

Unlocking Access to Justice: The Role of Monetary, Time, and Emotional Costs in Pakistan's Litigation System

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Abstract

It is widely believed of people both in transitional and developing nation state that official justice system is extremely expensive. The assumption of high cost and delay related with the jurisdiction prohibitive huge amount of individuals to approach courts to attain justice and originates legal uncertainty. This research analyzes the barriers that confronts to the user of justice and identified these barriers as cost. The analysis of the cost of access to justice is from the user perspective and how they experienced and evaluate the quality of official justice procedure and its outcome. A framework is designed to measure the cost of access to justice that further divided into three categories which are monetary cost, time cost and emotional cost. The cross-section survey is conducted for data collection and at the same time user's perception on the quality of the procedure and outcome from Lahore High Court. The data collected from the people who experienced the judicial system to resolve their conflict. For this purpose, property and financial cases taken into account. The survey questionnaire is filled from 100 litigants. Partial Least Square Structural Equation Modelling. Partial Least Square Structural Equation Modelling (PLS-SEM) is used to

measure Access to Justice (ACJ) and its determinants as constructs. Moreover, bootstrapping is used to estimate Access to Justice through its determinants. Except informational Justice (INFJ), all constructs significantly contribute to evaluating access to justice (ACJ). Emotional cost (EMC) identified as the major predictor of ACJ. The results also show direct and indirect effects of Interpersonal Justice (IPJ), Monetary Cost (MC), Time Cost (TC), and Quality of Outcome (QOU). People regard procedure and outcome fair if they receive favorable judgment. The cost of access to justice is linked to the value that people forgo, when they don't receive timely and affordable justice.

Keywords: Access to justice, monetary cost, time cost, emotional cost, procedural justice, interpersonal justice, informational justice, quality of outcome, PLS-SEM, Pakistan, Lahore High Court

Jel Codes: K41, K40, D63, C83, C30.

1. Introduction

Pakistan's constitution provides, "the state shall ensure inexpensive and expeditious justice"¹. It is said that "justice delayed is justice denied"² that's why all over the world's nation states and their constitution including ours provide assurance to deliver inexpensive and speedy justice to its citizens. The jurists believe that providing inexpensive and quick justice protects defendant, society and state (Kritzer et al., 1984; Landoni, 2007; Trubek et al., 1984).

Pakistan is considered highly litigious nation state where the courts are used more as a trick for leverage and less as an option of last resort (Siddique, 2010). Nevertheless, official justice structure is perceived highly unaffordable and costly for the majority of its citizens (Siddique, 2011). In Pakistan context the problem of delay in criminal and civil cases is neither unique nor new. The recent time witness an increased in the demand for rule of law in Pakistan. The present condition demand for speedy justice and quick execution of judgments because delayed in justice and its execution is not only linking with economic growth, poverty and social harmony but in present context it also tie with peace, terrorism, violence and social turmoil (J. M. Barendrecht et al., 2008;

¹ Constitution of Pakistan 1973, Article 37(d)

² Quote by William E. Gladstone. <http://www.brainyquote.com/quotes/quotes/w/williameg101551.html>

JS Adams, 1965; Siddique, 2011). At present the core reason to establish military courts is to provide speedy justice and quick trials of terrorist in Pakistan. However, before now anti-terrorism courts have been made by Pakistan's judicial system for the trial of terrorism cases and judges are under the ordered to provide quick judgments as compare to regular trials. But in current situation, more than 17,000 cases are still under trial in Anti-terrorism courts whereas 800+ terrorist are still on death row that clearly indicate that anti-terrorism courts are overburden and misused³.

The assumption of extraordinary cost and delay linked with the jurisdiction prohibitive huge amount of (Gramatikov, 2010; Landoni, 2007; Privato, 2000) individuals to approach courts to attain justice and an origin of creating legal uncertainty. Siddique, (2011) argue that Pakistan judicial system is inefficient and its benefits are unequally distributed among different sector of society with a clear tilt towards people having better access to resources, class, social network and capital.

The aim of this study is to measure the overall cost of justice and the private cost that people bear after perusing the cases. Because it is anticipated that when people decides to go for the litigation, he or she weighs out the specific cost and its expected returns, didn't integrate social cost in that equation. This proposed study considers both users and providers of the justice to analysis regarding how much money and time spend in order to attain justice. The study also analyse the emotion cost and stress cost that individual bear while pursuing the lawsuit in order to resolve their conflict. The proposed study also examines the perception of litigants regarding the fairness of the procedure and their received outcome. The evaluation and discernment of the litigants analysed to draw conclusion about cost and perceived quality of procedure and quality of outcome obtained by particular procedure.

1.1 Background and Motivation

"Access to justice" is a wide-ranging concept. It includes all the procedures or ways through which an individual is able to attain legal information, services and resolve their disputes (George, 2006; Yew Kok, 2008). However, the ways to attain justice often seems problematic, as the procedures that ensure to protect certain rights are unavailable for the people who have limited resources. From economist point of view, in order to established well-functioning markets, efficient

³ Justice Project Pakistan and Reprieve, December 2014

supervision of justice and enforcement of property rights particularly contractual rights are the necessary conditions (M. Barendrecht et al., 2006; Juris, 2009). Access to justice for the people with the limited resources is become an important issue in the study of economic development (World Bank 2006, UNDP 2004).

The systematic framework that incorporates all the ways and barriers that people experience when they decide to take their conflict to the courts for solution, is absent (Genn & Beinart, 1999; Zuckerman, 1995). The aim of this proposed study is to incorporate and analysis these barriers to interpret them as cost and to develop a systematic framework that figure out the cost of litigant in order to resolve conflict (Gramatikov et al., n.d.; Gramatikov & Klaming, 2009; Juris, 2009).

1.2 Research Gap

People often experience legal problem and to encounter them, they contact courts to resolve their issues. They often experience problems regarding cost and quality of the official justice process (Genn & Beinart, 1999; Gramatikov & Klaming, 2009). Though there is no mechanism that helps individuals choosing the process of justice by keeping their need, cost and quality outcome into account (George, 2006; Gramatikov & Klaming, 2009). As the suppliers of justice system doesn't have any mechanism to estimate the cost and quality of adopting diverse process. Thus aim of this study to analysis how cost of justice, procedural justice and quality of outcome affects access to justice with respect to Pakistan. The distinction of this research is that it evaluates the cost and quality of the justice system from a user perspective i.e. how people of Pakistan experience and perceive the official justice system.

1.3 Problem Statement

It is states duty to provide its citizens basic and pivotal social services because it is deeply liked with the matters of poverty, economic growth and social justice. Difficulty in access to justice erodes the trust and confidence of the people from the institution (Klaming & Giesen, 2008)(Yew Kok, 2008). It creates a sense of deprivation, helplessness and arise anger, violence and motivated them to take law in hand (Klaming & Giesen, 2008). Ordinary citizens are afraid to contact courts to attain justice because they assumed that all their life earnings and saving will be served in quest to justice (Siddique, 2011; Silver, 2005)

1.4 Research Question

The basic purpose of this research is to analyze all the costs that individual endure for their access to justices after entering into official justice system and perusing a lawsuit. What are cost of justice and how the effect its users? Do the financial and procedural burdens of the justice system discourage individuals from pursuing their legal rights, thereby limiting access to justices?

1.5 Objectives

- To identify the key determinants of access to justice
- To empirically test a structural model explaining access to justice (ACU) by examining the direct and indirect effects of interpersonal, procedural, informational justice and outcome-related constructs.
- To evaluate the impact of monetary and emotional cost on access to justice from a user's perspective.

1.6 Hypothesis:

- H1: Informational Justice (INFJ) has a negative effect on Access to Justice (ACJ)
- H2: Interpersonal Justice (IPJ) has a negative effect on Time Cost (TC).
- H3: Time costs (TC) have a positive effect on monetary costs (MC).
- H4: Monetary costs (MC) have a positive effect on the Access to Justice (ACJ).
- H5: Procedural justice (PJ) have a positive effect on Access to Justice (ACJ)
- H6: Emotional cost (EMC) have a positive effect on the Access to Justice (ACJ).
- H7: Quality of outcomes (QOU) have a negative and direct effect on the Access to Justice (ACJ).
- H8: Interpersonal Justice (IPJ) have a positive effect on procedural Justice (PJ).
- H9: Monetary Cost (MC) mediates the relationship between Time Cost (TC) and Access to Justice (ACJ).
- H10: Procedural justice mediates the relationship between interpersonal justice and access to justice.

2. Literature Review

The official justice system all over the world perceived as unaffordable and highly expensive that inherited delay for the large number of people. A person who needs access to justice may face abundant barriers to seek out their conflicts. As the process takes long time the efficiency and effectiveness of access to justice turned into insufficient, the geographical inaccessibility of courtrooms or people who needs justice might fear retribution (Genn & Beinart, 1999; Silver, 2005; Trubek et al., 1984).

