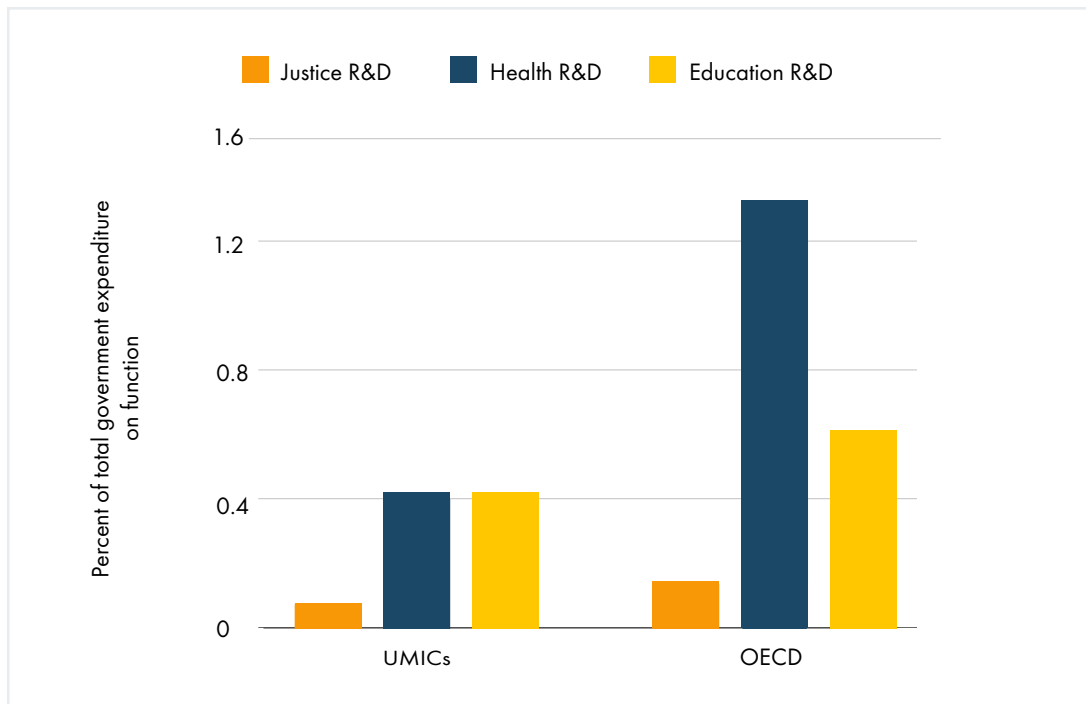


Figure 2: Percent of Total Government Expenditure on Function



Appendix of Background Briefs

Introduction and Purpose

0.1 Justice Financing Framework: Introduction and Purpose

0.2 Lessons for Justice Financing from the Health Sector

People-Centered Culture and Purpose

1 Setting High-Level People-Centered Justice Objectives

1.1 Outcomes Focused on the Resolution of People's Justice Problems

"More Money for Justice"

