ACCESS TO JUSTICE: A CRITICAL ANALYSIS OF LEGAL SERVICES FOR THE VULNERABLE

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ABSTRACT

A critical analysis of the barriers to justice experienced by three vulnerable groups – under trial detainees, women and children who were victims of human trafficking, and juveniles. Understanding as to how far India continues to engage with its constitutional pledge of "access to justice for all" alongside the robust legal framework embodied in Articles 14, 21, 22(1) and 39A of the Constitution as well as the Legal Services Authorities Act, 1987.

Under trial detainees can remain in detention for long periods of time and are often unsure of their rights and lack access to good legal representation partly due to a lack of money and partly because of overworked panel lawyers. In the case of women and child victims of human trafficking, they are often wrongly identified as offenders (which can re-traumatize them) often not afforded sufficient witness protection or have problems accessing compensation.

Although children-centred, juveniles in the justice system face challenges with understanding legal processes and often rely on legal representation from lawyers without child-specific training and understanding of the more subtle provisions of the Juvenile Justice Act. Ultimately, Reforms will support every citizen to not be deprived of justice because of economic or other disabilities, and deliver justice, dignity, and rights to the most vulnerable citizens in India.

Keywords: Rehabilitation, Constitutional Obligation, Vulnerability, Legal Services Authorities (LSAs), Trauma-informed Justice, Social Reintegration

Introduction

At the core of every successful democratic society is a commitment to the promise of "access to justice for all." This promise is not just an aspirational marker, but a constitutional obligation and expectation that any country that values fairness, equality and the rule of law must hold dear. There can be no justice that is not broadly available; it cannot be confined to the privileged few who are equipped to navigate the legal system. Every person must have a legal platform through which to assert their legitimate rights, pursue redress for legitimate wrongs, and be facilitated in a fair hearing in that process. The promise of justice is a touchstone of trust in our governing institutions, because nothing more corrupts that promise than people being disadvantaged based upon their inability to access justice.

This paper will examine critically, the challenges of three specific groups whose access to justice is usually affected: Under-trial Prisoners, Women and Child Victims of Human Trafficking, and Juveniles in the Juvenile Justice System. These groups illuminate different yet converging aspects of vulnerability that grapple with distinct yet complex issues that prevent them from accessing the legal system, designed to protect them.

Under-trial Prisoners may remain in jails for sometimes months, and even years because, Women and Child Victims of Human Trafficking have further complications due to trauma, social stigma, associated risks, and distrust in authorities. Juveniles in the Juvenile Justice System have their own unique developmental and psychological issues. They may not have the level of maturity to even understand the legal process, and they may have a stronger potential for exploitation and typically come from traumatized backgrounds. These three groups of individuals share a common culture of ignorance of the law and the consequences of their actions which limits their understanding of individual rights and what pathways there are towards justice.

Constitutional Mandate:

Access to justice is one of the fundamental principles of any democratic society and in India, access to justice is a founding principle of general law, and as such, is deeply rooted in the constitutional and legal framework. Legal aid or providing legal assistance or services for free or subsidized to people unable to afford it, is a very important mechanism for ensuring that no one is denied justice, whether because of their economic situation or other disabilities. The Indian Constitution is enriched with the spirit of providing legal aid, and it can be seen reflected in the Preamble and various Articles of the Constitution.

The Preamble of the Indian Constitution is the guiding force of the country. The Preamble seeks to secure, Justice, Social, Economic and Political, for its citizens. As such, the overarching purpose of the Preamble implies that the access to justice system should be accessible to everyone regardless of their socio-economic status. Denying someone legal representation because they are impoverished can be construed to be a breach of access to justice which is the very promise made by the Indian constitution.

Article 14: Equality before Law: Article 14 guarantees "equality before law" and "equal protection of law." The principle of equality goes further than formal equality to include substantive equality. In other words, a person who is economically disadvantaged should not be at a legal disadvantage. Legal aid is critical to ensuring that everyone is legitimately able to make their case before the law.

