

31 July 2018

Australian Law Reform Commission
GPO Box 3708
Sydney NSW 2001



By email: class-actions@alrc.gov.au

Dear President and Commissioners,

Inquiry into Class Action Proceedings and Third Party Litigation Funders

PIAC has been provided with a copy of the submission made by the Grata Fund to this inquiry. We write to endorse the recommendations made in that submission.

PIAC shares the concerns of Grata Fund about the barriers that face people seeking to litigate in the public interest. These are constant challenges for PIAC's clients. We particularly emphasise the need for reform to Australia's approach to adverse costs orders in public litigation.

As a means of responding to the significant barrier that is posed by the risk of an adverse cost order, PIAC has established the Adverse Costs Order Guarantee Fund (ACO Fund) with the support of a number of commercial litigation funders. Current project partners are Investor Claim Partner, LCM Finance, Litigation Lending Services, Vannin Capital Australia and Woodsford Litigation Funding.

Under the ACO Fund, project partners agree to commit an amount annually by way of guarantee towards protecting PIAC clients from adverse cost orders in public interest cases. The amount is in multiples of \$10,000 (units). Project partners can commit to one or more units per financial year. For the 2018-19 Financial year, the total available to the fund is \$150,000.

There is no financial return to project partners. Their involvement is a commitment each makes to supporting social justice and public interest litigation.

Yours sincerely

[Redacted Signature]

Jonathon Hunyor
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Public Interest Advocacy Centre

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