The problem of delay and backlog cases is prevailing in every judicial system. It is an old and chronic problem prevailing all over the world. It is not only the developing countries that are suffering and confronting with this problem, indeed, the advance countries all facing the issue of increasing litigation (Landoni, 2007; Shavell, 1999). It is the perceived believed of the people both in developing and advance countries that access to justice is highly expensive. The assumption of delay and high cost associated with the jurisdiction prohibitive large amount of people to approach courts for justice and an origin of creating legal uncertainty (Landoni, 2007). For the last frothy years, the increase in the private and social cost of a lawsuit is a growing concern in western countries (Silver, C. 2001). Landoni, M. (2007) point out that due to an increase in the cost and length of the civil cases of federal justice system of U.S the clients of lawsuits are now large corporations rather than individuals. David M, et al. (1983) the increase in the expected time of a judgment of a lawsuit discourages people who have limited financial resources to contact courts to resolve their conflicts and problems. Landoni, M. (2007) analysis that after battle of years and years the chances increases to make settlement out of court to save time and cost.

In view of Gramatikov (2009) people need justice to solve their conflicts and quarries, to do so they face a lot of barriers in order to attain access to justice. The associated cost with the justice keep on increasing as a result of delay in judgment, at the same time people trust and faith also erodes from the system (Gramatikov, 2007). Where geographically the courts are unreachable increases more difficulties on the path to justice and people who might need it feel fear or hesitation to approach courts for justice (Privato, 2000). High cost and time associated with the justice system also blame for the unresolved legal disputes and conflicts. Civil lawsuits are now

considered to be the most expensive, time consuming and unpredictable process (Silver, 2005; Winkler, 2007).

The cost of justice as the prominent barrier on the way to access to justice and analysis different path to justice in a comprehensive way to make comparison and estimate the cost of moving on a specific path (Barendrecht, et.al, 2006; Gramatikov & Klaming, 2009; Gramatikov, 2007). According to Gramatikov (2007), “The costs of justice do not exit independently for the needs of justice and path to justice”. However, when a person finds a need for justice has to step into the path to justice. “The person who needs justice and creates the dynamics on a path to justice is called the user of justice” (Gramatikov, 2007; Gramatikov, et.al, 2009). However, to solve the problem individual must need to bring the problem into existing mechanism. The concept of path to justice is defined as “commonly applied process that people address in order to cope with their legal problems” (Gramatikov, 2007; Gramatikov, et.al, 2009).

The definition of path to justice incorporates both formal and informal process and the path can be simple or complex as well. Using an alternatives way to solve the same issue such as through arbitration, negotiation, litigation or mediation come into complex path to justice. The aim of each path to justice is to solve it (Gramatikov, 2007). According to above mention definitions, in this research analyse different kinds of cost that a user bears in order to attain justice from beginning to end of a process. According to their characteristics, costs are grouped into comprehensive categories. In order to obtain our goal to make a framework that measure cost of access to justice, it is necessary to breakdown, conceptualized and operationalized each cost that a user face to seek justice. In next section discuss cost on the paths to justice and make a peculiarity between private and social cost of justice. Later on, identified these barriers that come on path to justice and construct all those barriers as cost. According to the review of these barriers cost categories into three major indicators that further operationalized into measurement instruments.

2.1 Cost of Justice

The path to justice starts from when an individual decides to go to address the issue and take a step such as filling a case, collecting information, contacting neutral person etc. In the same way, the end of the process defined as when an individual or party attains an outcome or judgment or decision from the procedure(M. Barendrecht et al., 2006; Gramatikov & Klaming, 2009). In a

comprehensive way the path to justice incorporates all moments starting from entering into a legal system through filling a case or collecting information etc. and receiving an outcome at the end. In this whole procedure individual bears different cost of different levels and intensity till the end of the process and these cost become large due to delay considerations (Privato, 2000).

The legal needs and frame work of official justice system depends upon the socio economic elements, such as norms, culture, social, economic and political factors that affect individual needs, actions and behaviors (Gramatikov, et.al, 2009). In the same way with the physical, social and psychological needs, people also demands legal needs. People usually assume the legal judicial system costly, it implies integrally high cost. Travelling to a certain path to justice required to bear cost that named as transaction cost (Gramatikov, 2007).

Gramatikov (2007) defines the cost of justice as “the resources which the user needs in order to travel from the beginning to the end of a path to justice”. This definition of cost of justice is holistic as it incorporates all the cost that incurred during the procedure from the beginning to the end of the process. However, this definition does not make distinction between compulsory cost (i.e. court fee, neutral fee etc.) and optional cost (i.e. scarifies of certain resources in order to obtain a better-quality procedure or outcome etc.). The total cost of justice incorporates both compulsory and optional cost of justice (M. Barendrecht et al., 2006; Trubek et al., 1984). However, a distinction must need to make between private and social cost of justice. The social cost of justice is distributed among all the members of the society those rights and needs are protected and served by the legal justice system. The social cost is associated with the maintenance and design of a legal system, rules and institutional framework that is anticipated to bring justice outcomes (Shavell, 1999; Trubek et al., 1984). At the same time individual cost that is paid and faced by the individual itself in pursuit for the outcome or decision of the lawsuit are known as private costs. In this way, justice is a private good in such a way it is consumed and paid individually or parties in a conflict bear the expenses and the outcomes, and non-payers can be excluded (Barendrecht, et.al, 2006; Gramatikov, 2007). However, society also benefited from it by delivering justice, improving trust and legal uncertainties, reducing cost and improving faith in the institution. So in this way justice can be seen as a good that consumed and benefited collectively, the initial and direct user or benefactor of justice is the user and society receive indirect benefits of it.

The measurement of the cost of justice is a challenging task (Gramatikov, 2010). The private cost is bear by the individual who purse paths of justice so measurement framework will focus only on private costs of it (M. Barendrecht et al., 2006). So the aim is to measure the private cost that individual bears after perusing the lawsuit. Because it is assumed that when individual decide to go for the lawsuit, weight out the individual cost and expected returns on it, didn't incorporate social cost in that equation (Trubek et al., 1984).

2.1.1 Costs as Barriers on the Path to Justice

Gramatikov (2007) argue that “access to justice has been unequally distributed across socio economic status, social class, level of education, geographic location, Gender and many other dividing criteria”. The imbalance occurred when demand for justice exceeds its supply and large amount of disputes remain unresolved due to this imbalance. Gramatikov (2007) point out that individual with more resources receives faster and larger share of access to justice than the individuals with less resources. Barendrecht, et.al (2006) argues that the procedure adopted and perused to the lawsuit is not feasible and accessible for the litigants who have inadequate resources. Gramatikov (2007) states that justice is unequally divided into the sections of the society violating the fundamental principles of fair, equal and accessible. There are enormous barriers that actually prevent people to contact official justice procedures to resolve their conflicts. According to Galanter, M. (1974) “The general theory behind the barriers to access to justice is that the have-nots overcome fewer barriers and receive less justice than the haves”. Although this relationship between access and means is not simple. The well-known “middle income trap” reveal by the publically funded legal aid scheme started from many countries (Gramatikov, 2007). However, the non-linearity, the existing system and barriers to attain justice affect more strongly to those people who have limited resources (Trubek et al., 1984).

One possible way to construct a framework to analysis the access to justice is to point out the barriers and interpret them as cost of justice. Most of the barriers have been point out in the literature as cost that directly applied on the user of justice such as legal and filling fees, court fees etc. that are directly applied on the individual as a cost of justice (Gramatikov,et.al, 2009; Barendrecht, et.al, 2006).

Gramatikov (2007) point out all barriers on the way to justice are not implied as private cost. Some barriers carried out as a cause and effect relationship such as delay of justice. “The delay of justice is a barrier” but most of the non-trivial lawful difficulties arose because of underlined perception among the users that resolution will take a disproportionate expense and time (M. Barendrecht et al., 2006; Nagin & Pogarsky, 2004; Trubek et al., 1984). The delay of justice increases the cost, as the justice procedure shorter and makes a speedy judgment regarding the disputes fewer resources will be applied on it (Landoni, 2007). In this way barriers on the way to justice can be seen as the property of the path however it increases the real or perceived cost of justice as well. The other barriers that cost to the user can be inadequate information, inefficient process and legal uncertainty (George, 2006; Yew Kok, 2008). However, they can obstruct the access to justice but not the private cost of justice. But they can be the proxies for the other cost caused by them.

2.1.2 Information as barriers

According to Johnsen, J. T. (1999), at the starting of the procedure a person must know that the problem could be resolved through legal means. If a conflict subjectively seen as legal, the litigant may not know the following steps to resolve it, in this case required information that is a barrier to justice. In order to make a decision user must know the alternative options and requirements to follow the process till end. Simon, H. A. (1997) states that to bridge informational gap on paths to justice certain investments are necessary.

If one employs “the path of justice paradigm, the cost of information will mean that particular process requires an investment in order to be accessed”. Gramatikov (2007) defines information cost as the pre-filing costs. These are the necessary expenditures that occur at the time when a process about to begin. Thus for access to justice gaining information can be a significant barrier and one must need to make some expense in order to cope up with it. So in this research it is conceptualized as cost of justice because informational barrier causes private cost to the user.