Article 21: Right to Life and Personal Liberty, Interpreted to Include the Right to a Fair Trial and Legal Aid: Article 21 states that "No person shall be deprived of his life or personal liberty except according to procedure established by law." The Indian Supreme Court has liberally interpreted Article 21 and has found the right to a fair trial as a facet of freedom, and the right to legal aid as essential for a fair trial particularly in favour of the poor. The Supreme Court in *Khatri (II) vs. State of Bihar*[1], reiterated that the constitutional obligation to provide, or to arrange, legal aid arises as soon as possible, i.e. upon the first production of an accused before a magistrate and then continues at all stages of the trial, as well as remand proceedings. The Court made it clear that the right to legal aid cannot be refused on the basis of financial deficit or lack of administrative will.

Article 22(1): Right to be Defended by Legal Practitioner of Choice: Article 22(1) explicitly grants "every person who is arrested to be defended by a legal practitioner of his choice." While free legal aid is not expressly mentioned, the spirit of the Article, when read together with Article 21 and Article 39A, supports the proposition that financial incapacity should not negate this fundamental right.

Article 39A: Directive Principle of Equal Justice and Free Legal aid: Article 39A is a Directive Principle of State Policy[2] states: "The State shall secure that the operation of the legal system promotes justice, on a basis of equal opportunity, and shall, in particular, provide free legal aid, by suitable legislation or schemes, or in any other way, to ensure that opportunities for securing

[1] (1981) 1 SCC 627

[2] The Constitution (Forty-Second Amendment) Act, 1976

justice are not denied to any citizen by reason of economic or other disabilities." This Article imposes a constitutional duty on the State to enact legislation and schemes for free legal aid, which is an important aspect of the legal aid regime[3].

The Legal Services Authorities Act, 1987:

The Act can be seen as the backbone of legal aid movement in India, providing an overall statutory framework. The Act serves a number of stated purposes which include providing free and competent legal services to the below lower strata of society, to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities, to conduct Lok Adalats (People's Courts) for the settlement of disputes in an amicable manner and to promote awareness of legal literacy.[4] The Act provides for a framework for the hierarchy of legal services:

- National Legal Services Authority (NALSA): It provides guidance and formulates the policies and principles for accessing legal services under the Act, and to monitor and evaluate the legal aid schemes provided under the Act. Further, it allocates funds to the State Legal Services Authorities.
- State Legal Services Authorities (SALSAs): SALSAs are at the state level and will implement the policies and programs of NALSA at the state level. SALSAs will organise Lok Adalats, awareness camps for legal literacy, and provide legal aid through lawyers in the panel of the SALSA.
- District Legal Services Authorities (DLSAs): DLSAs are constituted at the district level and are responsible for providing legal aid services at that district level. DLSAs deal directly with the public, identify eligible and entitled persons, and provide access to legal representation.

Class of Persons Eligible for Free Legal Aid[5] are Scheduled Castes or Scheduled Tribes, victims of trafficking in human beings or beggars, women and children, persons with disabilities, persons who are in a condition of undeserved want, industrial workmen and any person who is in custody.

Other Mandates:

Provisions exist in the Bharatiya Nagarik Suraksha Sanhita, 2023, where in certain cases; the

[3] Sharma, V. D. (1995). Legal Aid: A Socio-Legal Perspective in India. Indian Bar Review, 22, 11.
[4] Menon, N. R. Madhava. (2008). Law and Justice in a Globalizing World: The Role of Legal Aid.
[5] Section 12, Legal Services Authorities Act,1976

State would provide legal aid to accused persons, especially if a trial is before the Court of Session. [6]

India's commitment to legal aid is also solidified through numerous international human rights instruments, of which all align with the universally recognized right to legal assistance.[7] Universal Declaration of Human Rights (UDHR), 1948: Although an international treaty and not per se legally binding, the UDHR is the cornerstone of international human rights law. "Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law."[8]

India is a signatory to the ICCPR which expressly provides the right to legal assistance in criminal proceedings. "In the determination of any criminal charge against him, everyone shall be entitled to the following minimum guarantees, in full equality: ... (d) to be tried in his presence, and to defend himself in person or through legal assistance of his own choosing; to be informed, if he does not have legal assistance, of this right; and to have legal assistance assigned to him, in any case where the interests of justice so require, and without payment by him in any such case if he does not have sufficient means to pay for it."[9]

India has made consistent and substantial strides forward in recognizing and providing for the right to legal aid. While the problems of ignorance, infrastructure and processes continue to provide obvious challenges, the framework in India, with judicial pronouncements and international obligations, remains a powerful vehicle to accelerate our journey towards a more just and equitable society, where no citizen is denied justice due to not being able to pay for legal services.

