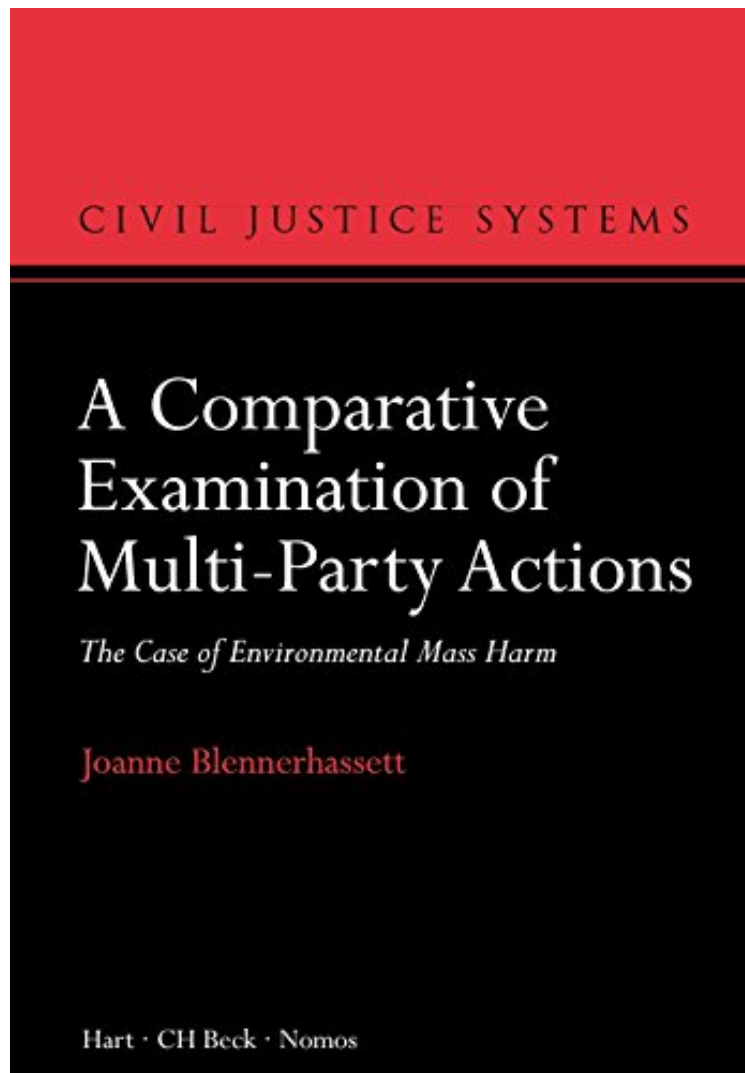


[Download] A Comparative Examination of Multi-Party Actions: The Case of Environmental Mass Harm (Civil Justice Systems)

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Joanne Blennerhassett

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This monograph addresses the phenomenon of mass harm and how it may be resolved through collective redress. It examines particularly how such redress may be achieved through mechanisms such as multi-party actions. In order to do this, an analytical framework is created against which to evaluate various multi-party procedures. This is illustrated through the experience of a selection of common law jurisdictions in dealing with mass harm—namely that of the United States, Canada, Australia, and England and Wales, as well as that of EU collective redress. The author examines multi-party action laws benchmarked against the objectives identified in the analytical framework. The phenomenon of environmental mass harm in particular is explored as a case study, as it illustrates some of the difficulties that may arise in mass harm litigation. This work further explores where the best solutions for mass harm redress may lie in the future—perhaps in collective actions or through alternatives such as regulation and alternative dispute resolution or a combination of these. Finally, the experience of mass harm litigation in Ireland is examined, as currently this jurisdiction does not have an effective mechanism for dealing with mass harm. (Series: Civil Justice Systems, Vol. 4) [Subject: Litigation Civil Procedure, Arbitration Mediation, Energy Environmental Law]

About the Author Joanne Blennerhassett is a graduate of Trinity College Dublin, Université Paris 2 Panthéon-Assas (La Sorbonne), University College Dublin, the Law Society of Ireland and University College Cork. She is a College Lecturer in the Sutherland School of Law, University College Dublin, where she has lectured since 2003, specialising in Environmental Law, Tort Law, and Dispute Resolution. She has a background as a practitioner having practiced as a solicitor. She is also a qualified mediator and arbitrator. She was recently awarded a PhD in collective redress which formed the background research for this monograph.