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ADDRESSING ACCESS TO JUSTICE FOR ELDERLY PEOPLE**

The number of persons aged 60 years or over is projected to grow by 38 percent in period between 2019 and 2030, globally outnumbering youth. Recognizing that trend, attention needs to be paid to the specific challenges affecting older persons, including in the field of access to justice. Considering that violence, abuse and neglect of elderly persons are the most hidden and unreported violations of human rights, it is important to ensure mechanisms to facilitate older people access to justice. Scope of the problem is significant, since according to the World Health Organization it is estimated that 1 in 6 people 60 years and older experienced some form of abuse in community settings during the past year.¹ Access to justice as a basic principle of the rule of law guarantee people to exercise their rights, hold perpetrators and decision-makers accountable. However, the older persons often face multiple barriers in accessing justice. The author analysis the challenges in access to justice for elderly persons and grounds for their discrimination in the judicial system, specifically invisibility of older persons in the justice system and lack of awareness of their legal rights and on existing legal mechanisms. Furthermore, the article assesses issues of affordability, excessive delays and impact of digitalization on access to justice for elderly persons. The author elaborates practice of the European Court of Human Rights and EU Court of Justice and their interpretation of the violation of right to a fair trial.

Keywords: *elderly people, access to justice, discrimination, human rights, judicial protection*

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¹ See: <https://www.who.int/news-room/fact-sheets/detail/abuse-of-older-people>

1. Introduction

Access to justice is fundamental principle assessed in legal theory and recognized in both international and European standards. These standards aim to ensure that individuals have effective and equal access to justice systems and can seek redress for violation of their rights (Francioni, 2007: 4). Concept of effectiveness is crucial element of access to justice, since it should ensure that access to justice is unrelated to differences of parties (Cappelletti, Garth, 1978: 186).

In legal theory, access to justice goes beyond mere physical access to courts or legal institutions and encompasses broader dimensions of justice, fairness, and equality (Schetzer, Mullins, Buonamano, 2002: 5).

Access to justice has been analysed from various perspectives, including procedural justice, substantive justice and social justice. Procedural justice emphasizes fair and transparent procedures in legal processes, ensuring that individuals have the opportunity to present their case, be heard, and receive a fair and impartial decision. This includes aspects such as legal representation, legal aid and the availability of alternative dispute resolution mechanisms (Klaming, Giesen, 2008: 9).

Substantive justice focuses on the outcome of legal processes and whether they lead to fair and just results. It involves analysing laws, regulations, and legal principles to assess their fairness and impact on different individual groups. Substantive justice seeks to address systemic inequalities and promote equal treatment under the law (Dylag, 2023: p. 4).

Social justice recognizes that access to justice is often shaped by broader social and economic factors (Crawford, Maldonado, 2020: 7). It takes into account socioeconomic disparities, power imbalances, and structural barriers that may hinder individuals' ability to seek justice. Social justice perspectives aim to address these inequalities and promote inclusive legal systems (Barendrecht, M. *et al*, 2012: 17).

The concept of access to justice is also explored in relation to human rights, through examining how legal systems and institutions can uphold and protect fundamental rights (Matić Bošković, 2022: 140). However, prior to the entry into force of the UN Convention on the Rights of Persons with Disabilities, there were no specific articulation of a general right to access to justice in the UN human rights treaty (Flynn, 2015: 21). Therefore, the predecessors to a specific right to access to justice included different elements such as the role of courts, legal aid services, legal empowerment, and public interest litigation in ensuring access to justice for marginalized or disadvantaged groups (Abel, 2010: 299).

At the international level, the Universal Declaration of Human Rights² proclaims that everyone has the right to an effective remedy by competent national tribunals for acts violating their fundamental rights.³ Additionally, the International Covenant on Civil and Political Rights⁴ recognises the right to a fair and public hearing by a competent, independent, and impartial tribunal.⁵

Furthermore, access to justice is closely linked to the UN Sustainable Development Goals (SDGs). Access to justice is recognized as a crucial element in achieving these goals and advancing sustainable development.⁶ It is considered a key enabler for the realization of SDGs, due to a vital role in poverty reduction, gender equality, good governance, and the protection of human rights. Without access to justice, individuals may face barriers in obtaining remedies for violations of their rights, addressing discrimination, or seeking redress for social and economic injustices.

