Monday 13 July

Media Release

UNSW Prof Michael Legg available to comment on law firm/litigation funder campaign denouncing cost of class actions

*Class action litigation is in the spotlight again with law firms and litigation funders launching a campaign to discredit claims that class actions have cost the Australian economy billions.*

[Professor Michael Legg](https://www.law.unsw.edu.au/staff/michael-legg), an expert in the regulation of funders and shareholder class actions from UNSW Law, is available to comment.

**On class actions generally, he says:**

“The goal of class actions is to provide a fair and efficient process for adjudicating claims where the law has allegedly been contravened. The class action facilitates access to justice, in particular compensation where a person has suffered loss. The class action also relieves both defendants and courts from dealing with a multitude of similar claims.

“A fair and efficient process is to the benefit of society more generally. Nobody is above the law because their alleged contraventions cannot be determined by a court due to cost. The rights and obligations of the substantive law must be capable of enforcement, otherwise those rights and obligations are meaningless.”

**On the debate over class actions, he says:**

“However, the debate over class actions has become extremely partisan due to the high stakes involved: large fees for lawyers and litigation funders, large costs, damages payouts (usually settlements) and reputational impact for defendants.

“The stakes are also high for group members who win or lose based on the outcome of the class action but have little or no control over how the class action is run. Moreover, their compensation is reduced by the legal fees and litigation funding fees that are charged – again often with them having little or no control.

“As a result, procedures and safeguards need to be in place to protect group members. This includes regulation of litigation funders. It also includes ensuring that courts have adequate powers to oversee the conduct of the class action and the fees that are charged.”

[Professor Legg](https://www.law.unsw.edu.au/staff/michael-legg) specialises in complex litigation, including regulatory litigation and class actions and in innovation in the legal profession. He is a member of the Law Council of Australia's Class Actions Committee and the author of *Case Management and Complex Civil Litigation*, co-author of*Principles of Civil Procedure in New South Wales* and co-author of *Annotated Class Actions Legislation*.

His research has been cited in judgments from the Federal Court of Australia, Supreme Court of New South Wales and the Supreme Court of Victoria, and in law reform reports by the Australian Law Reform Commission, Productivity Commission, NSW Law Reform Commission and Victorian Law Reform Commission.

Please contact Kay Harrison: 0402 602 722

ENDS

**For further media information please contact:**

Kay Harrison – Media & Content Manager, UNSW

M: 0402 602 722 | E: kay.harrison@unsw.edu.au