In paths to justice information is one of the scarce resources that have a price tag and that can be obtained from market (Klaming & Giesen, 2008). To some extent the market for legal services can be perceived “as the market of exchange of information against a price”. Information carries a price and the need of it adds additional costs. Legal providers charge fees for their services, in addition to it finding information also requires time that can be used alternatively (Johnsen, J. T. 1999).

2.1.3 Monetary costs

The user of justice faces numerous barriers as the problem recognized as legal. All the barriers that arises connected with the cost that is bear by the litigant thus money is the most important and tangible barrier. Lawyers' fee, court fee, expert's fee and witness's fee are few examples from the numerous out of pocket expense (Gramatikov, 2010; Trubek et al., 1984). Many existing researches on the cost of justice mainly focused on monetary expenditures through litigation or some other type of disputes resolutions (Winkler, W. K. 2007; Yew, G. C. K. 2008; Zuckerman, A.1999). The concentration and focus on both policy and research measures the out of pocket expenditure is understandable because it requires fewer assumptions and direct as compared to the cost of justice that is expressed in different units like lost opportunities, time and stress (Gramatikov, 2010; Trubek et al., 1984; Yew Kok, 2008). The present empirical literature helps to shed light on out of pocket cost by which will summarize the significant findings on monetary outlays as barrier to justice. However these expenditures can directly be measured as cost. Contrasting to the delay or information barrier the monetary outlays are not the causing factor but in reality it is the effecting element. According to Gramatikov (2007) on paths to justice out of pocket cost are the direct cost.

Kritzer, Sarat et al (1984) conducted a large scale research and collected the data from more than 3,000 courts and interview more than 10,000 litigants, lawyers and defendants in the United States. Their results figure out that for cost of litigation "attorneys' fees constitute virtually the entire out of pocket costs". The lawyer's fee according to the studied case the out of pocket expense for individual litigants is 99% and for corporates it is 98% of total. Their results further conclude that "when one factors in the value of the disputant's time (or the value of employee time for organizational litigants), lawyer's fee represents about 80% of the total cost in the typical median case". James S.kakalik, et al (1996) on private cost of dispute states that the lawyer's fee is one of the major factors in total cost of litigation. Zuckerman, S. (2007) research on "cost of arbitration claimants find that more than half of the costs of arbitration are spent on lawyers' fee".

To study "occurrence of and response to justiciable events" Genn and Beinart (1999) conducted a random survey consist of adults who lives in Wales and England. They divided cost into two categories one is the legal cost and later is the other cost. The results shows that those who paid legal cost by themselves the median amount were £198. 60% of the respondents incurred by the

other cost of litigation such as traveling cost, telephone calls and loss of earnings but the median amount of other cost were below £10.

Genn and Paterson (2001) in their research on Scotland justifiable events point out that the people who face a legal problem did not attain legal advice due to the fear of paying huge amount of legal costs and this fear effect their decision to not to contact courts and resolve their issue by themselves. They further conclude as “respondents to survey interviews and qualitative interviews expressed a pervasive feeling that obtaining legal advice was hugely expensive and that for many kinds of problems obtaining such advice was simply not an option”. Gramatikov (2009) states that the other than legal fee, the justice procedure underline numerous other out of pocket costs and their proportion to total cost vary depending upon the nature and the path of justice. He further mention that on the paths to justice the other monetary cost are court fee, jury fee, summons fee, discovery related costs etc. however all the monetary outlays if aggregated pays a negative impact accessibility of the justice. He further states that the corruption in judiciary also increases the out of pocket expense and affects the integrity of the institution negatively. Corruption upsurges the uncertainty of the process and affects the outcome

2.1.4 Time employ

Time is one of the most significant and vital component on the paths to justice. When a user plan to enter into the official justice system weight out the time it takes ad its cost associated to it. Just like monetary cost, time that spent on a process is also a tangible barrier as it directly linked with expenditures bear by the user of justice. Many existing research paying so much emphasis on the delays that are inherited in the litigation (Chiarloni, S. 2000;Zuckerman, S. 2007). User of justice spends time in collecting information, travelling, contacting lawyers, waiting hearings and many time consuming activities. Time carries a price tag and valued resources; some people are more vulnerable due to time lost than the others. The user is well informed about the procedure can optimally utilize their time then to those who have less information. It can be hypothesis that the people with the higher earnings place a much higher value to time than to those who have fewer earnings. According to Gramatikov (2009) time is both a barrier and a cost of justice, “What the user has to pay in order to travel to the end of a path to justice is certain amount of hours, days, months or even years. From the perspective on the user of justice, time amount of time spent is a cost.”

2.1.5 Emotions and stress

Emotions and stress are also considered as a vital barrier and under studied by many researches. In case of crime victims, the cost of stress and emotions become much higher in quest for justice. In Wales and England a study conducted to analyze the consequences of adverse justiciability by Pleasence, Balmer et al. (2007) states that due to stress ill health, loss of income, damage to property, break down of relationship and having low confidence are the negative effects of the people who experiences justiciability issues. Another research by Genn and Paterson (2001) states that around one third who does paid work express the negative effect of the process on their work life, relationship effect with colleagues and as a results of stress takes if time from work. According to Gramatikov (2010) “stress and emotions are the direct cost on the paths to justice. Indeed these don not have natural units of measurements and the valuation is highly subjunctive”. Stress and emotions are tending to vary over time and their effect and intensity may differ.

2.1.6 Additional barriers to justice

The additional barriers that effect people decision to attain justice are lack of familiarity with the legal language, costs uncertainty, and delivery of justice inefficiently, damage to relationships and social costs (George, 2006; Gramatikov, 2009; Juris, 2009). There are many other barriers that affect people to approach court, some of them are difficult to measure and given a value. Such as fear, feeling of powerlessness, unwillingness, cultural barriers, distrust or lack of credibility of official justice system, uncertainty of the cost are few factors that are difficult to measure it not impossible (Genn & Beinart, 1999; Miller et al., 2001; Van Den Bos et al., 1997). However one can measure through proxy indicators (Cohen et al., 1983) (M. Barendrecht et al., 2006). Additionally, Transparency International Pakistan (2022) reports that ambiguous judicial practices and perceptions on corruption still undermine perceptions of procedural fairness in Pakistan, which further complicates the access of ordinary litigants. The preceding contributions support the relevance of the procedural, interpersonal, and informational justice as predictors of access to justice in the analytical framework of the present study.

The review of literature figures out the barriers a user face on paths to access to justice and their associated cost of each of it. The cost can map into three categories such as monetary cost, opportunity cost and intangible cost. Barendrecht, et.al (2006) Gramatikov (2007) conclude monetary and opportunity costs as economic costs and intangible cost equated as non-economic

costs. The three important criteria to select the individual cost are as follow: firstly it is primary important to make a framework to estimate cost from user perspective, secondly it is proposed to identified and point out those cost that reduce user access to justice, thirdly its criteria to determine its level of measurability of expenditures and costs (M. Barendrecht et al., 2006; Gramatikov, 2010). A common characteristic of monetary cost is that it pays with money and that have common measurement unit that can easily estimate and compare. However the value of time that is lost on path to justice and forgone earnings that loss due to process is an abstract concept and difficult if not impossible to quantify 3 hours or a week that lost on the path to justice in money term(M. Barendrecht et al., 2006; Siddique, 2011; Trubek et al., 1984). Although there are many factors such as time, stress and emotions, broken relationships or inefficient modes of delivery these can't be expressed in money terms (Klaming & Giesen, 2008). People don't measure it on replicable scale or use units like days or hours. In this case it is difficult to account these costs. Gramatikov (2007) states these costs belongs to non-monetary costs of justice. Non-monetary costs are just opposite to monetary costs. For illustration, loss of time and due to pending cases depreciation of resources could be translated into money terms.

2.2 Procedural justice

Whenever a person confront with a legal need, nothing should prevent them neither cost nor other barriers to have access to justice. However, generally limited knowledge of legal rules and procedure, high monetary and time cost and justice system pose barriers to attain justice. Similarly to economic cost people also weight out the quality of the procedure as well(M. Barendrecht et al., 2006). It is a common belief that the quality of the procedure will be equating higher if the user of justice evaluate the process as fair (Klaming & Giesen, 2008). The access to justice improves if the procedure has the higher quality because fair procedure becomes a reason to improve many attitudes, feelings, cognition and behavior. Many researchers conclude that the major benefits of procedural justice consist of increase in the low obedience, satisfaction and acceptance of outcome and decision (Thibaut & Walker, 1975; Tyler, 2006). O'Hear (2007) states that "it is the belief that one has been treated fairly by the authorities enhances perceptions of the legitimacy of those authorities and increases the transparency of procedures to the public".