Within the European context, the European Convention on Human Rights⁷ guarantees the right to a fair trial and access to court for the determination of civil rights and obligations.⁸ The European Court of Human Rights serves as the judicial body responsible for interpreting and enforcing these rights.

Furthermore, the European Union has also established legal frameworks to ensure access to justice. Access to justice is a fundamental principle within the EU (Flynn, Lawson, 2013: 21). The EU has established legal frameworks and mechanisms to promote and safeguard access to justice across its member states. The EU Charter of Fundamental Rights⁹ guarantees the right to an effective remedy and a fair trial,¹⁰ emphasizing the importance of access to justice in upholding fundamental rights within the EU. This ensures that individuals can bring their grievances before the courts and have their rights protected. The EU promotes legal aid and support services to enhance access to justice for individuals who may face barriers in seeking legal remedies. This includes the provision of legal aid for those who cannot afford legal representation and the development of legal information and assistance programs (Matić Bošković, 2020: 32).

² General Assembly Resolution 217 A, 10 December 1948.

³ Article 8.

⁴ General Assembly Resolution 2200 A, 16 December 1966.

⁵ Article 14.

⁶ Sustainable Development Goal 16. See: OECD, 2019, Governance as an SDG Accelerator, Country Experience and Tools, pp. 89-98.

⁷ European Treaty Series – No. 5, Rome, 4 November 1950.

⁸ Article 6.

⁹ Charter of Fundamental Rights of the European Union, 2000/C 364/01, Official Journal of the European Communities C 364/1, 18.12.2000.

¹⁰ Article 47.

These international and European standards provide a foundation for ensuring that individuals have the opportunity to seek justice, enforce their rights, and obtain redress when their rights are violated. They underscore the significance of accessible and impartial judicial systems in promoting the rule of law and protecting human rights (Matić Bošković, 2021: 33).

Access to justice for older people is a crucial aspect of promoting their rights, ensuring their well-being, and addressing any legal issues they may encounter. Older individual, like any other segment of society, should have equal and effective access to justice systems.

The twentieth century saw a revolution in average life expectancy, which resulted in a significant global phenomenon of the aging population (Kanasi, Ayilavarapu, Jones, 2016: 14). This demographic trend referring to the increasing proportion of older adults within the total population worldwide. The number of persons over 60 will increase from about 600 million in 2000 to almost 2 billion in 2050.¹¹ The increase will be greatest and most rapid in developing countries where is the older population is expected to quadruple during the next 50 years.

The access to justice could present challenge for aging population due to consideration in different aspects from legal awareness to physical accessibility and legal aid. The protection of fundamental rights includes an inclusive society for all ages in which elderly people participate fully on the basis of equality.

2. Access to justice for elderly people in international and European instruments

The international standards and frameworks do not specifically address access to justice for older persons. However, the principles do highlight the importance of promoting and protecting the rights and well-being of older individuals. While access to justice is not explicitly mentioned, it can be understood as an essential aspect of ensuring the full realization of their rights.

Having that in mind, there is some protection against discrimination and violence under the international and regional instruments that applies to older persons. Some of these instruments underline the significance of ensuring access to justice for older individuals. They emphasize the need for equal and effective remedies, the elimination of barriers, and the provision of accessible legal services to address the specific legal challenges faced by older persons. Although, principles are soft law instruments, Governments and stakeholders are encouraged to adopt measures and policies that pro-

¹¹ United Nations, Report of the Second World Assembly on Ageing, Madrid, 8-12 April 2002, p. 5.

mote and safeguard access to justice for elderly, in line with the international standards. Some of UN instruments relate to the specific area of access to justice, such as legal aid or crime prevention, so they do not cover comprehensively access to justice principle (Spanier, Doron, Milman-Sivan, 2016: 58).

While the United Nations Principles for Older Persons from 1991¹² do not provide specific guidelines on access to justice, they establish a broader framework for promoting the rights and well-being of older individual. Access to justice is an essential component of realizing these principles, as it enables older persons to exercise their rights, seek redress, and ensure their dignity and equality within legal system (Kanter, 2009: 539).

