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Titolo	Delivering collective redress : new technologies / / Christopher Hodges, Professor of Justice Systems at the University of Oxford, Supernumerary Fellow, Wolfson College, Oxford, Head of the Swiss Re Research Programme on Civil Justice Systems, Centre for Socio-Legal Studies, Oxford, Fellow of the European Law Institute, Solicitor (non-practising) Stefaan Voet, Associate Professor of Law at KU Leuven (University of Leuven), Visiting Professor of Law at UHasselt (University of Hasselt), Programme Affiliate of the Swiss Re Research Programme on Civil Justice Systems, Centre for Socio-Legal Studies, Oxford, Substitute Justice of the Peace, Bruges
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Nota di contenuto	1. Introduction: The Scope and the Criteria -- I. Background and Principal Objective -- II. The Techniques -- III. Description of the Project and Methodology -- IV. Criteria for Evaluation of Mechanisms -- V. General Outline of this Book -- VI. Major Findings -- 2. European Policy and Mechanisms for Collective Redress -- I. Diverse Approaches and Piecemeal Legislation -- II. The Public-Private Split -- III. Objectives and Outcomes Replace Mechanisms -- IV. Consumer Enforcement -- V. Consumer Collective Redress: Policy Debates -- VI.

Commission's Recommendation on Collective Redress Mechanisms -- VII. The Political and Technical Conundrum -- VIII. Business Concerns on Ineffective Safeguards -- IX. Consumer Concerns from Business Scandals -- X. Proposals in 2016 -- 17 -- XI. Competition Damages -- XII. Data Protection -- XIII. Investors -- XIV. Conclusions -- 3. Collective Actions -- I. Introduction -- II. Belgium -- III. Bulgaria -- IV. England and Wales -- V. Finland -- VI. France -- VII. Germany -- VIII. Italy -- IX. Lithuania -- X. The Netherlands -- XI. Poland -- XII. Sweden -- 4. Criminal Compensation: Stand-alone and Consecutive Piggy-back -- I. Belgium -- II. United Kingdom -- 5. Regulatory Redress -- I. Concept -- II. The Range of Mechanisms of Regulatory Redress -- III. Examples of the Powers -- 6. Ombudsmen -- I. Typology -- II. National Ombudsmen Schemes -- 7. Reassessing the Objectives -- I. The Primary Objectives -- II. Delivering Compensation -- III. Affecting Future Behaviour -- IV. Empirical Evidence on the Failure of the US Class Action as a Regulatory Mechanism -- V. The Objectives Restated: Multi-functionalism -- 8. Conclusions -- I. Overview of the Mechanisms -- II. Applying the Criteria -- III. Empirical Conclusions on the Mechanisms -- IV. Implications of the Findings

Sommario/riassunto

This book charts the transformative shifts in techniques that seek to deliver collective redress, especially for mass consumer claims in Europe. It shows how traditional approaches of class litigation (old technology) have been eclipsed by the new technology of regulatory redress techniques and consumer ombudsmen. It describes a series of these techniques, each illustrated by leading examples taken from a 2016 pan-EU research project. It then undertakes a comparative evaluation of each technique against key criteria, such as effective outcomes, speed, and cost. The book reveals major transformations in European legal systems, shows the overriding need to view legal systems from fresh viewpoints, and to devise a new integrated model