Procedural justice refers "to various aspects that a procedure should meet in order to be perceived as fair by its users including accuracy and consistency" (Klaming & Giesen, 2008). According to

Tyler (2006) “procedural justice should meet following criteria if it is to be perceived as fair; these criteria include consistency (i.e. procedures are applied consistently across people and across time), bias suppression (i.e. the decision-maker should be neutral), accuracy (i.e. procedures are based on accurate information), correctability (i.e. appeal procedures for correcting inaccurate outcomes), representation (i.e. procedures allow control at every stage of the process), and ethicality (i.e. the procedure implements general ethical and moral standards)”. However process and decision control were further added to procedural indicators (M. Barendrecht et al., 2006). Recent literature supports the centrality of procedural justice in influencing the perception of litigants about access to justice. As Mentovich et al. (2023) provide, the perception of procedural justice in online court sessions has a positive correlation with the number of negative emotions lowered by parties, which points to the direct correlation between fair procedure and emotional cost and the current study framework. Regarding the legitimacy, studies have found that where people believe legal processes to be fair, they develop more confidence in institutions and consequently, they are more willing to comply with legal rulings of their own will (Bilal and Khokhar, 2021)

2.3 Interpersonal justice

Interpersonal justice refers as “the manners in which people are treated during the procedure (Michael Wenzel, 2006). It is defined as the degree to which people are treated with politeness, dignity and respect by the authority in question (Verdonschot, et al, 2008; Gramatikov 2010; Barendrecht et.al 2006). Colquitt (2001) find out that how authorities of justice treated the people actually influence their perception and evaluation of justice. Wenzel (2006) suggests that dignity is the most crucial aspect of interpersonal justice because it directly influences people’s perception about fairness. Verdonschot, et al, (2008) conclude that in reality the treatment user of justice received from the provider of justice is the primary factor for their evolution of justice.

2.4 Informational justice

Informational justice refers to “informational aspects such as honesty and explanations provided about the procedure (Colquitt, 2001). These should convey information about both procedure and outcome”. Verdonschot, et al, (2008) point out that informing people about their rights and options before and during the procedure have a positive effect on their perception towards justice. Wenzel (2006) concludes that “explanations influence fairness perceptions because they may convey the impression that a decision has been based on accurate information and that the authority has acted

in an unbiased, consistent and reasonable way. Providing an explanation generally contributes to the impression that one is being treated with respect and with regard to ethical values". Fair procedure positively affects the individuals (Tyler, 1996). Whereas unfair procedure negatively affects the user's behavior and feelings much more strongly than fair process. Due to the fact that bad information and negative speculations spread much faster than good information (Colquitt, 2001). Many researches figure out that injustice had a greater influence on people's behavior and feelings as compare to justice is examine through people's expectations (Verdonschot, et al, 2008; Tyler, 2006)

2.5 Quality of the Outcome

The path to justice begins as the user of justice first starts the procedure and end at the point when he receive and outcome, or final decision by the neutral or a judgment (Gramatikov et al., 2008). According to Verdonschot, et al, (2008); Gramatikov (2010); Barendrecht et.al (2006) the outcome of the procedure defined as the "the moment a final decision by a neutral, a joint agreement of the parties, or the quitting of one of the parties. The quality of the outcome defined in terms of people's perceptions of distributive justice. Distributive justice refers to what is fair with respect to the allocations of resources in the society or as a result of a decision making processes". Earlier equality, equity and need the three basic principle of justice had the prime focused by the research. Adam(1965) was the one of the pioneer who develops the theory of "justice principles". According to him, the efforts an individual puts in order to attain an outcome should reflect in final decision or outcome. He gives the idea of equity theory that is in a more comparative manner whether the outcome compensate ones efforts or outcome is considered to be fair, one always compare it with his/her "outcome to input ratio". Input refers to the economic and social capital, efforts, informational know how and other contributing factors. Other researches also define this equity theory in a "normative rule that determines the allocation of resources according to the recipients' contributions and as proportionality between the individual's outcome and his inputs or contributions" (Leventhal, 1976). According to equity theory, "justice is achieved when the proportionality between outcome and input is equal for all individuals or parties involved. In addition, it has been proposed that people always try to maximize their outcomes and minimize their inputs. It has been stated that inequity causes distress and consequently results in attempts to restore equity" (Walster, et.al 1973). Distributive rules other than equity also considered need and

equality perspective. So the need perspective refers that all the resources should be allocated according to the need of the people. In context of this view, an outcome will be considered as just and fair if the need of individual considered and take into account when delivering the outcome. In a similar way, equality defines as a belief that all the resources should equally be allocated across people. In addition to these three principles equality, equity and need distributive justice also influence by “effectiveness of the outcome, prior expectations, acceptance and legitimacy of the outcome”. To measure quality of the outcome accurately general fairness of outcome, satisfaction and favorability also measured Verdonshot, et al, (2008).

Distributive justice generally determines the quality of outcome. To measure the quality of outcome it will be operationalized in distributive justice term through which one need to measure equity, acceptance, outcome satisfaction, need, outcome favorability, outcome fairness, predictability and expectations.

3. Research Methodology

Individuals, who often experience legal problems, have no assistance about choosing the right procedure among others according to their needs and the nature of conflict. However there are no measurements that assist the user of justice to seek out their issue by considering the cost and quality of the process and outcome (Colquitt, 2001; Gramatikov, 2007, 2010). Currently providers of justice have no such instruments that can evaluate cost and quality of diverse procedures. In this section, present the theoretical and applied framework that is used to analysis the how these factors affect access to justice

3.1 The Hague Model of Access to justice

Barendrecht, et al, (2006), Barendrecht, et al, (2008), Gramatikov et al (2009) develop a standard methodology in their multidisciplinary research that is “measuring access to justice in a Globalizing World: The Hague Model of Access to justice” that measures three characteristics of justice from the user’s perspective. According to it, these three aspects of access to justice included cost of procedure, quality of process and quality of outcome. According to Barendrecht, et al, (2006), Barendrecht, et al, (2008), Gramatikov et al (2009) this methodology key is the development of TISCOnaire, By using this questionnaire the data about the user experience and

perception on the three characteristics obtained and used to estimate the factor that determine access to justice. This design framework includes all the possibilities of the cost and quality of the access to justice that can be measured in money term. Moreover it measures time and emotional cost as well.

To test its ability to provide the reliable and valid description about access to justice, Barendrecht, et al, (2008), Gramatikov, et al, (2009) conducted experimental data gathering projects in different states, ranging from Bulgaria and Bolivia and to the Netherlands. They studied as many path of justice as possible such as “consumer disputes, issuance of ID documents, employment disputes, and administrative review of administrative acts, insurance companies and negotiation between victims of personal injury”.

A cross sectional survey is design to gather data from 100 litigants on money and emotional cost, time spend with the intention of resolve conflict, and stress to endure process and quality of procedure include procedural justice, interpersonal and informational justice and quality of outcome. The research is based on the experiences and findings of empirical assessments of ordinary citizen’s experience in Lahore High Court. The reason to choose Lahore High court is due to main centre of litigation.

For this study a questionnaire is formed. The questionnaire is adaptive from Gramatikov etal (2009) and has been adaptively modified to reflect the specific institutional and legal context of Pakistan’s justice system. The questionnaire is designed to collect the required data from the individuals who have judgment of Lahore Session Court for their conflict. Property and financial cases are taken to estimate the cost of justice.

3.2 Estimation Technique

This study focus on multiple construct that are measured by multiple indicators. Structural Equation Modeling (SEM) is an effective theory based methodology framework that is created to test hypothesized causal mechanisms through nonexperimental, quantitative data. In this division, standard covariance-based SEM (CB-SEM) serves as a rational association of numerous regression and factor examination, which is mainly aimed at verifying theoretical frameworks by concentrating on the shared common variance among indicators. In this common factor model, the latent constructs are considered to be the direct reasons behind the observed measures and the aim

of the researcher is to determine the viability of a conceptually developed model, as opposed to investigating data trends. Therefore, in the latter phases of the research, CB-SEM is frequently the choice of the theory confirmation approach because it involves a priori specification of all relationships to estimate the goodness of a model to explain the observed variance-covariance.

A more flexible option, partial Least Squares SEM (PLS-SEM) or variance-based SEM, focuses more on causal-predictive relationships by focusing on the number of endogenous constructs explained. In contrast to the factor-based approach, PLS-SEM describes constructs as a linear composite, i.e., a weighted sum of its indicators that encompasses the total variance at their disposal. One important development in this approach has been the development of Confirmatory Composite Analysis (CCA), a systematic methodological procedure to establish the quality of such composite measurement models as part of a nomological network. PLS-SEM is especially beneficial when a researcher is working with complex models, small sample sizes, or when the focus of a study is on prediction as opposed to mere model fit. The present study test 10 hypothesis. Monetary Cost (MC), Emotional Cost (EMC), Information Justice (INFJ), Quality of Outcome (QOU) are independent variables whereas Access to Justice (ACJ) as dependent variable. Procedural Justice (PJ) is mediator between Interpersonal Justice (IPJ) and Access to Justice(ACJ) and Monetary Cost (MC) is also a mediator that links between Time Cost (TC) and Access to Justice(ACJ). SEM estimate the direct effect of INFJ, QOU, MC, PJ and EMC on ACJ. Whereas indirect effect of TC on ACJ mediating MC and IPJ effect on ACJ mediating PJ.

3.3. Variables construction

The details of the construction of the constructs and indicators which are used to measure these constructs is provided in Table 1.