2 Assessing the Scope for Increasing Resources

2.1 Financing Ambition #1: Justice Sector Share of Total Government Expenditure

2.2 Judicial System Share of Total Government Expenditure

2.3 Contributions to Costs by Beneficiaries

2.4 Private Sector Investment in Justice

2.5 Financing Ambition for Countries in Receipt of Significant External Development Support

"More Justice for the Money:" More Justice Outcomes from Available Resources

3 Setting Spending Priorities in Line with People-Centered Justice Objectives

3.1 Defining Primary Front Line Justice Services

3.2 Financing Ambition #2: Primary Front Line Justice Services

3.3 Financing Ambition #3: Information, Advice, Assistance, and Informal Dispute Resolution

3.4 Scalable Best Value-for-Money Activities

4 Improving Efficiency and Effectiveness of Spending

4.1 Governance and Regulation of Justice Services

4.2 Financing Ambition #4: Research, Development, Governance, Evidence-Based Practice, and Continuous Improvement

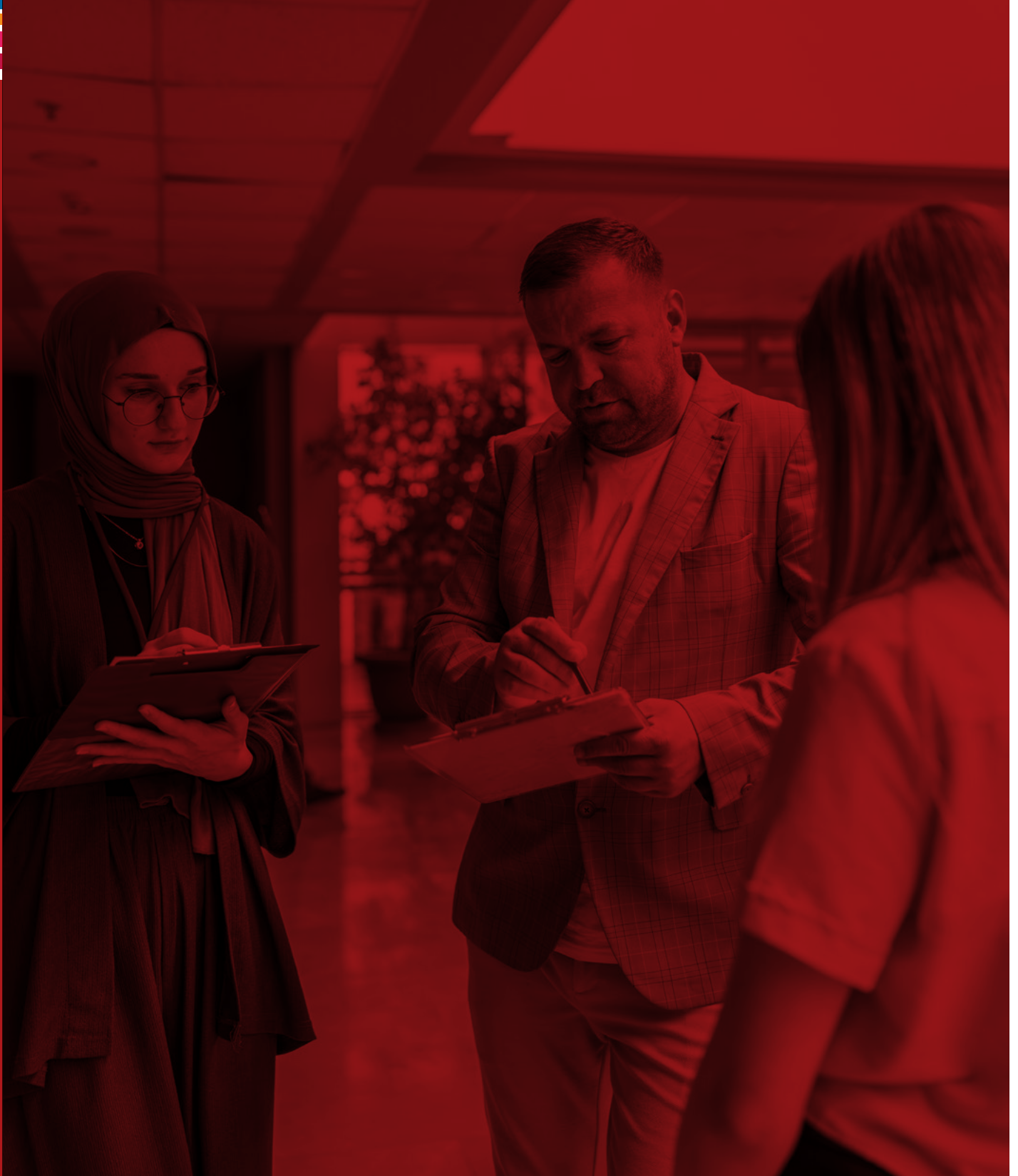
4.3 Systematic Efficiency and Effectiveness Expenditure Reviews

Implementation

5 Developing Achievable, Costed, Prioritized, Transparent, and Accountable Plans

5.1 Achievability, Costing, and Prioritization

5.2 Transparency and Accountability



This Background Brief is an excerpt from the Justice Action Coalition Workstream IV, "Justice Financing Framework," November 2025. For more information, see www.sdg16.plus/justice-financing-framework.