

**ACCESS TO JUSTICE AND ALTERNATIVE DISPUTE RESOLUTION IN
PAKISTAN: EVALUATING THE EFFECTIVENESS OF MEDIATION AND
ARBITRATION IN REDUCING JUDICIAL BURDEN**

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ABSTRACT

This research paper examined mediation and arbitration in relation to perceived access to justice and perceived judicial-burden reduction in Pakistan. It distinguished assessments of dispute-resolution procedures from verified improvements in accessibility and court performance. Two objectives guided the analysis: examining the relationships of mediation and arbitration effectiveness with perceived access to justice and assessing their relationships with perceived judicial-burden reduction. A quantitative, cross-sectional framework was demonstrated using 300 simulated records representing hypothetical lawyers, mediators, arbitrators, and court administrative personnel across Lahore, Karachi, Islamabad, and Peshawar. No participants were recruited or fieldwork conducted. Twenty questionnaire items represented four constructs measured through five-point response scales. Descriptive statistics, Cronbach's alpha, Pearson correlations, and multiple linear regression were calculated. The model explained 36.6% of the simulated outcome variance. For perceived judicial-burden reduction, corresponding coefficients were .456 and .197, while explained variance reached 29.6%. All four regression associations achieved statistical significance below .001. The research paper concluded that the framework supported separate examination of ADR procedures and perceived outcomes. Larger mediation coefficients did not demonstrate superiority over arbitration. The research paper recommended empirical evaluation through validated instruments, justified sampling, user perspectives, and administrative records documenting referrals, completed resolutions, subsequent litigation, and workload over time. Its contribution remained methodological and provided a starting point for future research using observed evidence from functioning justice services and actual disputing parties.

Keywords: Access to justice; alternative dispute resolution; mediation; arbitration; judicial burden; Pakistan.

1. Introduction

Access to justice remained a fundamental concern in Pakistan because the existence of courts did not necessarily guarantee timely, affordable, and effective dispute resolution. Individuals seeking legal remedies frequently encountered procedural complexity, repeated hearings, and prolonged uncertainty. These difficulties affected the practical value of legal protection and increased the demands placed on judicial institutions. Ali and Hassan (2022) documented substantial case pendency through their examination of judicial statistics, highlighting the continuing pressure on Pakistan's courts. Their findings provided an important foundation for investigating supplementary mechanisms that could assist the judiciary while preserving meaningful opportunities for individuals to pursue legal remedies.

Judicial burden involved more than the number of unresolved cases because it also concerned the time and administrative resources required to manage disputes. When cases remained pending, courts continued to allocate attention to procedural requirements, hearings, and case management. For disputing parties, prolonged proceedings could involve additional expenses and disruption to everyday activities. Consequently, evaluating justice required consideration of both institutional performance and individual experiences. The World Justice Project (2019) examined legal capability, access to assistance, resolution

processes, and associated hardships, supporting a broader understanding of justice that extended beyond the formal availability of courts and recognised practical user needs.

Alternative dispute resolution emerged within this context as a collection of processes through which eligible disputes could be addressed without completing a conventional judicial trial. Mediation involved a neutral facilitator who assisted parties in communicating, identifying disputed issues, and negotiating an acceptable settlement. Arbitration, by comparison, involved a tribunal that considered the dispute and delivered a binding determination within the applicable framework. These procedural differences suggested that mediation and arbitration required separate assessment. The International Chamber of Commerce (2021) distinguished their negotiated and adjudicative functions, providing a basis for examining how each mechanism contributed to the management of different disputes.

In Pakistan, scholarly attention had addressed the development, compatibility, and implementation of ADR arrangements. Khan et al. (2022) examined relevant legal frameworks and discussed their procedural adaptation within the national justice system. Their contribution indicated that the recognition of alternative mechanisms required consideration of implementation conditions alongside legislative provisions. However, the availability of an ADR framework did not itself establish successful outcomes. Evaluation therefore required clearly defined indicators through which procedural effectiveness and possible institutional benefits could be examined. This consideration supported treating mediation and arbitration as distinct mechanisms whose perceived contributions required systematic investigation rather than general acceptance.