Table 1: Construct and Indicators Detail

Construct	Definition	Indicator	Definition/questions asked in questionnaire	Unit of Measurement	Source
Monetary Cost (MC)	Refers to all the monetary payments an individual pay after entering into official judicial system	MC1	Lawyers fee (MC1)	Rupees	From Lahore high court Survey
		MC2	Expert Fee,		
		MC6	Notice fee,		
		MC7	pay for calling, coping, printing and postal cost		
		MC8	Witness expenses.		

Time Cost (TC)	According to Gramatikov (2009) time is both a barrier and a cost of justice. “What the user has to pay in order to travel to the end of a path to justice is certain amount of hours, days, months or even years.	TC1	time pay for searching lawyer (TC1),	Days	From Lahore high court Survey
		TC3	time spent on collecting information relevant to your case (TC3)		
		TC4	time to contact other party (TC4)		
		TC6	Hearings attended until case resolved (TC6).		
Emotional Cost (EMC)	the cost of stress and emotions than an individual bear in quest for justice.	EMC1	hearings attended until case resolved (EMC1)	5-point Li kert scale	From Lahore high court Survey
		EMC2	stress you experienced due to conflict (EMC2)		
		EMC3	stress you experienced due to court procedures (EMC3)		
		EMC4	stress due to court hearings (EMC4)		
		EMC5	negative impact of process on your relationship (EMC5)		
Quality of the Outcome (QOU)	outcome of the procedure defined as the “the moment a final decision by a neutral, a joint agreement of the parties, or the quitting of one of the parties	QOU 1	As a result of outcome your monetary harms restored?(QOU1)	5-point Likert scale,	From Lahore high court Survey
		QOU2	Did your emotional harms repair as a result of outcome?		
		QOU3	Did the outcome improve your relationship with opposite party?		
		QOU4	Did outcome resolve the conflict?		
		QOU5	Do you think outcome fair?		
		QOU6	Where outcome makes you satisfied?		
		QOU7	Was outcome favorable to you?		
		QOU8	Did you accept the outcome?		
			Did the outcome matched with your initial expectations?		
Informational Justice (INFJ)	Informational justice refers to “informational aspects such as honesty and explanations provided about the	INFJ1	Was the procedure grounded on correct information?	5-point Likert scale	From Lahore high court Survey
		INFJ2	Does your lawyer explain you procedure?		
		INFJ3	Does your lawyer explain you options and rights do you have during process?		
		INFJ4	Were you able to understand court proceedings and documents and explanation?		

	procedure (Colquitt, 2001)				
Interpersonal Justice (IPJ)	Interpersonal justice refers as “the manners in which people are treated during the procedure (Michael Wenzel, 2006)	IPJ0	As the result of procedure do you trust in legal system of Pakistan?	5-point Likert scale,	From Lahore high court Survey
		IPJ1	Will you rely on courts to resolve your property and financial cases in future?		
		IPJ3	Did the judge treat you in polite manner?		
		IPJ7	Was the judge honest in his communication and whole procedure?		
		IPJ8	Do you find court procedure fair ?		
Procedural Justice (PJ)	Procedural justice refers “to various aspects that a procedure should meet in order to be perceived as fair by its users including accuracy and consistency” (Klaming & Giesen, 2008)	PJ3	What degree procedure makes you disappointing?	5-point Likert scale	From Lahore high court Survey
		PJ4	What degree procedure makes you hopeless?		
		PJ5	What degree procedure makes you optimistic?		
		PJ7	Will you suggest others to contact courts to resolve their disputes?		
		PJ9	Are you satisfied with the procedure?		
		PJ10	How much you satisfied with the judge?		
Access to Justice (ACJ)	Access to Justice includes all the procedures or ways through which an individual is able to attain legal information, services and resolve their disputes(George, 2006; Yew Kok, 2008)	ACJ5	What degree procedure makes you hopeless?	5-point Likert scale,	From Lahore high court Survey
		ACJ6	What degree procedure makes you optimistic?		
		ACJ7	How often you think things are going your way?		
		ACJ8	Will you suggest others to contact courts to resolve their disputes?		
		ACJ9	Do you feel the law is outdated and does not address the real problems of people and ground realities?		

Source: Author’s own contribution

4. Estimation Results

4.1 Assessment of PLS SEM model of the Reflective Measurement Model (Outer Model)

The measurement model is estimated by using Smart PLS-SEM algorithm and results are presented in figure 1, where constructs are shown in circles which are measured through number of

indicators. All indicators are shown in rectangles where indicators are observed variables. According to Hair the most vital tests to evaluate measurement model for PLS-SEM are reliability, convergent validity and discriminant validity. These results are discussed in this section

4.2 Indicator Reliability

Reliability is the degree to which a measurement instrument has a consistent and stable output when applied repeatedly. Regarding the PLS-SEM, Hair et al. (2022) define the concept of reliability as the extent to which indicators of a particular construct are related to each other and evaluated using internal consistency indicators, such as Cronbach's alpha, Rho A, Composite Reliability and Average Variance Extracted (AVE). The reliability of indicators, in particular, looks at how much each observed indicator is accounted by the respective latent construct, where the outer loadings of 0.70 or higher are deemed acceptable (Hair et al., 2022). Table 1 shows that results of all these indicators. Cronbach's alpha values are above the threshold that is ≥ 0.70 but for few constructs its value is slightly below the acceptable threshold which is also acceptable in explanatory research (Hair et al., 2022). Composite reliability coefficients (rho a and rho c) are used to examine internal consistency. Composite reliability values exceed the threshold of 0.70 that shows all construct fulfill reliability criteria.

Table 2: Construct Reliability and Validity

	Cronbach's alpha	Composite Reliability (rho_a)	Composite Reliability (rho_c)	Average Variance Extracted (AVE)
ACJ	0.58	0.838	0.774	0.568
EMC	0.789	0.819	0.853	0.539
INFJ	0.579	0.567	0.706	0.381
IPJ	0.606	0.636	0.759	0.394
MC	0.774	0.611	0.769	0.407
PJ	0.835	0.849	0.879	0.551
QOU	0.829	0.832	0.864	0.417
TC	0.591	0.62	0.766	0.459

Source: Author's own contribution

4.3 Convergent Validity

Average Variance Extracted (AVE) test is used to measure the convergent validity of the construct. According to Literature, for the assessment of convergent validity the value for Average Variance Extracted (AVE) should be 0.5 or higher and any value of AVE less than 0.50 means that on average more variances resides in error term of the item than variance explained by construct. In table 1, the AVE value for ACJ, EMC and PJ is greater than 0.5 that satisfy the criteria. However, for INFJ, IPJ, MC, QOU and TC the AVE values are less than 0.5, so according to Hair et al. (2022) “AVE values slightly below 0.50 are acceptable when composite reliability exceeds 0.70” so this implies here as all constructs Composite reliability is above 0.7 and more so all construct can be retaining in the model.

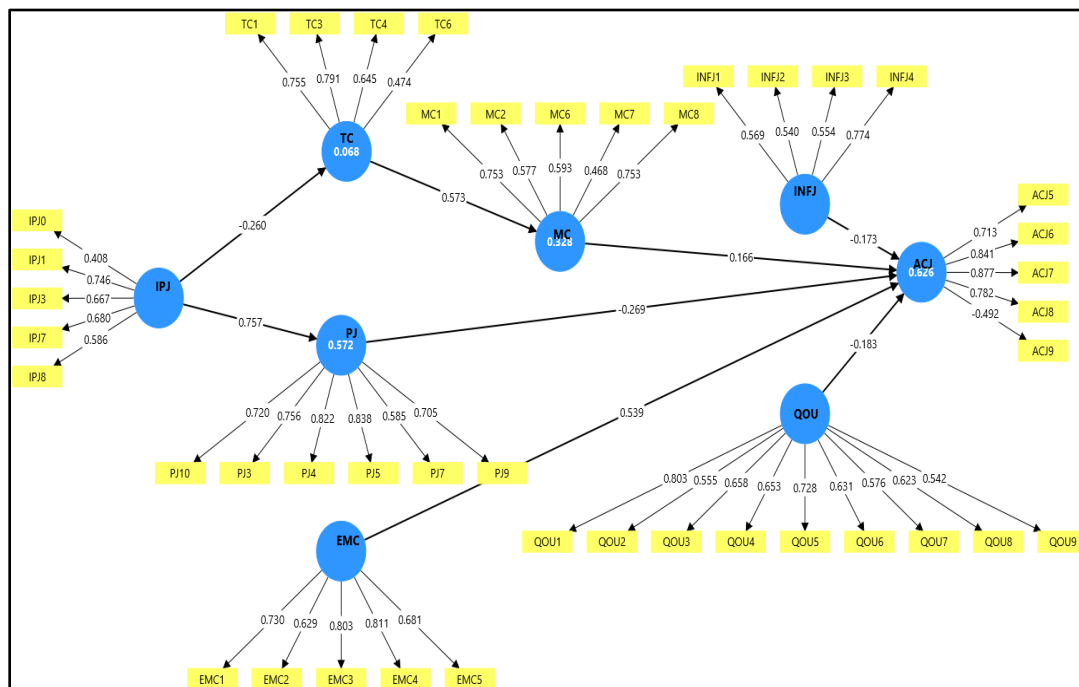


Figure 1: Results Of Pls-Algorithm

4.4 Discriminant Validity

Discriminant Validity is used to evaluate the uniqueness of a construct as compared to other constructs in the model. It is test to analysis that reflective constructs carry a strong relationship with their own indicators as compared to the indicators of other constructs (Hair, 2019). To check the discriminant validity three criteria are established that are Cross- Loadings, Fornell-Lacker Criterion and Heterotrait-Monotrait ratio (HTMT).