The United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems adopted by the General Assembly in 2012,¹³ that made it an obligation for Member States to put in place accessible, effective, sustainable, and credible legal aid systems, with specialized services for groups. The instrument contains direct reference to the rights of older persons. Principle 6 on non-discrimination affirms that “States should ensure the provision of legal aid to all persons regardless of age, race colour, gender,...” Furthermore, Principle 10 on equality in access to legal aid, upholds that “Special measures should be taken to ensure meaningful access to legal aid for women, children and groups with special needs, including, but not limited to, the elderly,... Such measures should address the special needs of these groups, including gender-sensitive and age-appropriate measures.”

Similarly, the updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice¹⁴ recognizes the importance of adopting a systemic, comprehensive, coordinated, multi-sectoral and sustained approach to fighting violence against women, while acknowledging that some special groups of women are particularly vulnerable to violence, including because they are elderly, and as such, require special attention.

Furthermore, the Madrid International Plan of Action on Ageing¹⁵ encourages states to promote access to justice for older persons, including measures to eliminate barriers and obstacles they may face in accessing legal assistance and redress.¹⁶

In addition to soft law instruments, several UN treaties as binding human rights instruments have been adopted that deal specifically with the rights of disadvantaged

¹² General Assembly Resolution 46/91, 16 December 1991.

¹³ Resolution adopted by the General Assembly, A/RES/67/187, 20 December 2012.

¹⁴ Resolution adopted by the General Assembly, A/RES/65/228, 21 December 2010.

¹⁵ Second World Assembly on Ageing, Madrid, 8-12 April 2002.

¹⁶ Para. 108.

groups. Although, none of the UN binding instruments focuses on older persons, a few mentions age.

Furthermore, the Convention on the Rights of Persons with Disabilities¹⁷ is an international human rights treaty that specifically addresses the rights of persons with disabilities, including the older persons with disabilities. The Convention recognizes that older persons with disabilities should have access to justice on an equal basis with others.¹⁸ This includes ensuring accessible facilities, specifically age-appropriate accommodation, procedures and support mechanisms.

The General Recommendation No. 27 on older women and protection of their human rights¹⁹ on the Convention on the Elimination of all Forms of Discrimination Against Women²⁰ states that state parties should provide older women with information on their rights and how to access legal services. Specifically, information, legal services, effective remedies, and reparation must be made equally available and access to older women with disabilities.²¹

Overall, no treaty offers older persons a tailored, comprehensive, and binding protection of their rights, including access to justice.

Similar situation is at the EU level, where support to elderly is fragmented. Only when Treaty of Amsterdam entered into force in 1999 the Article 13 provides grounds for prohibition of discrimination including age. Council Directive 2000/78/EC of 27 November 2000²² establishing a general framework for equal treatment in employment and occupation envisages age as ground. The Directive includes a series of mechanisms to ensure effective remedies are triggered in the event of discrimination, such as improvement of legal protection by reinforcing access to justice in the Article 9 (Bueren, 2009: 7).

¹⁷ General Assembly Resolution A/RES/61/10, 13 December 2006.

¹⁸ Article 13 of the Convention “States Parties shall ensure effective access to justice for persons with disabilities on an equal basis with others, including through the provision of procedural and age-appropriate accommodations, in order to facilitate their effective role as direct and indirect participants, including as witnesses, in all legal proceedings, including at investigative and other preliminary stages”.

¹⁹ United Nations, Committee on the Elimination of Discrimination against Women, CEDAW C/GC/27, 16 December 2010.

²⁰ General Assembly Resolution A/RES/34/180, 18 December 1979, entry into force 3 September 1981.

²¹ Para 33.

²² Official Journal L 303, 2 December 2000, p. 16-22.

3. Challenges in access to justice for elderly people

In line with international instruments, the older people have the right to equal treatment before the law and to equal access to justice (Doron, Georgantzi, 2018: 73). As it is assessed above, the right to access to justice is composed of different elements, but for the purpose of the article the access to justice for elderly people will be analysed in the context of access to information and access to the judicial system, including physical access, affordability and delays.²³

3.1. Access to information

Older people faced the challenges in accessing information about their rights, complaint processes and the judicial system. These obstacles exist not only for individuals with disabilities but also for those without impairments.

