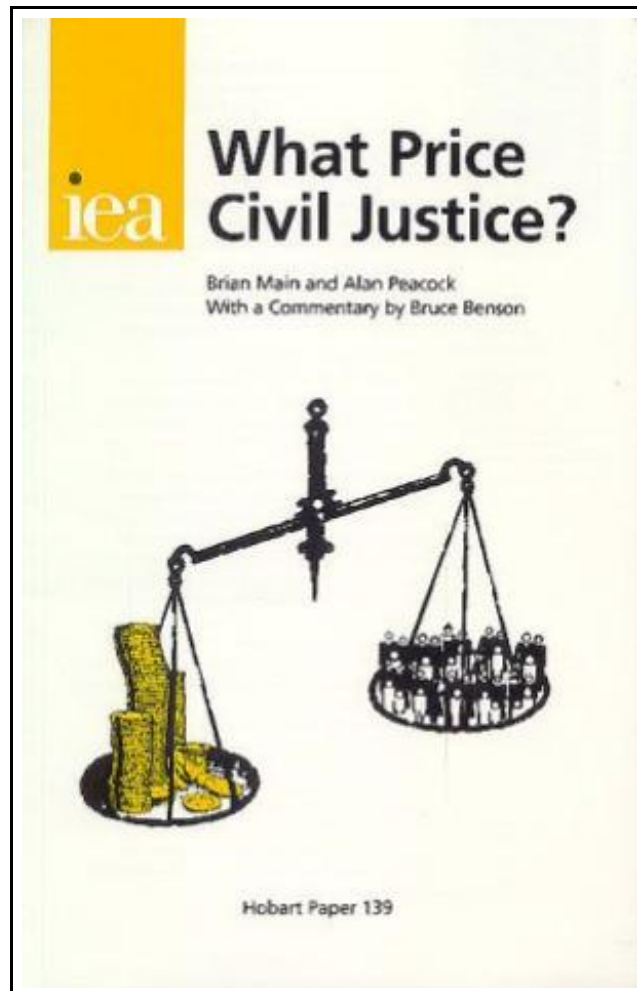


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Reviews

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Institute of Economic Affairs. Paperback. Book Condition: new. BRAND NEW, What Price Civil Justice?, Alan Peacock, Brian G. M. Main, In Britain the costs of justice - to taxpayers and litigants - have been rising faster than GDP. For efficiency reasons and to encourage innovation, reform is required and some action is already underway. But reform is complicated because 'justice' is a complex product - bought on 'trust' by many consumers and with precedent and spillover effects. Some good ideas for reform are already in circulation. But there is a case for experimentation rather than trying to work out in advance which ideas should be implemented. Market forces should have a bigger role in the civil justice system and there should be more competition in the provision of dispute resolution services. Probable features of a reformed judicial system would be competitive tendering, better information for clients about alternative ways of proceeding and more power for trial judges to control the passage of a case. The supply of judges also needs to be addressed: court fees could be determined by market forces and the proceeds ploughed back into judicial capacity. Alternative dispute resolution (ADR) procedures allow parties a choice of jurisdictions. ADR produces precedents, to the extent they are required, and does not need the threat of litigation in the background. A big advantage of ADR is that it avoids monopolized law which otherwise tends to produce inflexibility, bad rules and politicization.

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