Cross loadings are the first approach to evaluate the discriminant validity of the indicators. Table-2 showing the results of cross loadings generated by Smart PLS 4.0. According to (Joseph F.Hair et al., 2017) “an indicator’s outer loading on the associated construct should be greater any of its cross-loading on other constructs “.at the same time each loading is greater than 0.6 that indicates that discriminant validity holds in this model (Fawad et al., 2025).

Table 3: Factor (Outer) Loadings

	ACJ	EMC		IPJ	MC	PJ	QOU	TC
ACJ5	0.713							
ACJ6	0.841							
ACJ7	0.877							
ACJ8	0.782							
ACJ9	0.492							
EMC1		0.73						
EMC2		0.629						
EMC3		0.803						
EMC4		0.811						
EMC5		0.681						
INFJ1			0.569					
INFJ2			0.54					
INFJ3			0.554					
INFJ4			0.774					
IPJ0				0.408				
IPJ1				0.746				
IPJ3				0.667				
IPJ7				0.68				
IPJ8				0.586				
MC1					0.753			
MC2					0.577			
MC6					0.593			
MC7					0.468			
MC8					0.753			
PJ10						0.72		
PJ3						0.756		
PJ4						0.822		

PJ5						0.838		
PJ7						0.585		
PJ9						0.705		
QOU1							0.803	
QOU2							0.555	
QOU3							0.658	
QOU4							0.653	
QOU5							0.728	
QOU6							0.631	
QOU7							0.576	
QOU8							0.623	
QOU9							0.542	
TC1								0.755
TC3								0.791
TC4								0.645
TC6								0.474

Source: Author's own contribution

The second approach to analysis the discriminant validity is Fornell-Larcker Criterion that compares the square root of AVE values with each of the latent variables correlation. “The logic of Fornell-Larcker method is based on the idea that a construct share more variance with its associated indicators than with any other construct” (Joseph F.Hair et al., 2017) .So according to this discriminant validity holds if the diagonal values is larger than all the proceeding values in that particular column. Table-3 shows all the results of Fornell-Larcker met the criteria as all diagonal observations are high, that is more than 6 as compared to remaining values from the same column. So, discriminant validity holds in context of ACJ, EMC, INFJ, MC and PJ. However, in case of IPJ that value is slightly less than to crossing pounding values in the column of PJ. That is since both marginally overlap with to each other (Colquitt, 2001; Greenberg, 1993).

Table 4: Discriminant Validity- Fornell Lacker

	ACJ	EMC	INFJ	IPJ	MC	PJ	QOU	TC
ACJ	0.754							
EMC	0.604	0.734						

INFJ	-0.339	0.077	0.617					
IPJ	-0.493	-0.183	0.539	0.628				
MC	0.231	0.137	0.001	-0.019	0.638			
PJ	-0.462	-0.107	0.571	0.757	0.154	0.742		
QOU	-0.433	-0.145	0.295	0.469	-0.179	0.336	0.646	
TC	0.33	0.296	-0.046	-0.26	0.573	-0.127	-0.331	0.677

Source: Author's own work

Discriminant validity was further assessed using the Heterotrait–Monotrait (HTMT) ratio. Most HTMT values were below the conservative threshold of 0.85, indicating satisfactory discriminant validity as shown in the table-4. However, the HTMT value between Procedural Justice and Interpersonal Justice slightly exceeded the recommended threshold, suggesting a high conceptual overlap. This overlap is theoretically expected, as both constructs capture closely related aspects of fairness in judicial procedures. Similar overlaps have been reported in prior justice literature (Colquitt, 2001; Greenberg, 1993). According to Hair et al., (2022), HTMT values close to or slightly above 0.90 may occur for conceptually related constructs. Therefore, the constructs were retained to preserve content validity.

Table 5: Discriminant Validity-HTMT

	ACJ	EMC	INFJ	IPJ	MC	PJ	QOU	TC
ACJ								
EMC	0.731							
INFJ	0.495	0.449						
IPJ	0.747	0.343	0.881					
MC	0.25	0.283	0.358	0.308				
PJ	0.592	0.308	0.884	1.038	0.298			
QOU	0.539	0.332	0.754	0.69	0.264	0.48		
TC	0.504	0.446	0.512	0.507	0.534	0.274	0.514	

Source: Author's own work

4.5 Multicollinearity Assessment

Table-4 shows all the values VIF of all the constructs that are used in the path model. It indicates that there is no problem of multicollinearity in the model as all construct fulfill the criteria that is VIF values should be less than 5.

Table 6: Indicators And Their Vif Values

Indicators	VIF	Indicators	VIF	Indicators	VIF	Indicators	VIF
ACJ5	1.83	INFJ2	1.733	MC7	3.923	QOU4	1.422
ACJ6	2.343	INFJ3	1.736	MC8	1.139	QOU5	2.364
ACJ7	2.662	INFJ4	1.021	PJ9	2.582	QOU6	1.842
ACJ8	2.063	IPJ0	1.091	PJ10	1.649	QOU7	1.874
ACJ9	1.207	IPJ1	1.393	PJ3	2.016	QOU8	2.285
EMC1	1.644	IPJ3	1.215	PJ4	2.722	QOU9	1.471
EMC2	1.253	IPJ7	1.297	PJ5	2.614	TC1	1.228
EMC3	1.582	IPJ8	1.151	PJ7	1.921	TC3	1.544
EMC4	1.709	MC1	1.903	QOU1	2.214	TC4	1.417
EMC5	1.551	MC2	2.225	QOU2	1.483	TC6	1.042
INFJ1	1.182	MC6	3.564	QOU3	1.915		

Source: Author's own work

4.6. Evaluation of structural model

Bootstrapping technique is used to estimate the inner model (or structural equation model). This process generates large size subsamples (i.e. 5000) through original sample with replacement and used these calculations for bootstrap path coefficient, t-values and standard errors. These results are used to test the hypothesis and significance of inner model. According to Joseph F.Hair et al., (2017) structural model evaluation is based upon test of significance of path coefficients, coefficient of determinations (R^2) and Effect size (f^2).

4.6.1 Coefficient of Determination- R^2 Test

The Coefficient of determination used to determine the explanatory power of the model. Figure-2 depicts the results after bootstrapping technique. The results indicate that the model explain 62.6% variance Access to Justice (ACJ) is 62.6 whereas 57.2% variance explained in procedure justice that shows high to moderate explanatory power of R^2 . Whereas time cost (TC) explain 32.8%

variance in monetary cost (MC) and interpersonal justice (IPJ) explain weak explanatory power that is 6.8% in time cost that is acceptable in context of behavior, institutional and socio-legal construct (Joseph F.Hair et al., 2017).

4.6.2 Model's f^2 Effect Size

To assess the impact of exogenous construct on endogenous variable is determined by effect size (f^2). According to Joseph F.Hair et al., (2017) the effect of f^2 can be small, medium or large based upon the values of f^2 that is 0.02, 0.15 and 0.35 respectively. The results of f^2 reported in table-5 that indicates large effect of emotional cost (EMC) on access to justice (ACJ), Time cost (TC) on monetary cost (MC) and Interpersonal justice on Procedural justice (PJ). Whereas Informational justice (INFJ), Monetary cost (MC), Quality of the outcome (QOU) and procedural justice have a small impact on access to justice. Interpersonal justice carries a small impact on time cost (TC).

Table 7: F^2 Effect Size

Path	f^2	Interpretation
EMC → ACJ	0.715	Large
INFJ → ACJ	0.051	Small
IPJ → PJ	0.901	Large
IPJ → TC	0.073	Small
MC → ACJ	0.065	Small
PJ → ACJ	0.114	Small
QOU → ACJ	0.073	Small
TC → MC	0.489	Large

Source: Author's own work

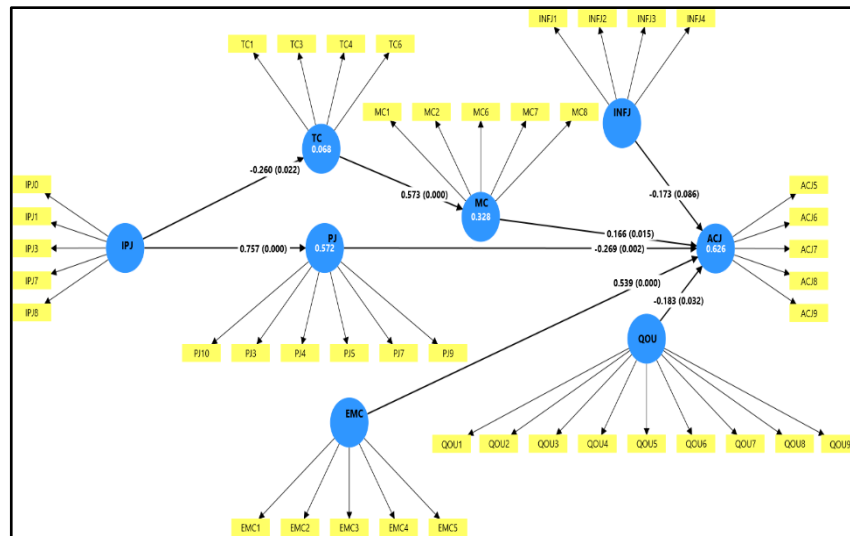


Figure 2: Results Of Partial Least Square- Bootstrapping

4.6.3. Significance of Path Coefficients

In PLS-SEM, Path coefficient represents the estimated strength and direction of the relationships among the latent constructs in the structural model. Table-6 shows all hypothesized path coefficients are statistically significant except H1 that is Informational justice (INFJ) is negatively impact access to justice as p value is greater than 0.05.

