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Q1 What are the advantages and/or disadvantages to businesses and/or individuals in the UK of EU civil judicial cooperation? You may wish to focus on a particular instrument.

For businesses the advantages are very little to none. Most contracts will have jurisdiction or arbitration clauses. Much of the Brussels Regulation is either unnecessary or damaging (in the sense that cases which ought to have been brought in the Commercial Court in London were brought in some wholly inappropriate EU court).

The inability to obtain anti-suit injunctions to support jurisdiction or arbitration agreements is damaging to London as an international dispute resolution centre.

The Rome Regulation I and II is an unnecessary and costly farce. The common law rules worked perfectly well. They were well understood (mainly) and were widely adopted in the Commonwealth and ex-English law jurisdictions - unlike Rome I and II which cuts England off from other cognate jurisdictions in this field.

Nobody ever wanted the Rome Convention. Nobody who practised in the Commercial Court or in the City was ever asked whether the Rome Convention was either necessary or useful because the civil service knew best of course.

Q2 What is the impact of EU civil judicial cooperation on UK civil and family law?

The impact is almost universally adverse as regards the transactions carried out in and around the City and the law practised there.

EU civil judicial cooperation (which is French for imposing burdensome and unwelcome measures on English law) offers no discernible advantage. It has complicated English commercial law and has produced no practical benefits.

For example, the commercial agents directive was an entirely unwelcome and unnecessary measure which involved the imposition into English law of German-derived ideas about the terms on which agency arrangements should be terminated.

Q3 How is civil judicial cooperation necessary for the functioning of the internal market? Which aspects support and/or hinder it?

It is not and never has been.

The functioning of the internal market is a spurious justification commonly employed in order to justify the expansion of the activities of the EU (but the Commission in particular) into areas which are of no legitimate concern or relevance to it.

Viviane Reding's attempts to legislate for the composition of the board's of companies rather aptly illustrates the propensity of the EU to use the internal market as a justification for its propensity to interfere.

Q4 Are there any areas where EU competence in this area has led to unintended and/or undesired consequences for individuals and companies in the UK? Please give examples.

Yes - all of it. In particular -

(1) Rome I and II;

(2) the Brussels Regulation;

(3) the commercial agents directive.

The EU competence in company law is also adverse and unwelcome. It has produced no benefit and has added greatly to the volume of legislation affecting companies.

Solvency II continues to represent a poorly thought-through scheme which has imposed great costs on the insurance business. There was never any need for the EU to act.

Q5 What are the advantages and/or disadvantages of the opt-in for the UK?

The disadvantage is obvious: an opt-in will secure Brussel's role in this policy area under Lisbon (the treaty we never got to vote on) and will be treated as the signal for further activity in this area from Brussels (eg, its beloved European Contracts Code). The activity will follow and the measures will pass by weighted majority. The UK has no veto.

If one has a right not to be subjected to measures which will not be those which one would chose for oneself why on earth would one not exercise that right.

There is no advantage in an opt-in and certainly none which would outweigh the disadvantages.

Q6 What are the advantages and/or disadvantages of the cross-border requirement for the UK's national interests?

There are no advantages but I have no doubt that the civil service and Lib Dem moderation of these survey results will strive to find great advantages and no disadvantage.

The disadvantage is simply that as the English legal system becomes more enmeshed in a system where Brussels has a licence to intervene (and does intervene), the system which is commonly used to govern many classes of international trade, finance, transportation, insurance and securities transaction will become much less attractive to third country interests and London will decline as a dispute resolution centre.

The English legal system will grow apart from hitherto closely connected Commonwealth systems such as Australia and New Zealand.

And the question to be asked is, how is any of that in the UK's national interest, given that the Brussels led harmonisation drive has produced little or nothing of benefit to the UK.

Q7 What impact might any future enlargement of the EU have on civil judicial cooperation?

It will simply be adverse. Adding more second rate judicial systems simply aggregates the numbers and makes even the simplest reform more difficult. We would be better off out of all of it.

Q8 What future challenges and opportunities are there in the area of EU civil judicial cooperation?

Zero by way of opportunity. The challenge is to delay or prevent the further creeping control and interference in the English legal system until such time as the UK can withdraw from the EU.

Q9 What are the advantages and/or disadvantages to the UK of the EU's powers to act internationally in this area?

There is no advantage for the UK in the EU having a power to act internationally.

The disadvantage is that the UK will be bound to international arrangements negotiated by the EU which will serve the interests of the Euro area and which the UK would not participate left to its own devices.

Q10 What would be the advantages and/or disadvantages to the UK of action being taken at an international rather than EU level?

In this area there is no advantage such as is supposed.

It is difficult to think of any disadvantage in this area.