

30 July 2018

The Hon Justice SC Derrington  
President  
Australian Law Reform Commission  
GPO Box 3708  
**Sydney NSW 2001**

By email: [class-actions@alrc.gov.au](mailto:class-actions@alrc.gov.au)

Dear Justice Derrington

**Invitation to provide a submission to discussion paper**

Thank you for the invitation to provide a submission to the Australian Law Reform Commission (ALRC) Discussion Paper: *Inquiry into Class Action Proceedings and Third-Party Litigation Funders* (the ALRC Discussion Paper). After careful consideration the Victorian Legal Services Board and Commissioner (VLSB+C) have decided not to provide a detailed submission on this occasion.

We were pleased to note the references in the ALRC Discussion Paper to our previous submission to the Victorian Law Reform Commission (VLRC) review: *Access to Justice – Litigation Funding and Group Proceedings* and continue to be willing to respond to any specific queries for assistance or information from your officers in conducting the review.

As you would be aware, the VLRC has published its report and has included a specific recommendation which seeks to mitigate complaints from class action members who have not initially received adequate cost disclosure. Recommendation number 23 asks the Supreme Court to consider amendments to its practice note to require representative plaintiff lawyers to provide a 'class action summary statement' for publication on the Supreme Court's website at the commencement of the proceeding. This statement would outline how legal costs and disbursements would be charged and would at the same time be made available to all class members actual or potential, through mechanisms such as publication on the law practices' website. Since our last conversation with you and your staff, we have received some specific complaints concerning cost disclosure in class actions and are keen to see this issue considered by the ALRC.

The responsible person in my office is Ms Natalie Neal who can be contacted on [REDACTED]

Yours sincerely

[REDACTED]

Russell Daily  
**Acting Board CEO & Commissioner**