Table 8: Bootstrapping Results

Path	path Coeff	t- values	P values	Confidence Interval		Hypothesis	Decision
EMC → ACJ	0.539***	7.762	0	0.398	0.673	H6	Accept
INFJ → ACJ	-0.173*	1.716	0.086	-0.344	0.059	H1	Rejected
IPJ → PJ	0.757***	18.48	0	0.676	0.839	H8	Accepted
IPJ → TC	-0.26*	2.293	0.022	-0.436	0.018	H2	Accepted
MC → ACJ	0.166***	2.441	0.015	0.007	0.274	H4	Accepted
PJ → ACJ	-0.269***	3.174	0.002	-0.427	-0.095	H5	Accepted
QOU → ACJ	-0.183**	2.146	0.032	-0.362	-0.029	H7	Accepted
TC → MC	0.573***	6.657	0	0.456	0.784	H3	Accepted

Note: * Shows significance at 10%, ** shows significance at 5% and *** shows significance at 1 %

Source: Author's own work

The bootstrapping findings also give us the 95% confidence interval (CI) of each path coefficient which is a valuable addition to the t-statistical and p-values obtained above. A path coefficient

would be said to be statistically supported when its 95% bias-corrected confidence interval is not straddling zero. Table 6 demonstrates that all the significant paths, such as EMC–ACJ, MC–ACJ, TC–MC, IPJ–TC, PJ–ACJ, IPJ–PJ, and QOU–ACJ, have their confidence intervals that do not contain zero, which additionally supports their significance. The INFJ-ACJ path has the confidence interval that crosses the zero, which is in line with the non-significant value of the same construct. These confidence intervals are to be provided together with path coefficients and t-values in the final results table (instead of putting the lower and upper CI limits in brackets [LL, UL]) include the real SmartPLS results

4.6.4. Specific Indirect Effect (Mediation Effect)

Monetary Cost (MC) and Procedural Justice (PJ) are taken as mediators. MC is a mediator between Time cost (TC) and Access to Justice (ACJ) that shows a significant mediation. PJ is a mediator between Interpersonal Justice (IPJ) and Access to Justice (ACJ) that also show significant mediation. Mediation can be partial when both direct and indirect effects are significant as in the case of MC that indirect effect TC → MC → ACJ and direct effect MC → ACJ both are statistically significant that show MC is a partial mediator in the model. Similarly, PJ is also a partial mediator that have an indirect significant effect IPJ → PJ → ACJ and direct significant effect PJ → ACJ.

Table 7: Mediation Effect on Assess to Justice (Specific Indirect Effects, Bootstrapping Results)

Path	Path Coeff	P values	Confidence Interval		Hypothesis	Decision
TC → MC → ACJ	0.094	0.018	0.006	0.166	H9	Accepted
IPJ → PJ → ACJ	-0.206	0.002	-0.339	-0.072	H10	Accepted

Source: Author's own work

5. Results & Discussion

This paper aimed to empirically examine the access to justice determinants in Pakistan by theorizing and quantifying monetary, time, and emotional costs incurred by litigants as they sought to engage litigants in Pakistan property and financial litigation in the Lahore High Court. Based on the Hague Model of Access to Justice and applying Partial Least Square Structural Equation

Modelling (PLS-SEM) to cross-sectional survey data of 100 litigants, the study tested ten hypotheses related to the relationship between cost constructs, dimensions of quality of justice, and effects of access to justice. The results affirm that, except Informational Justice, all the suggested determinants play significant roles in explaining access to justice with a combined total of 62.6% accountability to its variance. Each hypothesis is considered in the subsections below and general policy and theoretical implications are made.

H1: Informational Justice and Access to Justice (Rejected). Access to Justice (ACJ) is negatively correlated with Informational Justice (INFJ) and this hypothesis was rejected ($= -0.173$ $t = 1.716$ $p = 0.086$). Despite the negative direction of the coefficient and being in agreement with the theoretical expectation, the p-value is greater than the 0.05 level of significance, indicating that the relationship is not of usual standards of statistical significance. This result implies that the quality and integrity of information provided in the judicial process in the case of the Lahore High Court litigants do not have an independent direct effect on the degree of access to justice. One reason is that, at least to most litigants in Pakistan, informational transparency is seen as consistently low and thus does not yield a significant difference in access results. The quality of the formal information of the process might be a less important factor in the overall experience of access by litigants who might be more dependent on lawyers and personal networks to negotiate procedural information. This finding is contrary to those in more informational judicial systems, indicating that informational justice role may be context specific and moderated by institutional trust in general (Verdonschot et al., 2008).

H2: Interpersonal Justice and Time Cost (Accepted). The hypothesis about the negative impact of Interpersonal Justice (IPJ) on Time Cost (TC) was accepted ($= 0.260$, $t = 2.293$, $p = 0.022$). This finding shows that there is a theoretically significant association: the more judicial authorities treat litigants with dignity, politeness, and respect, the less time burden they will experience during the litigation process. One can interpret this in terms of procedural efficiency when the staff of the courts treats litigants in a respectful and transparent way, the court process will be less controversial and less time-consuming, which reduces the time cost of the process. On the other hand, rudeness or unappreciative treatment can cause delays by creating multiple hearings or appeals and procedural issues. The fact that the negative coefficient confirms that the increase in interpersonal treatment in the courts of Pakistan has the potential to directly decrease the time

burden on litigants is important because of the records of the chronic delays observed in the Pakistani judicial system (Law and Justice Commission of Pakistan, 2021).

H3: Time Cost and Monetary Cost (Accepted). There was the strongest effect size of the hypothesis that Time Cost (TC) positively affects Monetary Cost (MC) accepted in the direct path model (0.573, $t = 6.657$, $p = 0.000$, $f^2 = 0.489$ large). This stands out as one of the strongest results of the study and as supporting the long-held belief of the economic theory of litigation costs: time spent suing is not just a nuisance, but actually and directly translated into financial spending. Cases drag on and litigants pay increasing lawyer fees, cost of re-appearing in court, cost of transport and opportunity cost by missed earnings. The high large effect size highlights the fact that the main driver by which monetary cost increases within the litigation system in Pakistan is time. The policy implications of this finding are quite substantial - any measure that will decrease the duration of cases will also decrease the financial strain on litigants.

H4: Financial Price and Availability of Justice (Accepted). Access to Justice (ACJ) The hypothesis that Monetary Cost (MC) affects it in a positive way was accepted ($= 0.166$, $t = 2.441$, $p = 0.015$). The positive value of this coefficient should be interpreted with caution: instead of showing that an increase in monetary cost leads to increased justice, it reflects the direction of the scale employed in this research - greater monetary cost is related to a greater perceived involvement of the justice process in the measurement framework of this study. This observation validates, in line with Shah (2021) and Trubek et al. (1984), that financial spending is a straight and enormous obstacle on the road to justice. Individuals who possess more money can more easily afford to hire and retain legal counsel, absorb court costs and move through the system turning financial resources directly into access. This adds weight to the argument that the justice system in Pakistan is a marketplace in which affordability is key determinant leading to exclusion of low-income litigants in a systematic manner.

H5: Procedural Justice and Access to Justice (Accepted). Procedural Justice (PJ) has a positive impact on Access to Justice (ACJ) was accepted, but, at the same time, the direction of the empirical coefficient is negative ($= -0.269$, $t = 3.174$, $p = 0.002$). This negative coefficient indicates that, with the current sample, an increased perception of procedural justice is linked to a lower perceived access to justice. The contextual explanation of this apparently paradoxical outcome is that, despite many litigants having a procedurally fair process, they nevertheless believe that

formal procedural fairness does not work in practice to mean meaningful, affordable, and timely access to justice. That is, procedural fairness is a condition of necessary but not sufficient access the system can be perceived as fair in form, and yet not accessible because of cost and delay, as well as power imbalances. This is in line with the procedural justice paradox recorded in the developing country judicial settings whereby the procedural adherence does not surpass structural obstacles to access (Klaming and Giesen, 2008).

