From: [redacted]
Sent: 01 October 2021 17:32
To: RCCP Consultation
Subject: Consultation: Reforming Competition and Consumer Policy

[redacted] [redacted]

Dear Sir/Madam

Please see below my responses to two questions (q67 & q68) from the above consultation.

Kind regards,

[redacted]

Q67. What changes could be made to the role of the 'Competent Authority' to improve
overall ADR standards and provide sufficient oversight of ADR bodies?

In the mandatory sector ADR is already well established and maintained. However this is not
the case elsewhere outside the mandatory sector, for example there should be a specific
competent authority for the retail sector, which should be organised within the government in
order to guarantee better levels of impartiality. This competent authority should also have
more powers in order to properly regulate the ADR providers within the sector, rather than
only approve them as is currently the case. Ideally the competent authority should hear
complaints against the ADR providers and if valid, decide upon the remedial actions required
and make such actions compulsory. This will require a significant up-skilling of competent
authorities, but it is envisaged that the enhanced audit and remedial functions will strengthen
the ADR sector overall.

Q68. What further changes could government make to the ADR Regulations to raise consumer and business confidence in ADR providers?

Consider making the consideration of ADR mandatory for the parties in disputes. For example:
the parties in dispute will need to attend an ADR awareness session where the various ADR
options available are explained to the parties without them being obliged to participate if they
prefer to resolve the dispute outside this or going to court. This would act as a 'Triage' or pre-
ADR stage which would ensure parties are fully aware of choices without preventing them from
having their cases heard in court, if they feel the need.