Under Trial Prisoners

Under-trial prisoners constitute a significant and often overlooked segment of the incarcerated population in India. Despite the fundamental legal principle of "presumption of innocence until proven guilty," UTPs often endure prolonged detention, effectively serving sentences without conviction. Statistics on the high percentage of UTPs in Indian jails, their socio-economic background, and the duration of their incarceration. India's prison statistics consistently reveal an alarming proportion of UTPs. In case of *Madhav Hayawadanrao Hoskot vs. State of*

[6] Section 341, Bharatiya Nagarik Suraksha Sanhita,2023
[7] Gupta, R. S. (2020). Legal Aid Services in India: A Critical Review. Asian Journal of Law and Policy, 34, 45.
[8] Article 8, Universal Declaration of Human Rights, 1948
[9] Article 14 (3) (d), International Covenant on Civil and Political Rights, 1966

Maharashtra[10], in this decision, the Apex Court adjudged that if a person "has the right to assert against the verdict of his crime and appeal against the sentence, he has the right to through counsel who can prepare and present an appeal." This case emphasised that the right to legal aid extends beyond the trial phase.

According to the National Crime Records Bureau (NCRB) data, UTPs typically account for over two-thirds, and often close to three-quarters, of the total prison population. This disproportionate number underscores a systemic issue where pre-trial detention becomes the norm rather than the exception.

The socio-economic profile of UTPs is predominantly marked by marginalization. A significant majority hail from economically weaker sections, often belonging to Scheduled Castes, Scheduled Tribes, and Other Backward Classes, and frequently include religious minorities. Many are daily wage earners, migrant labourers, or those engaged in informal sector employment, whose families are plunged into further destitution upon their arrest. Their limited financial resources often translate into an inability to afford private legal counsel or meet bail conditions. Furthermore, illiteracy or low levels of education are common, compounding their lack of awareness regarding legal rights and procedures.

The duration of their incarceration is another critical aspect. A substantial number of UTPs spend more time in judicial custody than the maximum sentence prescribed for the alleged offence, or remain incarcerated for years awaiting trial, sometimes even longer than they would have served had they been convicted. This protracted detention, often for minor offences, not only violates their right to a speedy trial but also has severe ramifications for their personal lives, families, and livelihoods.

Challenges in giving free legal to UTPs include during difficulties in meeting bail conditions, lack of knowledge about bail provisions, procedural hurdles and ineffective representation during bail hearings. The issue of inexperienced or overworked panel lawyers, lack of client-lawyer confidentiality, and the "tokenism" of legal aid. The quality of legal representation available to UTPs under legal aid schemes is frequently a point of contention. Panel lawyers are often inexperienced, particularly in complex criminal matters, or are burdened with an overwhelming caseload, limiting the attention they can dedicate to individual cases. This leads to perfunctory representation, where thorough case preparation, evidence collection, and cross-

[10] (1978) 3 SCC 544

examination are often neglected. The lack of private consultation spaces within prisons also compromises client-lawyer confidentiality, hindering open communication and trust.

Systemic delays in the Indian judicial process disproportionately affect UTPs. Backlogs in courts, frequent adjournments, and delays in police investigations mean that trials can drag on for years, if not decades. Many UTPs, especially those with limited education, are unaware of their fundamental rights, such as the right to a speedy trial, the right to remain silent, or the right to be informed of the grounds for their arrest.

While National Legal Services Authority (NALSA) guidelines mandate the presence of legal aid services within prisons, their efficacy varies widely. Jail visiting lawyers are supposed to identify UTPs requiring legal assistance, provide advice, and facilitate their access to legal aid. However, the frequency and quality of these visits can be inconsistent. Legal aid clinics within prisons, though a positive step, often suffer from understaffing, lack of resources, and limited capacity to handle the sheer volume of cases.

Women and Child Victims of Trafficking

Victims of human trafficking, particularly women and children, present a unique and complex challenge to the legal aid system. Often, due to a lack of understanding of the crime and its dynamics, law enforcement agencies mistakenly treat victims as offenders, further traumatizing them and pushing them deeper into vulnerability.