H6: Emotional Cost and Access to Justice (Accepted Strongest Predictor). The hypothesis that Emotional Cost (EMC) positively influences Access to Justice (ACJ) was accepted and the path generated the largest path coefficient and effect size in the entire model ($= 0.539$, $t = 7.762$, $p = 0.000$, $f^2 = 0.715$ -large). The predominant predictor of access to justice in Pakistan courts is emotional cost, which is determined using measures of stress, anxiety, disappointment, frustration and relational damage during litigation. This is the most crucial substantive contribution of the study. It demonstrates that the psychological and emotional cost of contact with the justice system is not an incidental issue, but the key process by which access to justice is achieved or denied. The stress of litigation, stoked by extended waiting, uncertainty, procedural opaqueness and adversarial dynamics, chases away a significant portion of potential litigants and causes others to give up their cases on the way. The size of such an impact proves that any reform agenda that is only aimed at cutting monetary expenses will be incomplete without taking care of the emotional cost of litigation. These results are not new to Gramatikov (2010) and Pleasence et al. (2007), who report about the severe psychological implications of civil legal issues.

H7: Quality of Outcome and Access to Justice (Accepted). The hypothesis that Quality of Outcome (QOU) has a negative effect on Access to Justice (ACJ) was accepted ($\beta = -0.183$, $t = 2.146$, $p = 0.032$). The negative correlation suggests that to the litigants, the perceived better quality of outcome correlates with a lesser perceived barrier to justice (or vice versa) that poor outcomes support the perceived inaccessibility. When litigants are given favorable or fair judgments they are likely to believe that the system is more open but those that are given unfavorable judgements will see the whole system as a hindrance. This observation confirms the equity theory as put forward by Adam (1965): individuals consider the justice of the results in relation to the contributions and anticipations made. Upon seeing the outcome to the input ratio as inequitable, the whole process of justice is also coded retrospectively as inaccessible. What is

presented in the result is the fact that access to justice is not procedural in nature but is directly connected to the satisfaction of outcomes, especially in property and financial cases where material interests are high in the case of ordinary litigants.

H8: Procedural Justice and Interpersonal Justice (Accepted -Most Directed Path). Interpersonal Justice (IPJ) was also found to have a positive impact on Procedural Justice (PJ) with the hypothesis being accepted with a very strong path coefficient ($= 0.757$, $t = 18.480$, $p = 0.000$, $f^2 = 0.901$ - large). This is both the strongest direct relationship in the model and indicates that how litigants are personally handled by judges and court officials is the strongest predictor of their overall procedural fairness perceptions. Litigants feel respected, listened to, and treated with dignity; when they do this, they consider the whole procedural system fair. This is in line with the claim of Wenzel (2006) that the basis of interpersonal justice is dignity, and with Tyler (2006) procedural model of justice, which centralizes respectful treatment to the core of institutional legitimacy. It is also found that the explanatory power of $R^2 = 0.572$ of procedural justice can be directly applied to judicial training and court culture in Pakistan.

H9: MC between TC and ACJ (Accepted). The hypothesis of mediation, i.e., the relationship between Time Cost (TC) and Access to Justice (ACJ) is mediated by Monetary Cost (MC), was accepted (indirect path coefficient $= 0.094$, $p = 0.018$, 95% CI $[0.006, 0.166]$). The mediation is partial as the indirect effect (TC $\rightarrow$ MC $\rightarrow$ ACJ) is significant and the direct effect (MC $\rightarrow$ ACJ) is also significant. This result shows the cause-and-effect relationship by which time costs ultimately influence access to justice: time spending initially renders into monetary spending by accumulating legal expenditure, repeat appearances, and cumulative legal involvement and then the accumulated monetary expenditure in turn lowers access to justice.

The mediation's partiality suggests that time cost also affects access through other unquantifiable channels, such as opportunity cost, physical depletion, and social disruption. This chain of effects result has important policy implications, lowering case delays alone is insufficient; instead, fee restriction and increased legal aid are necessary to address the downstream financial burden of a delay.

H10: Mediation of PJ between IPJ and ACJ (Accepted). The mediation hypothesis that Procedural Justice (PJ) mediates the relationship between Interpersonal Justice (IPJ) and Access to Justice (ACJ) was accepted (indirect path coefficient $= -0.206$, $p = 0.002$, and 95% CI $= -0.339, -0.072$).

The mediation as in H9 is partial because the direct effect of PJ on ACJ, as well as the indirect one between IPJ and PJ and then to ACJ are both significant. The negative indirect effect indicates that interpersonal justice decreases access to justice by impacting the perceptions of procedural justice. This is a subtle conclusion: a sense of procedural fairness (H8) is significantly boosted by being treated with dignity (IPJ), but procedural fairness itself is linked to a lower perceived access (H5), perhaps due to the effect of litigants who are treated well becoming more conscious of the procedural fairness norms which the system does not consistently satisfy. The partial mediation also reveals that there are other direct routes that interpersonal justice can take to reach that are independent of formal procedural perceptions such as trust, confidence, and decreased emotional cost.

6. Conclusion, Theoretical Contribution, Recommendation and Limitation of the Study

The Constitution of Pakistan ensures inexpensive and fast justice but the reality on the ground at the Lahore High Court reveals a very different picture. This paper has shown that in Pakistan access to justice is systematically limited by emotional, financial, time and other costs that accrue throughout the litigation process and that these costs are profoundly influenced by the quality of interpersonal and procedural treatment that litigants obtain. The most significant barrier is emotional cost, which is significantly greater in its impact on access outcomes than the monetary burden. The interpersonal treatment to procedural perceptions to access experience cascade is a direct reform pathway: not only is it a courtesy to treat people well by courts, but it is the most direct access to the idea of improving access to justice that the judiciary in Pakistan can have today. Since World Justice Project (2022) still ranks Pakistan as one of the poorest countries in the world in terms of indicators of the rule of law, the findings reported in this paper offer an empirically guided, user centered framework of prioritizing the areas where energy is to be focused when it comes to reform. Delayed justice and justice that washes away the soul in emotion is justice denied.

This paper has a number of theoretical contributions to the literature on access to justice. To start with, it applies the Hague Model of Access to Justice (Barendrecht et al., 2006; Gramatikov et al., 2009) to a South Asian setting of developing countries, which proves that the tripartite cost construct of the model monetary, time and emotional remain valid in the institutional context of

Pakistan but also indicate significant contextual adjustments. Specifically, the role of emotional cost over monetary cost in predicting access is a break in with the results of the Western legal system, in which financial obstacles are often predominant. It implies that the salience of cost dimensions in relation to each other is conditioned by the institutional setting, cultural values of conflict and grievance, and the psychological atmosphere of litigation.

Second, the research incorporates distributive, procedural, interpersonal, justice constructs in a single PLS-SEM model, which allows the direct and indirect effects to be estimated simultaneously. This systemic modelling methodology demonstrates inter-construct pathways - specifically, the $IPJ \rightarrow PJ \rightarrow ACJ$ chain - that have not been able to be demonstrated in previous studies that have explored each of the dimensions of justice independently. Third, PLS-SEM with bootstrapping as a mediation test in a legal costs contextually is a methodologically new area of study in Pakistan based legal research that can be applied to subsequent empirical evaluations of access to justice in similar jurisdictions.

The results have a number of practical implications on the judicial and legal reform agenda in Pakistan. The fact that the emotional cost is the strongest predictor of access to justice requires an overall shift in priorities of reform. In addition to easing financial obstacles (which are great but not paramount) judicial policymakers should invest in easing the psychological impact of litigation. Practical measures involve the initiation of litigant support services, the simplification of procedural timelines in order to minimize the stress-caused by uncertainty, and training of court officials on trauma-informed communication. The high positive correlation between interpersonal justice and procedural justice (H8) would indicate that judicial training programs aimed at respectful and dignified treatment of litigants may have additional positive impacts on procedural fairness perceptions ultimately leading to better outcomes in terms of accessibility. The $TC \rightarrow MC \rightarrow ACJ$ mediation chain (H9) offers a very sensible explanation as to why case management reforms are necessary: a decrease in the average case duration will directly lead to a decrease in the accumulative monetary burden, which will in turn lead to an increase in access. The pendency as the major justice barrier identified by the Law and Justice Commission of Pakistan (2021) is thus empirically confirmed by the current research. Lastly, the fact that informational justice (H1) is not significant implies that investment in informational provision of the law, based on pure formal information (e.g., informational leaflets or legal literacy campaigns at court) might not

bring about access benefits, unless it is a part of more extensive interpersonal and procedural reforms that target the lived experience of litigation.

There are a number of restrictions which must be taken into account. The sample of 100 litigants, although adequate to use PLS-SEM estimation, restricts the generalization of the results to the rest of the Pakistani litigants at all court levels and types of case. The research is also limited to property and financial cases in the Lahore High Court, which might not be reflective of family or criminal proceedings, as well as administrative proceedings, and courts in smaller cities and rural regions where the barriers to access might have other forms. The cross-sectional nature does not allow causal inference, and future research ought to take into account longitudinal or experimental designs to monitor the change in cost perception through the lifecycle of a case. The framework should also be extended to include social costs, perception of corruption, and digital access as other barriers to work in the post-pandemic litigation environment in the future, and should compare access to justice experiences across socioeconomic groups, genders, and geographic location in Pakistan to demonstrate the distributional aspects of access inequality.

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