

News

Benefits of court digitalization yet to reach underprivileged owing to digital divide: Justice Surya Kant



Virtual legal forums and ethics-driven technology can assist bridge divides, he added.

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Supreme Court Justice Surya Kant on Saturday remarked that digital transformation of courts and its benefits are yet to reach underprivileged people.

Digital gap has become the new face of inequality and quality legal aid has not reached the marginalized, he complained.

"Courts are online, legal records are digitised. But digital gap has become the new face of inequality and quality legal assistance has not trickled down to the underprivileged. It is not just about bridging technical barrier but also bring people near to law which puts people close to justice. Technology offers not just tools but a philosophy to make an inclusive justice system," he said.

He was presenting at the Justice RC Lahoti Memorial Lecture organised by Manav Rachna University.

In his speech, Justice Kant underlined that technology should not exacerbate the divide between individuals and the law, especially for underprivileged groups.

"Justice delayed justice denied was there. But now in digital era, justice undelivered due to inaccessibility or exclusion is worse since it creates estrangement. We must remember that justice is a human act and cannot be measured by bandwidth," he said.

Justice Kant stated that legal aid still remains unclear to many and digital instruments have not bridged the divide.

"For many, legal aid remains unintelligible. Now there is also digital isolation. Justice is only justice if it is accessible and transparent and anchored in human dignity," he said.

Virtual legal forums and ethics-driven technology can assist bridge divides, he added.

"Virtual lok adalats should also become virtual. Artificial Intelligence when applied ethically can be a gamechanger. It can help citizens realize their legal rights and systems can decide if citizens qualify for free legal aid. Law schools can include immersive courtroom experience. For legal aid we should also look at crowd sourcing systems etc."

Technology is merely a tool and heart of it must remain human.

Justice Surya Kant

At the same time he advised against depersonalised systems.

"Another aspect is confidentiality. That must be safeguarded. Privacy by design, user permission and continual public scrutiny must be there so that citizens know that their desire of justice does not come at the cost of their dignity. Above all, empathy must remain fundamental, automated system is central but human touch is essential."

Legal help cannot become formulaic responses and be reduced to ticket numbers, he argued.

"Technology is only a tool and heart of it must remain human," he underlined.

Legal aid must extend beyond procedural representation and must become a weapon for empowerment, founded in accessibility, language and dignity, the judge stressed.

He also highlighted that judiciary must continuously modernizing itself.

"Role of government cannot be avoided. Groundwork is being established for ground level justice changes. Judiciary must continually updating itself," he remarked.

He remarked that despite the constitutional guarantee of Article 39A, access to legal aid remains elusive.

"India is among few nations which mandate legal aid but still the stark truth is that disabled, women, children still encounter issues while accessing legal aid. True access to justice not simply representation but also empowerment."

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Justice Surya Kant

The occasion was also attended by former Chief Justice of India UU Lalit who paid tribute to Justice RC Lahoti and spoke of his tenure in the Supreme Court.

"Justice Lahoti's career in the Supreme Court was for 7 years. I was just about rising in the profession when Justice Lahoti was on the bench. I would attentively observe him and if there was one Karmayogi in Supreme Court those days, it was him" Justice Lalit said.