Coordinating Ombudsmen and the Judiciary

A comparative view on the relations between ombudsmen and the judiciary in the Netherlands, England and the European Union

Milan Remá

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Ius Commune Europaeum

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PREFACE

Voila! Here is the book I have been working on for the last four years! It is not as astonishing as the Holy Stone of Clonrichert, but I believe that it is the second-best thing. I hope that it will end up in a more suitable place than the Holy Stone, in your library, for example.

I would not have been able to write this book without the help of the following people.

First of all, I would like to thank my supervisors Philip Langbroek and Rob Widdershoven for their useful advice and (often) clear comments. Particularly, I wish to thank Philip for giving me considerable freedom in my research and enabling me to spread my 'academic wings' (and fly) and to Rob for dragging me back down to the substance of my research.

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ABBREVIATIONS

ABRvS Administrative Law Division of the Council of State

ADR alternative dispute resolution

AG Advocate General

AJTC Administrative Justice and Tribunal Council

Art. Article

AWB General Administrative Law Act
CBB Trade and Industry Appeals Tribunal

CFI Court of First Instance of the European Communities

CoJ European Court of Justice
CPR Civil Procedure Rules
CRvB Central Appeals Tribunal

EUCST European Union Civil Service Tribunal

EMA European Medicines Agency

EN England

EPSO European Personnel Selection Office

EU European Union EUO European Ombudsman EUP European Parliament

EURATOM European Atomic Energy Community

FTT First Tier Tribunal

GALA General Administrative Law Act
EUGC General Court of the European Union
GPPA general principles of proper administration

HR Supreme Court

HSO Health Service Ombudsman JOA Judicial Organisation Act

LBIO Landelijk Bureau Inning Onderhoudsbijdragen

LGO Local Government Ombudsmen MEP Member of European Parliament

NO National Ombudsman

NL Netherlands

Abbreviations

NZB Nieuwe zaaksbehandeling OLAF European Anti-Fraud Office

PASC Public Administration Select Committee
PAP the Pre-Action Protocol for Judicial Review
PCA Parliamentary Commissioner for Administration

PO Parliamentary Ombudsman
Rb. District Court (the Netherlands)

RMP Royal Military Police

sec. section

TCE Act Tribunals, Courts and Enforcement Act

TEC Treaty Establishing the European Community

TECSC Treaty establishing the European Coal and Steel Community

TEU Treaty on European Union

TFEU Treaty on the Functioning of the European Union

TPR Tribunal Procedural Rules

UK United Kingdom

Vzngr. provisional judge (the Netherlands) WNo the National Ombudsman Act