Quantitative evidence from Sindh further strengthened the rationale for examining ADR through institutional and community perspectives. Mashhood et al. (2023) investigated case-diversion potential and community demand, demonstrating that quantitative research had already contributed to this field. Building on that foundation, the present illustrative study examined perceived mediation effectiveness and perceived arbitration effectiveness in relation to perceived access to justice and perceived judicial-burden reduction. It maintained a distinction between favourable professional assessments and objectively verified improvements in court performance. Accordingly, the study provided an analytical framework for investigating these relationships without treating perceptions as evidence of an actual decline in pending cases.

2. Rationale of the Study

The study was motivated by the need to evaluate ADR beyond general claims about its advantages. A mechanism could have appeared efficient to legal professionals without necessarily improving the experiences of disadvantaged court users. Consequently, the analytical framework considered access to justice separately from judicial workload. This distinction reflected the importance of evaluating justice services through affordability, usability, and responsiveness, alongside institutional efficiency. The study's rationale was therefore grounded in a people-centred understanding of justice. (Organisation for Economic Co-operation and Development [OECD], 2021)

A further rationale concerned the interpretation of existing Pakistani evidence. Mashhood et al. (2023) had already conducted quantitative research on ADR demand and potential case diversion in Sindh. Accordingly, this research paper did not claim that quantitative ADR research had been absent. Its narrower contribution concerned a model that assessed mediation and arbitration separately and related them to two perceived outcomes within a common analytical framework. (Mashhood et al., 2023)

3. Statement of the Problem

Pakistan's accumulated court cases had raised questions about the capacity of conventional litigation to provide timely remedies. However, the existence of ADR legislation did not itself demonstrate that mediation and arbitration had reduced judicial workload. The reviewed research addressed pendency, legal frameworks, and potential diversion, but these concerns required further examination through clearly defined measures of effectiveness. The specific problem addressed in this illustrative study concerned whether favourable professional assessments of mediation and arbitration were associated with improved perceived access to justice and reduced perceived judicial burden. Actual backlog reduction remained outside the evidential scope of a cross-sectional perception survey. (Ali & Hassan, 2022; Khan et al., 2022)

4. Research Objectives

1. To examine the relationships of perceived mediation effectiveness and perceived arbitration effectiveness with perceived access to justice in selected Pakistani legal settings. (OECD, 2021)
2. To assess the relationships of perceived mediation effectiveness and perceived arbitration effectiveness with perceived reduction in judicial burden. (Mashhood et al., 2023)

5. Research Questions

1. To what extent were perceived mediation effectiveness and perceived arbitration effectiveness associated with perceived access to justice? (OECD, 2021)
2. To what extent were perceived mediation effectiveness and perceived arbitration effectiveness associated with perceived reduction in judicial burden? (Mashhood et al., 2023)

6. Significance of the Study

The study offered an analytical framework for examining alternative dispute resolution in Pakistan by distinguishing assessments of mediation and arbitration processes from assessments of their perceived outcomes. This distinction strengthened conceptual clarity because favourable opinions about ADR procedures did not necessarily demonstrate improved access to justice or reduced judicial workload. By treating accessibility and institutional efficiency as separate outcomes, the study provided a foundation for evaluating dispute resolution from professional and user perspectives. This approach reflected the broader emphasis on understanding legal needs, sources of assistance, and experiences of justice services within access-to-justice research.

For researchers, the study demonstrated how mediation effectiveness and arbitration effectiveness could be examined as distinct predictors within a quantitative framework. It provided an example of organising constructs, developing measurable indicators, and interpreting statistical associations without presenting them as causal effects. For judicial administrators, the framework identified perceptions that could subsequently be compared with administrative evidence, including referral records, resolution times, completed settlements, and subsequent litigation. Such comparisons could support stronger evaluations of whether perceived improvements corresponded with documented institutional outcomes. The methodological contribution therefore concerned measurement and research design rather than verification of judicial performance.

For policymakers, the study highlighted the importance of assessing whether individuals could understand available procedures, obtain assistance, and participate

meaningfully in dispute resolution. It also provided a basis for designing future evaluations that considered service accessibility alongside administrative efficiency. However, its practical significance remained methodological because the simulated findings did not establish circumstances experienced by actual Pakistani respondents. Recommendations arising from the framework therefore required empirical examination before informing institutional decisions or resource allocation. The study encouraged future research combining professional surveys, user experiences, and court records to produce evidence for people-centred justice reform.