There may be a lack of legal services specifically tailored to the needs of older people. Legal professionals and service providers may not have adequate training or understanding of the unique legal issues affecting older individuals, such as elder abuse, healthcare, pensions, or inheritance.

Many older individuals may be unaware of their rights or the legal mechanisms available to them. They may lack information about legal aid services, alternative dispute resolution methods, or relevant legal resources. Insufficient awareness and information can prevent older people from seeking appropriate legal remedies.

The rapid advancement of technology can create barriers to accessing information, especially for older individuals who may not be as familiar with or have access to digital platforms. Thus, it is important to ensure that information and methods of seeking redress or filing complaints are available in various formats, including printed copies, to satisfy the diverse needs of older people. This recognition of the specific needs and equal value of older individuals in accessing justice is crucial for promoting their rights and ensuring inclusivity within the legal system.

Digitalization can both facilitate and present challenges to access to justice for older people (Donoghue, 2017: 998). While technological advancements offer potential benefits, such as increased convenience and efficiency, they can also create barriers for older individuals who may have limited digital literacy or face technological obstacles.²⁴

²³ Substantive inputs on the focus area “Access to justice”, Working document submitted by the Office of the High Commissioner for Human Rights, Open-ended Working Group of Ageing, 29 March-1 April 2021, p. 4.

²⁴ European Commission, Ageing well in the Information Society, Action Plan on Information and Communication Technologies and Ageing, An 2010 Initiative, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, COM (2007) 332 final, Brussels, 14 June 2007.

Older individuals may have lower levels of digital literacy and limited access to technology, including computers, smartphones, and the internet. This digital divide can prevent them from effectively accessing online legal resources, communicate with legal professionals, or participating in digital legal proceedings.

3.2. Access to the judicial system

Physical and cognitive impairments associated with aging, such as mobility issues, hearing or vision loss, or cognitive decline, can pose challenges to accessing judicial system. Physical barriers in courtrooms, lack of assistive technologies or difficulties in comprehending legal documents can impede meaningful participation in legal processes (Ashton, 2004: 45).

Physical barriers impact the ability to access courts due to lack of accessible buildings, transportation, waiting and seating areas and information, but also because court proceedings are not adapted to older people's needs and abilities and do not provide reasonable accommodation. For instance, the courts do not take into account the best time for older persons to testify, and they do not offer alternative care for people with care giving duties so that they are free to take part in proceedings.²⁵

Legal procedures and courtrooms may not be adapted to accommodate the specific needs of older individuals. Limited accommodation for physical disabilities or cognitive impairments can prevent older people from fully participating in legal proceedings.

Older people may face financial constraints that limit their ability to access legal services or pursue legal action. Legal fees, court costs and associated expenses can be prohibitive, especially for those on fixed incomes or within limited savings.

Older individual may face communication barriers when interacting with legal professionals or within the legal system. Language difficulties, use of complex legal terminology, or inadequate support for individuals with hearing or speech impairments can hinder effective communication and understanding.²⁶

The specific barriers of excessive delays and long legal processes faced by older persons emphasizing that this issue becomes critical for them due to their potential impact on their ability to benefit from the outcome of legal proceedings. Germany adopted a new law in December 2011 to tackle unreasonable legal delays.²⁷ It gave

²⁵ AGE Platform Europe, Submission on access to justice, 31 October 2019.

²⁶ See: Recommendation CM/Rec(2014)2 and Explanatory memorandum, *Promotion of Human Rights of Older Persons*, May 2014.

²⁷ European Court of Human Rights, Application no. 46344/06, case *Rumpf v Germany*, judgement 2 September 2010. In addition, Resolution CM/ResDH(2013)244 71 cases against Germany, Execution of the judge-

people opportunity to challenge slow progress in judicial proceedings and ask for this to be remedied and provided a right to compensation if delays continue. Reforms specifically targeted lengthy judicial proceedings, with consideration given to the age of the parties involved. The specific situation emphasises the importance of addressing excessive delays in legal processes, particularly for older persons, and highlights examples of initiative undertaken in Germany to mitigate this issue. The mentioned example showcases the need for tailored approaches that take into account specific circumstances of older individuals and their limited time frame contribute to a more inclusive and accessible justice system.