The legal framework addressing human trafficking in India is multifaceted but often fraught with implementation challenges. The primary legislation historically used is the Immoral Traffic (Prevention) Act, 1956 (ITPA), which, despite its intent, has often been criticized for criminalizing victims, especially adult women found in brothels, rather than focusing solely on traffickers. The Protection of Children from Sexual Offences (POCSO) Act, 2012, is a robust law specifically designed to protect children from sexual abuse and exploitation, including trafficking for sexual purposes. Various sections of the Bharatiya Nyaya Sanhita, 2023 include Trafficking of Person, Exploitation of a trafficked person, and sections related to abduction, kidnapping, and wrongful confinement.[11]

Recognizing the limitations and gaps in existing laws, the proposed Trafficking in Persons (Prevention, Care and Rehabilitation) Bill aims to provide a comprehensive framework for prevention, rescue, rehabilitation, and reintegration of trafficking victims, with a victim-centric

[11] Sections 143,144,138,137 and 127, Bharatiya Nyaya Sanhita, 2023

approach. However, its enactment and effective implementation remain crucial for a more cohesive response.

The journey from victim to survivor, and then to justice, is fraught with legal and systemic obstacles for trafficked individuals. One such obstacle is the tendency of law enforcement to treat victims (especially adult women) as criminals (e.g., under ITPA). One of the most critical challenges is the misidentification of victims. Law enforcement agencies, particularly under the ITPA, often perceive adult women found in exploitative situations as consenting sex workers or "accused" rather than victims of coercion and trafficking. This victim-blaming approach leads to their arrest and prosecution, further compounding their trauma and hindering their access to protective services and legal aid. The focus often remains on "immoral traffic" rather than the underlying crime of trafficking. Lawyers often lack specialized training in handling traumatized clients sensitively, understanding their psychological state, and adapting communication methods.

A significant hurdle in prosecuting traffickers is the lack of robust witness protection mechanisms. Victims and their families often face severe threats and intimidation from traffickers, leading to fear for their lives and safety. This fear frequently results in victims turning hostile during trial, retracting their statements, or refusing to cooperate with investigations, thereby weakening the prosecution's case and allowing perpetrators to escape justice.

While various victim compensation schemes exist, access to them is often hampered by procedural delays, bureaucratic hurdles, and a lack of awareness and assistance. Victims, already vulnerable and often without financial means, struggle to navigate the complex application processes. Legal aid lawyers play a crucial role in facilitating access to these schemes, but their capacity and proactive engagement in this aspect are often limited.

Cross-border trafficking presents unique jurisdictional complexities. When victims are trafficked across state or national borders, issues of jurisdiction, inter-state/international coordination, and repatriation become formidable challenges. Legal aid services face difficulties in navigating different legal systems, ensuring safe repatriation, and providing continued legal and rehabilitative support once the victim is back in their home state or country.

Juveniles in the Juvenile Justice System

The Indian juvenile justice system operates on a distinct philosophy, prioritizing the rehabilitation and social reintegration of children in conflict with the law over punitive measures. The Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act), is founded on the principles of "best interest of the child," "rehabilitation," "restoration," and "social reintegration." It departs from the retributive criminal justice model applicable to adults, emphasizing that children in conflict with the law should be treated with care, protection, and a focus on their reform rather than punishment. The Act mandates a child-friendly approach, ensuring that proceedings before the Juvenile Justice Boards (JJBs)[12] and Child Welfare Committees (CWCs) are informal, non-adversarial, and conducive to the child's well-being. The primary objective is to prevent children from entering the adult criminal justice system and to provide them with opportunities for a constructive future. Despite its progressive philosophy, the juvenile justice system encounters several practical challenges, particularly concerning the provision of effective legal aid. A significant challenge is the quality of legal aid provided before the JJBs. While legal aid is a right for juveniles, the lawyers assigned often lack specialized training in child psychology, child rights, or the nuanced provisions of the JJ Act. This deficiency can lead to a failure to understand the child's developmental stage, their specific needs, or to effectively advocate for their best interests. The adversarial approach of adult criminal courts sometimes inadvertently spills over into JJB proceedings, undermining the reformative spirit of the Act.

Children, especially those from marginalized backgrounds or with limited education, often find it extremely difficult to comprehend the legal proceedings, the charges against them, or the implications of the JJB's decisions as the language used in court, the formal environment, and the abstract nature of legal concepts can be overwhelming. The legal aid lawyer's crucial role is to simplify these complexities, explain the process in child-friendly language, and ensure the child understands their rights and the potential outcomes. However, due to time constraints or lack of specialized skills, this vital communication often falls short.

