



ADR AND JUSTICE CONFERENCE

18-20 April 2016

Wolfson College, Oxford

Sponsored by:



The Foundation for Law, Justice and Society
Bridging the gap between academia and policymakers



18 April

Theme 1: Implementation

2.00 – 2.30 pm

Registration and Coffee

2.30 – 3.00

Welcome by the organizers

Dr Naomi Creutzfeldt, Prof. Christopher Hodges, Dr Felix Steffek

This session will review implementation by Member States of the EU consumer ADR Directive, and important changes in national CDR landscapes and systems. Eline Verhage of Leiden University will report on the main changes, including results of her survey of national changes. Particularly important issues will be highlighted, either generically or by reference to invited speakers from individual countries. There will be a general discussion.

6.30

Pre-dinner drinks, Rhodes House

7.00

Dinner, Rhodes House

19 April

Theme 2: Trust

9.00 am

Start

9.15 – 9.45

Dr Naomi Creutzfeldt's results of the ESRC project: *'Trusting the middle-man: Impact and legitimacy of Ombudsmen in Europe'*

9.45– 10.30

GERMANY: What makes people trust an ombudsman?

Professor Dr Günter Hirsch, Versicherungsombudsmann

Herr Kipp, Schlichtungsstelle Energie

Herr Isermann & Dr Christof Berlin, Söp

10.30-10.45

Coffee

10.45-11.10

FRANCE: What makes people trust an ombudsman?

Frederique Coffre, Le Médiateur National de l'énergie

Henri Dolivier, Le Médiateur des Communications électroniques (tbc)

11.10-11.45 **UK: What makes people trust an ombudsman?**
Jane Martin, Local government Ombudsman
Robin Hulme, Parliamentary and Health Services Ombudsman
Caroline Mitchell, Financial Ombudsman Services

11.45 – 12.30 **Discussion**
Chair:
Peter Tyndall, International Ombudsman Institute
Donal Galligan, Ombudsman Association

12.30 Lunch

Theme 3: Justice

This session will examine a series of related issues on current and future consumer ADR in Europe.

2.00 - 2.40 pm **What do people want from dispute resolution?**
Chair: Diana Wallis, President of the European Law Institute
Augusta Maciuleviciute, BEUC
Dr Lorenz Ködderitzsch, Johnson & Johnson
Ger Dering, Financial Services Ombudsman, Ireland
Dr Sonia Macleod, CSLS Oxford: 'The empirical research on what patients want'

2.40 - 3.00 Panel discussion, with others from above list who have not spoken

3.00 – 3.45 **The concept of justice in the courts, tribunals and ADR schemes: immutable principles or changing conceptions of rationing justice and cost proportionality?**

Chair:
Prof Frederique Ferrand, Université Lyon III Jean Moulin (tbc)
Dr John Sorabji, Legal Secretary to the Lord Chief Justice and Master of the Rolls of England & Wales
Richard Thomas CBE, formerly Chairman of the Administrative Justice and Tribunals Council, and Information Commissioner.

3.45 – 4.00 15 minutes general discussion

4.00 – 4.30 Tea

4.30-4.50 **ADR and Justice Theory**
Professor Carrie Menkel-Meadow, Georgetown University

4.50 – 5.15 **Regulating consumer ADR and ODR in the EU: what are the criteria?**
Christoph Decker, EU Commission (tbc)

5.15-6.00 **Problems with justice in relation to arbitration, ADR, mediation, Consumer ADR, ombudsmen, business ADR and courts**
Professor Dame Hazel Genn, UCL
Professor Horst Eidenmüller, Oxford "Justice without Humans: The Future of ODR"

6.00 – 6.30 General Discussion

7.00 Pre-dinner drinks, tbc

7.30 Dinner, tbc

20 April

- 9.00 – 9.20 am **Empirical research in justice and dispute resolution: What justice is wanted?**
Dr Naomi Creutzfeldt, University of Westminster
- 9.20 – 10.10 **ADR: solution or problem? To what extent are the problems of justice in ADR illusory, fundamental, avoidable, reducible, or acceptable?**
Chair: Peter Tyndall, 2nd Vice President, International Ombudsman Institute
Caroline Wayman, Chief Executive and Chief Ombudsman, Financial Ombudsman Service, UK
Lewis Shand Smith, Chief Executive and Chief Ombudsman, Ombudsman Services, and Chair of the Ombudsman Association (tbc)
Professor Dr Günter Hirsch, Versicherungsombudsmann
- 10.10 – 10.30 Discussion
- 10.30 – 11.00 Coffee
- 11.00 – 11.30 **The way forward: policy principles on the role of law and interests in ADR** (*synthesis of prepared principles and results of presentations and discussion*)
Professor Christopher Hodges and Dr Felix Steffek
- 11.30 – 12.00 Comments and Panel discussion
Professor Neil Andrews, Cambridge (tbc)
Professor Hans Micklitz, EUI Florence (tbc)
Professor Gerhard Wagner, Humbolt Berlin (tbc)
- 12.00 – 12.40 Discussion
- 12.40 – 12.50 Conclusion by organizers