7. Literature Review

7.1 Access to Justice and Legal Needs

Access-to-justice research had examined the difficulties people encountered when addressing everyday legal problems. The World Justice Project considered legal capability, sources of assistance, resolution processes, and associated hardships. Its findings showed why institutional availability alone provided an incomplete account of justice. This perspective supported examining whether dispute-resolution services were understandable and accessible to users. Accordingly, the present framework treated access to justice as a distinct outcome rather than assuming that faster disposal automatically represented better justice. (WJP, 2019)

7.2 Mediation and Negotiated Resolution

Mediation had provided a structured opportunity for parties to seek a mutually acceptable agreement with neutral assistance. UNCITRAL's mediation framework addressed the organisation and conduct of this process. Unlike an adjudicator, a mediator did not impose the substantive settlement on the parties. These characteristics supported examining communication, impartiality, participation, and procedural clarity as elements of perceived effectiveness. Nevertheless, procedural guidance alone did not establish the success rate of mediation in Pakistan. (United Nations Commission on International Trade Law [UNCITRAL], 2021)

7.3 Arbitration and Adjudicative Resolution

Arbitration had offered a process through which a neutral tribunal determined a dispute. The ICC's procedural framework distinguished this binding adjudicative function from mediation's negotiated outcome. This distinction supported examining arbitration through procedural organisation, tribunal competence, and clarity of decisions. The existence of an arbitral procedure did not automatically establish that every dispute had been resolved more cheaply or quickly. Therefore, the present framework treated arbitration effectiveness as an empirical question rather than an assumed advantage. (ICC, 2021)

7.4 Pakistani Evidence and the Research Gap

Pakistani scholarship had examined ADR legislation and its procedural compatibility with the broader legal system. Khan et al. (2022) discussed legal arrangements and implementation concerns. Mashhood et al. (2023) subsequently combined court-related data with a legal-needs survey in Sindh. These studies established that both legal and quantitative contributions had already been made. The present illustrative research paper addressed a narrower question concerning the separate associations of mediation and arbitration assessments with access and workload perceptions. (Khan et al., 2022; Mashhood et al., 2023)

8. Methodology

8.1 Research Methodology

The research paper adopted a quantitative, cross-sectional framework and a deductive analytical approach. It specified relationships between two predictor constructs and two outcome constructs before presenting the statistical demonstration. The unit of analysis was a hypothetical individual legal professional. Because observations were simulated and represented one analytical time point, the design did not support causal conclusions or claims about change over time. The distinction between research design and the strength of permissible conclusions followed established quantitative research principles. (Creswell & Creswell, 2018)

8.2 Population

The intended population comprised lawyers, mediators, arbitrators, and court administrative personnel with relevant ADR experience in Lahore, Karachi, Islamabad, and Peshawar. The eligibility framework specified adult professionals with at least two years of relevant experience and sufficient familiarity with both mediation and arbitration to assess them. Individuals without relevant exposure were excluded from the intended framework. No population register was obtained, and no national population total was asserted. These boundaries defined the intended scope without implying nationwide representativeness. (Creswell & Creswell, 2018)

8.3 Sampling and Sample Size

A purposive quota approach was specified for the illustrative design. The hypothetical sample comprised 300 records, including 150 lawyers, 60 mediators, 45 arbitrators, and 45 court administrative personnel, with 75 records allocated to each city. Professional categories represented primary roles to avoid double counting. The sample size was selected for demonstration and was not presented as the result of a completed power calculation. A real study required an advance justification based on its smallest meaningful effect, analytical model, anticipated nonresponse, and available resources. (Lakens, 2022)

8.4 Research Instrument

The illustrative instrument contained demographic questions and 20 researcher-developed statements, divided into four five-item scales. Mediation effectiveness covered communication facilitation, neutrality, procedural clarity, responsiveness, and management of negotiations; arbitration effectiveness covered tribunal competence, impartiality, procedural organisation, decision clarity, and case management. Access to justice covered service availability, understandable information, affordability, opportunity to participate, and access to assistance. Judicial-burden reduction covered perceived diversion of eligible disputes, fewer hearings, fewer repeated appearances, reduced routine workload, and increased judicial time for other cases. These domains were informed by dispute-resolution and justice-service frameworks, but the instrument was not represented as a previously validated scale. (UNCITRAL, 2021; OECD, 2021)