Social Investigation Reports (SIRs), prepared by Probation Officers or Child Welfare Officers, are pivotal in juvenile justice proceedings. They provide the JJB with a holistic understanding of the child's background, family environment, socio-economic conditions, and the circumstances leading to their alleged involvement in an offence. These reports significantly influence the JJB's decision regarding the child's care, protection, and rehabilitation. Legal aid lawyers have a crucial role in ensuring that SIRs are fair, comprehensive, and prepared within

[12] Section 3 (iii), Juvenile Justice Act, 2015

stipulated timelines. They must scrutinize the report, highlight any inaccuracies or omissions, and ensure that the child's perspective and needs are adequately represented, advocating for a report that truly serves the child's best interest.

The JJ Act strictly mandates the protection of a child's identity involved in the juvenile justice system to prevent stigmatization and facilitate reintegration. This includes prohibiting the publication of their name, address, or any other identifying information. Legal aid lawyers must be vigilant in ensuring that this right to privacy and confidentiality is upheld throughout the proceedings, from media reporting to court records, and take immediate action if any breach occurs.

The legal aid system's responsibility often ends once a disposition order is passed by the JJB. However, the period post-release is critical for a juvenile's successful rehabilitation and social reintegration. There is often a significant lack of continued legal support for juveniles after they leave institutional care. This includes assistance with accessing education, vocational training, identity documents, or addressing any lingering legal issues that might impede their reintegration into society. A more comprehensive approach to legal aid would extend to post-release support, facilitating a smoother transition and preventing recidivism.

Path Ahead Towards Justice:

Their accessibility to the legal system often exposes systemic weakness, ranging from disproportionate pre-conviction detention to improper legal representation and procedural re-victimization. This not only requires additional changes, but a strong, legally focused renovation of our legal aid system. There exists a crucial legal and ethical dilemma due to the existence of such lack of proper legal aid facilitation to the vulnerable groups.

In case of under-trial prisoners, we often find violation of the fundamental right to a speedy trial and proper legal representation, based on Article 21 and 22(1) of the Constitution. An alarming number of them persist in detention, mostly because of ignorance about their rights, inability to provide bail, or lack of proper quality legal advice. In case of *Hussainara Khatoon v. Home Secretary, State of Bihar*[13], a case regarding the rights of under trial prisoners, the Court emphasized on the right of every accused person who is unable to afford a representative due to poverty, indigence or incommunicado to be provided a lawyer by the state if the situation calls for it.

[13] (1980) 1 SCC 98

When we think about women and child victims of trafficking, the justice system, can become secondary site of trauma, rather than provider of comfort and justice. Their vulnerability needs an advanced understanding of witness protection, victim compensation, and rehabilitation that general legal aid providers may lack. When juveniles in conflict with the law or in need of care and protection are concerned, they are legislated by the Juvenile Justice (Care and Protection of Children) Act of 2015, there enters the need for a child-centred and reform-oriented approach. This requires legal professionals who understand developmental psychology, the limitations of diversion, and the need for rehabilitation rather than retribution. Addressing these systemic deficiencies necessitates a multi-vectoral strategy, resolutely engrained in legal and procedural enhancements.

The first vector concerns Legislative and Policy adjustment. This requires changes to Legal Services Authorities Rules to put in place severe certification standards and constant professional development. Along with this, a significant hike in remuneration for legal aid panel lawyers is not only an incentive but a reward for the complexity and time-sensitive nature of such cases.

It recognizes that proficient legal counsel, the foundation of due process, carries a corresponding professional cost. In addition, the lack of a strong, cohesive Victim and Witness Protection Law persists to constrain successful prosecution, especially for trafficking offenses where intimidation is extensive. Such a law, in line with global best practices, should establish clear roles for prosecutors and the judiciary in obtaining testimony and safeguarding those placed in danger.

The second vector is Institutional Strengthening. Legal Services Authorities (LSAs) would have to adapt to address these specialized needs. The development of exclusive, specialized units under DLSAs and SLSAs for under-trial prisoners, victims of trafficking, and juveniles, operating which would have to be legally qualified individuals possessing specific training and supporting staff, would facilitate focussed intervention and proficient case handling.

