

Effect of transitional or restorative justice & Justice system support and reform on Access to justice, rights and public services

Transitional and restorative justice, alongside judicial reforms, show a small positive effect on access to justice, rights protection, and public service delivery.

Geographic Location: Sub Saharan Africa, Latin America & Caribbean, Global

Effect: Small effect (g= 0.007)

Confidence in study findings: Medium (3 studies with 16 effect sizes)

Short Summary:

Transitional and restorative justice interventions, together with broader justice system reforms, have a small positive effect on access to justice, rights, and public services. Rwanda's Gacaca courts expedited genocide trials and increased community participation, while reforms like court modernization and police professionalization improved legal accessibility. However, challenges in transparency, inconsistent enforcement, and limited public trust limit overall impact, highlighting the need for strong implementation

Long Summary

The Intervention:

Interventions include convening victims and perpetrators to prevent further violence, such as Truth and Reconciliation Commissions, community reconciliation programs, and judicial reforms. These efforts may involve formal acknowledgements, apologies, reparations, legal reforms, and strengthening access to courts and public services while integrating human rights protections.

How the Intervention was expected to work:

These interventions aim to enhance justice access, accountability, and social cohesion. Gacaca courts in Rwanda, for example, accelerated genocide trials and improved community engagement with the justice system. Judicial reforms, including police professionalization and civic engagement initiatives, increased legal accessibility and institutional trust. Effectiveness relies on transparent processes, public confidence, and equitable implementation.

The Evidence Base:

This cell has 6 studies; 3 of them are impact evaluations, utilising a non-experimental approach and 1 uses a mixed methodology approach. Following this there is 1 systematic review (Holder 2023), 1 qualitative study by Muke (2016) and finally 1 protocol for an RCT by Vargas (2018).

The primary studies are from Rwanda (3 studies) , Colombia (1 study) finally there are 2 studies with a Global focus.

Evidence findings:

The evidence suggests that transitional and restorative justice, combined with justice system reform, has a small positive effect on access to justice, rights, and public services. Gacaca courts and judicial reforms improved legal access and community participation, but transparency issues, inconsistent enforcement, and limited public trust constrained overall effectiveness.

The review evidence

Holder examines how transitional and restorative justice can improve access to justice, rights, and public services by promoting victim participation. While international frameworks, such as the UN Declaration on Victims' Rights and the Rome Statute, emphasize including victims' perspectives, implementation varies across jurisdictions. In adversarial systems, victim participation is often framed as a constitutional right, whereas in non-adversarial contexts it can be inconsistent. The study notes that increased participation may sometimes push justice toward punitive outcomes, but well-designed mechanisms can enhance fairness, dignity, and access to justice for victims. Overall, the review supports a small positive effect of these interventions on justice and rights.

The impact evaluation evidence

O'Reilly (2018): The introduction of transitional and restorative justice mechanisms, particularly the Gacaca courts in post-genocide Rwanda, had a great impact on access to justice, rights protection, and public service delivery. Following the 1994 genocide, the formal Rwandan judicial system was crippled, with only 12 prosecutors and fewer than 50 legally trained individuals available to process over 100,000 genocide-related cases. Traditional judicial mechanisms were unable to handle this overwhelming backlog, leading to prolonged detentions and delays in justice. The Gacaca courts, a modernised version of Rwanda's indigenous dispute resolution system, were introduced as a decentralised and community-driven approach to expedite genocide trials. These courts dramatically improved access to justice, trying over 1.9 million cases between 2002 and 2012, compared to only 8,363 cases processed by formal courts in the eight years prior. By involving local communities in hearings and decision-making, Gacaca increased the availability of justice for both victims and accused individuals, while also addressing wrongful and prolonged imprisonments that had persisted for years. This study is rated medium confidence due to partial description of intervention and outcome definitions and no mention of power calculations.

Royer (2017): The study finds, like O'Reilly, the introduction of Gacaca courts, a community-based restorative justice mechanism, addressed this backlog by processing nearly two million genocide cases within five years. This increased access to justice for both victims and perpetrators while also facilitating reconciliation through local participation. Beyond criminal justice, restorative mechanisms like Gacaca influenced broader social and economic development. Before their introduction, commercial dispute resolution was obstructed by the slow and inefficient formal system, which created barriers for businesses and economic recovery. With the Gacaca courts reducing the burden on the judiciary, perceptions of the legal system among business owners improved, fostering a more conducive environment for economic growth. Additionally, these courts enhanced public trust and reconciliation efforts. Survey data indicates that community trust improved during the years of Gacaca's operation,

with a notable increase in individuals believing that justice had been served. This study is rated as medium confidence due to partial description of intervention outcomes and no mention of power outcomes.

Nichols-Barrer (2014): This study highlights the impact of transitional and restorative justice, as well as justice system support and reform, on access to justice, rights, and public services. In post-genocide Rwanda, the government faced the daunting task of reconstructing the legal and judicial infrastructure, as “Rwanda had no formal justice system” due to the decimation of legal institutions and personnel. To address these challenges, Rwanda implemented judicial reforms in 2001, shifting the prosecution of most genocide-related crimes to gacaca courts—community-based tribunals that expedited justice while engaging local communities in the reconciliation process. The conventional judiciary also underwent modernisation, including the introduction of a 12-judge Supreme Court, an Inspectorate of Courts for judicial oversight, and increased qualification requirements for judges. However, a USAID assessment in 2002 identified persistent issues, including a lack of transparency in judicial processes and the need for ongoing professional training. The broader justice system reforms extended beyond the judiciary. The establishment of the Rwandan National Police (RNP) in 2000 and its subsequent professionalisation, including human rights training and community partnership programs, played a crucial role in improving law enforcement accountability. The police force’s “Every Voice Counts” initiative introduced nationwide anonymous complaint submission boxes to increase citizen engagement and oversight. However, concerns remained regarding equitable reporting procedures and limited citizen trust in the complaint system. Beyond formal legal structures, initiatives to strengthen civic participation sought to improve access to justice and public services by training local government officials and supporting civil society organisations (CSOs). While these efforts aimed to enhance citizen influence on governance, the study highlighted mixed results. Although some citizens felt more empowered to voice dissatisfaction with local services, there was also a reported decline in their perceived influence over government decisions and access to information. The study notes that “the program’s negative impacts on survey outcomes do not imply that the program harmed civic participation,” but rather indicate an increased willingness among citizens to express criticism—a potential first step toward longer-term governance improvements. This study is rated medium confidence due to partial description of intervention and outcome definitions.

Confidence Assessment:

Overall Low: Confidence in this cell is low due to the limited number of studies.

Link to review summaries

Holder (2023)

Other outcomes in the study:

Social cohesion / Feelings of trust & Acceptance of diversity

Community and state governance / Government Performance