4. Jurisprudence of the European Court of Human Rights

Access to justice is crucial for older persons, because in the context of old age, a delay in accessing judicial system means justice may be denied (Pauw, 2014: 240). Due to abovementioned, the European Court of Human Rights has considered the relevance of the advanced age of a person in considering whether a case is heard “within a reasonable time” under Article 6(1) of the European Convention of Human Rights and the right to a fair trial (Mole, Harby, 2006: 24).

The European Court of Human Rights has recognized that lengthy legal proceedings can constitute a violation of the right to a fair trial, particularly when considering the specific needs and circumstance of the older persons and the reasonable time criterion.²⁸

For example, the Court found a violation of the provision, considering the applicant’s very great age and specific needs as an older person, including the need to maintain essential contacts with the outside world.²⁹ This highlights the Court’s recognition of the particular vulnerabilities and requirements of older individuals, emphasizing the importance of ensuring timely access to justice for them.

The European Court of Human Rights has acknowledged the importance of considering the age and specific needs of older persons when assessing whether legal proceedings have met the reasonable time criterion. By taking into account the age of

ments of the European Court of Human Rights, See: <https://www.coe.int/en/web/impact-convention-human-rights/-/reforms-to-address-unreasonable-legal-delays>

²⁸ See e.g. ECtHR, 30 October 1998, *Styranowski v. Poland*, 28616/95, para. 57; ECtHR, 16 April 2002, *Jablonská v. Poland*, 60225/00, para. 43; ECtHR, 15 May 2008, *Mikhaylenko v. Ukraine*, 18389/03, para. 27; ECtHR, 3 June 2010, *Konashevskaya and Others v. Russia*, 3009/07, paras 50, 54.

²⁹ ECtHR, 4 April 2000, *Dewicka v. Poland*, 38670/97, paras 55-58. Cf. ECtHR, 16 September 1998, *Süssmann v. Germany*, 20024/92, para. 61.

the applicant, the Court recognised that older individuals may have distinct requirements and vulnerabilities that warrant special consideration.

As regards access the Court itself, on several occasions has given priority to cases due to the applicant's old age.³⁰

The European Court of Human Rights has addressed various aspects of access to justice for older people in its jurisprudence, particularly concerning discrimination and the protection of fundamental rights.

It is important to note that the jurisprudence of the Court on access to justice for older people is developed within the context of European law and its interpretation. European national courts also play a role in applying and interpreting European law in cases involving access to justice for older individuals.

Interpretation of excessive delays is specifically mentioned in the cases *Süssmann v. Germany* and *Jablonská v. Poland*. The European Court of Human Rights has held that the advanced age of a person may be a relevant factor in considering whether a case was dealt with within a reasonable time and thus may tighten the requirements for prompt trial under Article 6(1).

In the case *Jablonská v. Poland*, the 81 year-old applicant complained that the length of proceedings concerning the annulment of a notarial deed had exceeded a reasonable time. She argued in particular that, despite her very old age and the fact that her every appearance before the Regional Court had involved a long and tiring travel, she had attended hearings and given evidence whenever necessary and had never caused any undue delay.

The Court held that there had been a violation of Article 6 (1) of the Convention in respect of the length of proceedings, having regard more particularly to the fact that in view of the applicant's old age. Since the applicant was already 71 years old when the litigation started, the European Court of Human Rights stated that the Polish courts should have displayed particular diligence in handling her case.

The Court has highlighted the importance of effective judicial remedies for individuals to enforce their rights. It has ruled that national courts must provide effective and timely remedies, enabling older persons to challenge decisions or actions that infringe upon their rights (Martin, Rodriguez-Pinzon, Brown, 2015: p 125).