Responses were coded from 1, representing strongly disagree, to 5, representing strongly agree. Each construct score was calculated as the mean of its five items. Internal consistency was examined using Cronbach's alpha, while content validation and factor analysis remained requirements for an actual instrument-development study. No expert review, pilot administration, or established construct validity was claimed. Reliability was therefore interpreted as a property of the simulated responses rather than proof of measurement quality in the intended population. (Field, 2018)

8.5 Data Collection

No questionnaires were distributed to human participants. Instead, 300 synthetic response records were generated through correlated latent variables, item-specific variation, and rounding to the five-point response scale. The numerical results therefore reflected an intentionally constructed scenario. The intended fieldwork protocol specified informed consent, voluntary participation, anonymous coding, and secure data handling, but these procedures were not described as completed activities. This separation preserved the distinction between a research demonstration and conducted empirical research. (Creswell & Creswell, 2018)

8.6 Data Analysis Techniques

The analysis used frequencies and percentages for the hypothetical demographic profile, means and standard deviations for scale scores, and Cronbach's alpha for internal consistency. Pearson correlations described linear associations, while two ordinary least squares regressions estimated the separate associations of mediation and arbitration with each outcome. Results included unstandardised coefficients, standard errors, standardised coefficients, confidence intervals, and model-fit statistics. A nominal significance threshold of .05 was used for the demonstration. Python calculations produced the tables, and no SPSS output was claimed. (Field, 2018)

Here, AJAJ represented perceived access to justice, JBRJBR represented perceived judicial-burden reduction, MEME represented perceived mediation effectiveness, and AEAE represented perceived arbitration effectiveness. The models contained no demographic or institutional controls and therefore estimated unadjusted contextual associations beyond mutual adjustment for the two predictors. Multicollinearity was examined using the variance inflation factor. Statistical significance within the simulation did not provide evidence about a real Pakistani population. (Field, 2018)

9. Data Analysis and Results

Table 1 *Hypothetical demographic profile, N = 300*

Characteristic	Category	Frequency	Percentage
Gender	Male	210	70.0
	Female	90	30.0
Age	25–34 years	90	30.0
	35–44 years	105	35.0
	45–54 years	75	25.0
	55 years and above	30	10.0
Primary professional role	Lawyer	150	50.0
	Mediator	60	20.0
	Arbitrator	45	15.0
	Court administrative personnel	45	15.0
Relevant experience	2–5 years	90	30.0
	6–10 years	120	40.0
	More than 10 years	90	30.0
City	Lahore	75	25.0



Characteristic	Category	Frequency	Percentage
	Karachi	75	25.0
	Islamabad	75	25.0
	Peshawar	75	25.0

Table 1 described the hypothetical composition of the 300-record sample. Male records accounted for 70.0%, while the largest age category was 35–44 years at 35.0%. Lawyers represented half of the sample, and professionals with 6–10 years of experience represented 40.0%. Each city received an equal allocation of 25.0%. These imposed quotas illustrated sample reporting and did not establish representativeness, which depended on the actual sampling process and population coverage. (Creswell & Creswell, 2018)

Table 2 *Descriptive statistics and internal consistency of simulated scales*

Construct	Items	N	Mean	SD	Cronbach's α
Perceived mediation effectiveness	5	300	3.674	0.698	.839
Perceived arbitration effectiveness	5	300	3.431	0.660	.805
Perceived access to justice	5	300	3.520	0.692	.836
Perceived judicial-burden reduction	5	300	3.585	0.699	.853

Note. Possible scores ranged from 1 to 5; higher values represented more favourable assessments.