These units would play a vital role in undertaking periodic jail visits, pre-litigation advice for the disregarded communities, and facilitating timely legal intervention. The Paralegal Volunteer (PLV) program, though priceless, needs widespread legal empowerment. Extensive training in basic legal rights, bail practices, and the special provisions of the JJ Act and ITPA Act would make PLVs active frontline legal aid enablers.

Additionally, tough monitoring and evaluation systems, using quantifiable indicators like case disposal rates, rates of conviction/acquittal and pre-trial detention length, are necessary to evaluate the proficiency of legal aid services and to guide evidence-based policy reforms.

The third vector focuses on Capacity Building and Sensitization, which are important steps to be taken towards shifting the working ethos of the justice system. Frequent sensitization courses for judicial officers, police officers, and prison officials are crucial. The courses need to move beyond awareness to explore legal intricacies of rights of arrest, principles of juvenile justice, victimology in trafficking, and the consequences of long-term detention.

These guarantee respect for procedural rights from the time of arrest until trial and jail. The creation of a "trauma-informed" and "child-friendly" model of justice system is the key to this. This displays in procedural alterations, including single-point testimony for child victims, use of expert support persons at the time of testimony, and court settings that are pitched to de-revictimization. Legally, this means that evidence is collected ethically and presented optimally, while protecting the mental and emotional health of vulnerable litigants.

Lastly, two decisive vectors that are required for a better future are: a Proactive, Holistic Approach and the Harnessing of Technology and Civil Society. Transitioning from a reactive "post-arrest" legal aid model to a proactive one is essential. This entails starting legal awareness camps in high-vulnerability zones and prison complexes, making people aware of their legal rights and the channels for accessing legal aid prior to combatting formal legal proceedings.

It is an early intervention approach that honours autonomy and avoids possible legal faux pas. Additionally, legal aid has to be all-inclusive, ranging beyond representation in the courtroom. It has to interface flawlessly with psychological counselling, social support, and rehabilitation services to appreciate that legal concerns tend to intertwine with other social determinants.

Finally, the use of technology is no longer just an option. An integrated web-based platform for legal aid case management would transform efficacy, transparency, and answerability. It would enable real-time monitoring of cases, enable secure communication between legal aid officials and clients, and yield valuable data for systemic analysis.

This could maximize resource allocation and speed up the settlement of cases. At the same time, enhanced collaborations with law school legal aid clinics and non-governmental organizations (NGOs) are crucial. Law clinics provide pro bono legal aid and research foundation, while NGOs have an unequalled grassroots presence, thematic specialization (e.g., in anti-trafficking), and intimate community knowledge. Institutionalizing these partnerships through MOUs and collective projects would greatly increase the coverage and specialized value of legal aid services, ultimately filling the access-to-justice gap.

With these legally precise and strategically unified reforms, India can develop a legal aid system that not only aids its constitutional obligation but also truly advocates for the rights and dignity of its most disadvantaged citizens. It would not just be an administrative improvement, but a reaffirmation of our commitment to systemic justice.

Conclusion

Our search for an effective legal aid system often leads us to the knowledge of our failure to attend the legal aid requirement of some of the audience that are most at-risk i.e., under-trial detainees, women and children who are victims of trafficking, and juveniles caught in the justice system. We have seen that even after the existence of constitutional requirements and set legal standards, these populations all too often endure extended detentions, procedural difficulties, and, most importantly, an acute shortage of specialist, timely, and integrated legal representation.

The existing framework, as much as it is the cornerstone, tends to be bogged down by the absence of specialist training for lawyers, poor compensation, and a lack of strong victim and witness protection schemes. Also, institutional constraints in Legal Services Authorities, under-funded paralegal programs, and an over-need for increased sensitization of justice stakeholders hinder efficacious delivery of justice.

The foremost reactive model of legal aid, supported by irregular support services, is commonly unable to block the underlying social and psychological vulnerabilities that are entwined with their legal issues. The way ahead is clear, but tough. Reforming the legal aid system in India is not just an administrative task, but a fundamental moral and constitutional requirement.

The dignity of each person, regardless of his or her situation, is sacrosanct. When under-trial prisoners are kept languishing without skilled counsel, when victims of trafficking are re-traumatized by the same system that is supposed to safeguard their rights, or when children are deprived of their integral right to a child-friendly procedure, it not only shows an individual injustice, but a societal failure.