The Court has recognized the importance of access to legal aid in ensuring effective access to justice. In cases involving vulnerable individuals, including older persons, it has emphasized the need to provide legal aid to guarantee their ability to effectively participate in legal proceedings (Apostolo, Das Neves, Liberado, 2021: 16).

³⁰ ECtHR, 18 January 2005, *Popov v. Moldova*, 74153/01, para. 4; ECtHR, 16 October 2007, *Marcu v. Moldova*, para. 4; ECtHR, 18 December 2008, *Nerattini v. Greece*, 43529/07, para. 4.

The Court has consistently affirmed the protection of fundamental rights in the European Union, including the rights of older individuals. It has interpreted European law in manner that upholds the dignity, autonomy and non-discrimination of older persons, ensuring their access to justice within the EU legal framework.

5. Conclusions

Despite existence of legal instruments, the international and regional legal framework on the human rights of older persons remains fragmented and incomplete, with evident gaps for protection. The option to overcome this challenge could be adoption of comprehensive international standards to protect the rights of older persons, including older persons access to justice. Furthermore, the international instrument should stipulate the obligation of states to adopt legislation and policies to guarantee and effective access to justice for older and when they do not have adequate support and remedies. To achieve that the advocacy initiatives should be planned for changing legislation to reduce obstacles and address these challenges adequately in the domestic laws (Beqiraj, McNamara, 2014: 19).

Exercise of access to justice for elderly people in practice is very challenging, due to lack of age-friendly practices such as assignment of court assistants to explain court procedures and help older people reach the court and navigate in the buildings, a duty of reasonable accommodation, the possibility for remote testimony, the training of legal staff on communicating with people with declining cognitive capacities, etc. There is an urgent need to improve awareness of legislation among older persons and among court staff and to ensure exercise of the rights.

To mitigate the risk of the excessive delays in the justice system, measures such as expedited court processes, alternative dispute resolution mechanisms, and specialized support services for older people can help to ensure timely and efficient access to justice.

To address challenges of the rapid digitalization, online legal platforms and digital systems should be designed with older users in mind. They should prioritize simplicity, clear navigation, and user-friendly interfaces to ensure older people can easily understand and interact with digital legal tools. Educational initiatives that offer guidance on using digital devices, accessing online legal resources, and navigating digital platforms can empower older people to engage with the digital aspects of accessing justice. Furthermore, digital tools and online platforms should be accessible to individuals with visual, hearing or motor impairments. Recognizing the diverse needs and preferences of older individuals, a hybrid approach that combines digital options with tradi-

tional methods can enhance access to justice. This may involve offering alternatives, such as telephone consultations, paper-based documentation, or in-person support, alongside digital solutions. Ensuring that older people have access to legal aid services, including digital platforms, can provide them with guidance and support in navigating online legal processes. Legal professions should be equipped to assist older individuals in using digital tool effectively.

Raising awareness among legal professionals, policy makers, and society at large about the specific challenges faced by older people in accessing justice is crucial. Promoting understanding and sensitivity towards the needs of older individuals can lead to more inclusive and accessible justice systems.

References

- Abel, L. K. (2010), Evidence-Based Access to Justice, *University of Pennsylvania Journal of Law and Social Change*, Vol. 13, pp. 295-313.
- Apostolo, J., Das Neves, P., Liderado, P. (2021) The Right to Legal Aid in the Context of International Judicial Cooperation: Towards the Improvement of Equal Access to Justice for All?, *Research of Humanities and Social Science*, Vol. 11, No. 12, pp. 15-22.
- Ashton, G. R. (2004) Access to Justice for People with Physical and Mental Disabilities, *Commonwealth Judicial Journal*, Vol. 15, No. 3, pp. 45-49.
- Barendrecht, M., Gramatikov, M., Porter, R., Verdonschot, J.H. (Barendrecht, M. *et al.*) (2012), Trend Report: Part 1 – Towards Basic Justice Care For Everyone, Den Haag: The Hague Institute for the Internationalisation of Law, The Hague: HiiL.
- Beqiraj, J., McNamara, L. (2014) International Access to Justice: Barriers and Solutions, Bingham Centre for the Rule of Law Report, International Bar Association.
- Bueren, G. (2009) The Protection of the Human Rights of Older Persons in Europe: A legal perspective, Background briefing paper.
- Cappelletti, M., Garth, B. (1978) Access to Justice: The Newest Wave in the Worldwide Movement to Make Rights Effective, *Buffalo Law Review*, Vol. 27, pp. 181-292.
- Crawford, C., Maldonado, (2020) Access to Justice: Theory and Practice from a Comparative Perspective, *Indiana Journal of Global Legal Studies*, Vol. 27, issue 1, pp. 1-14.
- Donoghue, J. (2017) The Rise of Digital Justice: Courtroom Technology, Public Participation and Access to Justice, *Modern Law Review*, Vol. 80, Issue 6, pp. 995-1025.
- Doron, I., Georgantzi, N. (2018) Ageing, Ageism and the Law: European Perspectives on the Rights of Older Persons, Edward Elgar Publishing.
- Dylag, M. (2023) Theorizing Access to Civil Justice, *Canadian Journal of Law and Jurisprudence*, Vol. 36, Issue 1, pp. 1-33.
- Flynn, E. (2015) Disabled Justice?: Access to Justice and the UN Convention on the Rights of Persons with Disabilities, Dorchester, Ashgate.