Table 2 showed that perceived mediation effectiveness had the highest simulated mean of 3.674. Perceived arbitration effectiveness had the lowest mean of 3.431, although all four means exceeded the scale midpoint. Standard deviations ranged from 0.660 to 0.699. Cronbach's alpha ranged from .805 to .853 within the generated responses. These coefficients described internal consistency but did not establish validity or demonstrate that mediation outperformed arbitration in actual practice. (Field, 2018)

Table 3 *Pearson correlations among simulated constructs*

Construct	1	2	3	4
1. Mediation effectiveness	—			
2. Arbitration effectiveness	.270***	—		
3. Access to justice	.530***	.426***	—	
4. Judicial-burden reduction	.510***	.321***	.425***	—

Note. N = 300. ** $p < .001$. All results were simulated.

Table 3 indicated positive associations among the four simulated constructs. Mediation effectiveness correlated with access to justice at .530 and judicial-burden reduction at .510. Arbitration effectiveness correlated with the same outcomes at .426 and .321, respectively. These relationships reflected the structure of the generated data and did not establish temporal order or causation. Their interpretation remained consistent with the limitations of cross-sectional quantitative designs. (Creswell & Creswell, 2018)

Table 4 *Simulated regression predicting perceived access to justice*

Predictor	B	SE	β	t	p	95% CI for B
Constant	0.794	0.212	—	3.737	< .001	[0.376, 1.211]
Mediation effectiveness	0.444	0.048	.447	9.320	< .001	[0.350, 0.537]

Predictor	B	SE	β	t	p	95% CI for B
Arbitration effectiveness	0.320	0.050	.305	6.352	< .001	[0.221, 0.419]

Model statistics: N = 300; $R^2 = .366$; adjusted $R^2 = .362$; $F(2, 297) = 85.887$, $p < .001$.

Table 4 showed that both predictors had positive coefficients in the simulated access-to-justice model. A one-point increase in mediation effectiveness was associated with a 0.444-point increase in the outcome after accounting for arbitration effectiveness. The corresponding coefficient for arbitration effectiveness was 0.320. Together, the predictors accounted for 36.6% of the simulated outcome variance. These values illustrated model interpretation and did not quantify actual improvements in legal accessibility or service provision. (Field, 2018)

Table 5 *Simulated regression predicting perceived judicial-burden reduction*

Predictor	B	SE	β	t	p	95% CI for B
Constant	1.188	0.226	—	5.257	< .001	[0.743, 1.633]
Mediation effectiveness	0.457	0.051	.456	9.025	< .001	[0.358, 0.557]
Arbitration effectiveness	0.209	0.054	.197	3.903	< .001	[0.104, 0.314]

Model statistics: N = 300; $R^2 = .296$; adjusted $R^2 = .291$; $F(2, 297) = 62.428$, $p < .001$; VIF = 1.079 for both predictors.

Table 5 showed positive simulated associations between both ADR predictors and perceived judicial-burden reduction. Mediation effectiveness had a standardised coefficient of .456, while arbitration effectiveness had a coefficient of .197. The model accounted for 29.6% of the variance in the simulated perception score. This percentage did not represent a 29.6% decline in pending court cases. A real evaluation required outcome measures and evidence proportionate to the institutional claim being investigated. (OECD, 2025)

10. Findings

The findings were derived from 300 simulated records and therefore illustrated the proposed analytical framework rather than established conditions among actual Pakistani respondents. The hypothetical demographic profile included 210 males and 90 females, representing 70.0% and 30.0%, respectively. Lawyers constituted 50.0% of the sample, followed by mediators at 20.0%, arbitrators at 15.0%, and court administrative personnel at 15.0%. Lahore, Karachi, Islamabad, and Peshawar each accounted for 25.0% of the records. These predetermined distributions described the demonstration sample but did not establish representativeness or support generalisation to the national population of legal professionals or court users (Creswell & Creswell, 2018).

The descriptive findings showed that perceived mediation effectiveness received the highest mean score of 3.674, with a standard deviation of 0.698. Perceived arbitration effectiveness recorded a mean of 3.431 and a standard deviation of 0.660. Perceived access to justice produced a mean of 3.520, while perceived judicial-burden reduction recorded a mean of 3.585. All four means exceeded the neutral midpoint of the five-point scale. Nevertheless, these differences represented patterns within the simulated responses and did not demonstrate that mediation achieved better practical outcomes than arbitration across actual disputes, institutions, or categories of justice users in Pakistan (Field, 2018).

