



Action Committee on
Access to Justice in
Civil and Family Matters

Innovation Roundtable: “The Tools of Innovation”

March 22, 2017 Simon Fraser University Conference Facility, 500 Granville Street, Vancouver, BC

Program

8:00 Registration and Continental Breakfast

8:45 Welcome Remarks and Introduction

- The Hon. Thomas Cromwell – Chair, Action Committee on Access to Civil and Family Justice
- Glen Gardner, Q.C. – Deputy Minister of Justice and Attorney General, Saskatchewan Ministry of Justice

Introduction to the Innovation Toolbox

- Sarah McCoubrey and Meredith Brown – CALIBRATE Solutions Inc.

In the response to the Roadmap for Change, many jurisdictions have undertaken innovation in their collaborative structure, avenues for public input and processes for coordinating, planning and decision making. Others are developing technological innovations that are both public-facing and internally focused. Each of these is addressing the lack of structural supports for new thinking and new action. The innovations on access to justice range in scale, context, focus, and application. The Action Committee is developing a toolbox of these innovations that will allow for the time, expertise and finances invested in each to be shared across the country.

The Action Committee is inventorying the A2J innovations, including structural innovations, collaboration innovations, new delivery approaches, new uses of technology, evaluation innovations, and decision-making innovations. Of those, a core of commonly requested innovations will be developed into a ready-to-replicate easy to use Toolbox.

9:00 – 12:00 Concurrent workshop sessions (a 30-minute break will take place around 10:30)

Session 1: Using Design Thinking in the Justice System

- Nicole Aylwin – Assistant Director, Winkler Institute for Dispute Resolution
- Kari Boyle – Coordinator, BC Family Justice Innovation Lab
- Jane Morley, Q.C. – Director, Mediate BC

Design thinking is a problem solving approach that is hands on, creative, and “human centric”. Initially employed in the world of industrial and product design, design thinking has seen widespread adoption in recent years by companies, governments, and organizations looking to create innovative solutions to complex problems that directly address user needs and are more reflective of user experience. It is an approach that “puts the public first”. Only recently have we begun to explore the possibility of using design thinking to improve the way we design justice services in Canada.

In this workshop, participants will be introduced to the basic definition and process of design thinking, and will have the opportunity to experience the process themselves as they are led through a facilitated design session organized around a common access to justice problem. The workshop will also highlight current design thinking projects taking place in the justice system and invite discussion on the challenges and opportunities that come with using the design thinking approach to address A2J challenges.

Session 2: Using Lean and Continuous Improvement in the Justice System

- Trish Livingstone – Director of Continuous Improvement, Government of Saskatchewan
- Sarah Collins – Mediator, Dispute Resolution Office, Saskatchewan Ministry of Justice

Different isn't always better; better is always different. The core idea of Lean philosophy is to maximize value for citizens while minimizing waste. The Lean approach identifies and eliminates unnecessary steps, streamlines processes, and ultimately improves value for the end users. Lean works because it invites collaboration between front-line employees, citizens, and stakeholders; it is different from other improvement efforts because of its focus on citizens, the engagement of employees, and rapid improvement.



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In this workshop, participants will gain a practical understanding of how Lean can be used to examine and continuously improve existing practices and structures within the justice system. Participants will learn the foundational principles of Lean and will have an opportunity to apply its practical tools to a facilitated simulation based on features of a common justice system challenge.

12:00 **Lunch**

1:00 – 1:45 **A Discussion Primer: The Role of Research, Data Analytics and Technology in Justice Reform**

- Jerry McHale, Q.C. – Lam Chair in Law and Public Policy, University of Victoria
- Lisa Nakamura – Senior Policy Analyst, Dispute Resolution Office, British Columbia Ministry of Justice

Part 1: Numerous reports have identified the lack of empirical research and the inability to measure program performance as major impediments to enhancing access to justice in Canada. This lack of research capacity impairs policy development, handicaps effective planning and weakens claims for justice funding. While the need for better justice metrics is very clear, there is considerable uncertainty about how to move forward and respond to these deficits. What concrete steps should justice systems be taking to enhance access metrics? This brief session will serve to introduce the following topics:

- the potential role and utility of empirical justice research in access to justice;
- the data deficit and other structural barriers to justice research;
- the creation of a research framework as a strategy to overcome barriers, and
- how do we get there? Approaches to this problem in various jurisdictions.

Part 2: The session will conclude by taking a look at British Columbia's Solution Explorer. This is an online, cloud-based diagnosis, information, self-help and triage tool that provides expert information and guidance directly to citizens. The platform has already been used to collect analytics, user satisfaction data and user feedback through multiple rounds of public testing and since its official launch on July 13, 2016. Selected information collected by the Solution Explorer will be used to illustrate the potential for capturing data and analytics in a modern, comprehensive and user-focused public justice system.

1:45 – 2:00 **Afternoon Break**

2:00 – 4:30 **Managing and Leading Deep Change**

- Julie Macfarlane – Professor of Law, University of Windsor, Director of the National Self-Represented Litigants Research Project
- David Merner – Executive Director, Dispute Resolution Office, British Columbia Ministry of Justice
- Kurt Sandstrom, Q.C. – Assistant Deputy Minister of Justice Services, British Columbia Ministry of Justice

Session goals:

- to demonstrate how to bridge the implementation gap by:
 - organizing and leading transformational change;
 - actualizing “next steps” for a particular justice system problem;
- to demonstrate that thinking about a problem in different ways leads to better solutions;
- to demonstrate the successful engagement of users in problem diagnosis and innovations design.

Background: The leadership and management of innovation teams is an increasingly important aspect of justice system transformation. Based on experience with successful and failed projects in Alberta and British Columbia, the afternoon session will start with an interactive session on lessons learned relating to the identification, initiation, staffing, resourcing, communications, change management, culture change, performance measurement, evaluation, strategic alignment and other critical aspects of innovation leadership and management. The main part of the session will feature a user-focussed innovation exercise focussed on a real life problem that the justice system must address. Participants will then be provided with an opportunity to work with justice system users in a ‘World Café’ setting on a real life justice system problem.

4:30 – 4:45 **Closing Remarks**