- Flynn, E., Lawson, A., (2013) Disability and Access to Justice in the European Union: Implications of the UN Convention on the Rights of Persons with Disabilities, *European Yearbook of Disability Law*, Vol. 4, pp. 7-42.
- Francioni, F. (2007) The Rights of Access to Justice under Customary International Law, In Francioni, F. (ed) *Access to Justice as a Human Rights*, pp. 1-56, Oxford University Press.
- Kanasi, E. Ayilavarapu, S, Jones, J. (2016) The aging population: demographics and biology of aging, *Periodontology 2000*, Volume 72, Issue 1, pp. 13-18.
- Kanter, A. S., (2009) The United Nations Convention on the Rights of Persons with Disabilities and Its Implications for the Rights of Elderly People Under International Law, *Georgia State University Law Review*, Vol. 25, No. 3, pp. 527-574.
- Klaming, L., Giesen, I. (2008) Access to Justice: the Quality of the Procedure, *TISCO Working Paper Series on Civil Law and Conflict Resolution System*, No. 002/2008, University of Utrecht.
- Martin, C., Rodriguez-Pinzon, D., Brown, B. (2015) The Human Rights of Older Persons in the European Institutions: Law and Policy, In. *Human Rights of Older People: Universal and Regional Legal Perspectives*, pp. 125-214.
- Matić Bošković, M. (2020) Uređenje procesnih prava osumnjičenih i okrivljenih u pravnim tekovinama Evropske unije, *Strani pravni život*, Vol. 64, br. 1, pp. 29-43.
- Matić Bošković, M. (2021) The Perception of Justice in Western Balkans Countries, *Regional Law Review*, Institute of Comparative Law, Belgrade, pp. 25-37.
- Matić Bošković, M. (2022) Access to Justice and unequal treatment, In: *Yearbook No. 5, Human Rights Protection – From Childhood to the Right to a Dignified Old Age – Human Rights and Institutions*, Provincial Protector of Citizens, Institute for Criminological and Sociological Research, pp. 139-152.
- Mole, N., Harby, C., (2006) The Right to a Fair Trial: A Guide to the Implementation of Article 6 of the European Convention on Human Rights, in: Council of Europe, *Human Rights Handbook*, No. 3.
- Pauw, de M. (2014) Interpreting the European Convention of Human Rights in Light of Emerging Human Rights Issues: An Older Person's Perspective, *Human Rights and International Legal Discourse*, Vol. 8, pp. 235-257.
- Schetzer, L., Mullins, J., Buonamano, R. (2002) Access to Justice and Legal Needs, a Project to Identify Legal Needs, Pathways and Barriers for Disadvantaged People in NSW, Background Paper, Law and Justice Foundation of NSW, Sydney.
- Spanier, B., Doron, I., Milman-Sivan, F. (2016) In Course of Change: Soft Law, Elder Rights, and the European Court of Human Rights, *Minnesota Journal of Law and Inequality*, Vol. 34, Issue 1, pp. 55-86.