The reliability analysis produced Cronbach's alpha coefficients of .839 for mediation effectiveness, .805 for arbitration effectiveness, .836 for access to justice, and .853 for judicial-burden reduction. These coefficients indicated internal consistency within the

generated item responses, although they did not establish construct validity. Correlation analysis also identified positive relationships among the variables. Mediation effectiveness correlated with access to justice at .530 and judicial-burden reduction at .510. Arbitration effectiveness correlated with these outcomes at .426 and .321, respectively. All correlations achieved statistical significance below .001 within the simulation, without providing evidence of causal relationships in practice (Field, 2018).

Regarding the first research objective, regression analysis showed that mediation effectiveness was positively associated with perceived access to justice after accounting for arbitration effectiveness. Its unstandardised coefficient was 0.444, and its standardised coefficient was .447. Arbitration effectiveness also demonstrated a positive association, with corresponding coefficients of 0.320 and .305. Both predictors achieved significance below .001. Together, they accounted for 36.6% of the variance in the simulated access-to-justice scores, with an adjusted R^2 of .362. These findings illustrated statistical associations between professional assessments and perceived accessibility rather than verified improvements experienced by individuals seeking legal remedies (Creswell & Creswell, 2018).

Regarding the second objective, mediation effectiveness was positively associated with perceived judicial-burden reduction, with an unstandardised coefficient of 0.457 and a standardised coefficient of .456. Arbitration effectiveness also showed a positive association, with corresponding coefficients of 0.209 and .197. The model accounted for 29.6% of the variance in the simulated outcome, while the adjusted R^2 was .291. This explained variance did not represent a percentage reduction in pending cases. Overall, the findings demonstrated the framework's analytical application, while actual conclusions about judicial efficiency required administrative records, appropriate comparisons, and evidence collected from functioning dispute-resolution services (OECD, 2025).

11. Discussion

The illustrative analysis demonstrated how mediation and arbitration could be examined separately within a quantitative framework addressing access to justice and judicial burden. Both mechanisms showed positive associations with the two perceived outcomes, but these relationships had been deliberately incorporated into the simulated dataset. Consequently, the findings could not confirm previous research or establish the effectiveness of ADR in Pakistan. Their contribution concerned the organisation of constructs, measurement, and statistical interpretation. This distinction remained essential because demonstrating an analytical model differed fundamentally from testing explanations against observations obtained from actual participants and institutional settings (Creswell & Creswell, 2018).

The larger simulated coefficient for mediation required cautious interpretation. Mediation and arbitration performed different functions, with mediation facilitating negotiated agreements and arbitration producing binding determinations within the applicable framework. Cases entering these procedures could also differ in complexity, financial value, and suitability. Therefore, favourable professional ratings did not establish that mediation consistently produced better outcomes. Furthermore, no formal statistical comparison between the regression coefficients was conducted. A stronger comparative evaluation required clearly defined case categories, comparable outcome measures, and appropriate adjustment for differences between disputes before conclusions about relative effectiveness could be supported (International Chamber of Commerce [ICC], 2021).

The analysis also highlighted the importance of distinguishing perceived access to justice from perceived institutional efficiency. A legal professional might have considered a procedure efficient because it reduced administrative demands, while a disputing party might have encountered difficulties understanding the process or obtaining assistance. Professional assessments therefore represented only one source of information. Direct evidence from users remained necessary to examine affordability, participation, legal understanding, and satisfaction. This interpretation reflected the World Justice Project's emphasis on legal needs and individual experiences, rather than treating the availability or speed of formal procedures as sufficient evidence of accessibility (WJP, 2019).

Within the Pakistani context, the framework complemented existing research by identifying relationships that required empirical investigation. Khan et al. (2022) had examined ADR laws and implementation considerations, while Mashhood et al. (2023) had investigated case-diversion potential and community demand in Sindh. However, the simulated findings neither replicated nor extended their empirical results. Instead, they illustrated how separate assessments of mediation and arbitration could be connected to perceived outcomes. Establishing actual reductions in judicial burden required administrative evidence concerning referrals, completed resolutions, subsequent litigation, and changes in workload across clearly specified periods and comparable institutional settings (Mashhood et al., 2023).

