

IX International Conference

Law via the Internet

Free Access, Quality of Information, Effectiveness of Rights

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Beyond the Internet Hype; how law can be made effective

During the last decade governments throughout Europe and the rest of the world discovered the Internet at an important vehicle for dissemination (legal) information, ‘modern’ legislative practice however in many aspects still reflects the practice in upcoming democracies at the beginning of the 19th century.

Public administrations use ICT-support for many legal task. Since the vast majority of the constituency bound by the legislation and by the regulations has neither means nor wish to directly understand and apply the large body of knowledge reflected in the law, public administrations have developed various eServices to assist citizens with meeting these legal demands or receive the benefits they are entitled to. These eServices are in fact legal services that are intended to improve legal access. Examples of such legal services are electronic tax returns, criminal reporting over the internet and automated traffic violation ticketing.

In my presentation I will argue that innovation of the legislative chain is needed to really improve access to the law. I will explain how methods, techniques and ICT tools can be used to improve various aspects of legal quality, such as formal qualities, adherence to technical legislative requirements, absence of internal conflicts, but also its implicit understanding and achieved compliance by the constituency, the cost of legislation enforcement by government agencies and the realization of intended effects and the avoidance of unintended effects.