Several methodological limitations further restricted interpretation. Synthetic responses provided no evidence about actual Pakistani respondents, and the hypothetical purposive sample offered no basis for national generalisation. An empirical application also required attention to common-method bias, omitted institutional characteristics, and variation between professional roles. Instrument validation, residual diagnostics, and sensitivity analysis remained necessary before substantive conclusions could be drawn. Sample size likewise required advance justification linked to the intended analysis and meaningful effect sizes. Overall, the discussion supported further investigation using observed evidence while recognising that statistically significant simulated relationships could not justify practical claims or policy decisions (Lakens, 2022).

12. Conclusion

The research paper developed and demonstrated a quantitative framework for examining mediation and arbitration in relation to perceived access to justice and perceived reduction in judicial burden in Pakistan. The simulated analysis identified positive associations between both ADR mechanisms and the selected outcomes. However, these relationships reflected the construction of the illustrative dataset and did not establish effectiveness in actual legal settings. The study therefore contributed an organised approach to measurement and analysis, while recognising that conclusions about institutional performance required observations from functioning justice services and individuals with direct experience of dispute resolution (Creswell & Creswell, 2018).

A central conclusion concerned the importance of distinguishing procedural assessments from user accessibility and verified judicial outcomes. Positive professional opinions about mediation or arbitration did not necessarily indicate that disputing parties obtained affordable assistance, understood proceedings, or participated meaningfully. Similarly, favourable perceptions of reduced workload did not demonstrate an actual decline in pending cases. The framework consequently treated access to justice and judicial burden as separate outcomes requiring appropriate evidence. This distinction supported a broader

understanding of justice that incorporated legal needs and user experiences alongside institutional concerns about efficiency and the management of disputes (World Justice Project, 2019).

The research paper further concluded that empirical evaluation required combining survey responses with reliable administrative records. Relevant evidence included referrals, completed resolutions, settlement compliance, subsequent litigation, and changes in judicial workload over time. Comparisons between suitable cases and institutions also remained necessary before attributing improvements to either mediation or arbitration. Consequently, the manuscript provided an analytical starting point for further investigation rather than proof that ADR had reduced Pakistan's judicial backlog. Its contribution lay in clarifying research priorities and evidential requirements for evaluating dispute-resolution services through institutional performance and people-centred measures of justice (Organisation for Economic Co-operation and Development [OECD], 2025).

13. Recommendations

13.1 Strengthening Court-Connected ADR Services

The research paper recommended clearer administrative coordination between courts and ADR services. Referral procedures required defined responsibilities and understandable documentation. Case suitability required consideration before referral. Monitoring also required attention to unresolved matters returning to litigation. These recommendations concerned implementation quality and reflected issues addressed in Pakistani ADR scholarship. (Khan et al., 2022)

13.2 Improving Mediator and Arbitrator Competence

The research paper recommended structured professional development for ADR practitioners. Mediation training required attention to communication, impartiality, and management of negotiations. Arbitration training required attention to procedural organisation and clear decision-making. Competence assessment required recognition of the different responsibilities attached to each role. International procedural frameworks provided relevant reference points for developing such training. (UNCITRAL, 2021; ICC, 2021)

13.3 Increasing Public Understanding and Assistance

The research paper recommended accessible explanations of available dispute-resolution options. Information required clarity about procedures, expected participation, and sources of assistance. Communication strategies required attention to differences in legal knowledge. Evaluation also required feedback from actual users. These priorities reflected the barriers examined through legal-needs research. (WJP, 2019)

13.4 Protecting Participation and Procedural Fairness

The research paper recommended evaluating fairness alongside administrative efficiency. Service design required attention to users' ability to understand and participate in proceedings. Complaint and feedback arrangements required accessible procedures. Performance assessment also required consideration of unequal experiences across user groups. These proposals followed the people-centred orientation of justice-service reform. (OECD, 2021)

13.5 Establishing Outcome Monitoring and Further Research

The research paper recommended linking future surveys with anonymised administrative records. Evaluation required measures of resolution time, cost, durable settlement, and subsequent court involvement. Comparable case groups and repeated observations were needed to investigate changes over time. Future research also required

validated instruments and justified sample sizes. These steps supported stronger evidence for decisions about ADR investment and implementation. (OECD, 2025; Lakens, 2022)

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