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SECURITY FOR COSTS IN UNFUNDED FEDERAL CLASS ACTIONS: BACK TO THE FUTURE

Vince Morabito and Naomi Hatcher

Access to justice is universally regarded as the main benefit that can be secured through the use of class action regimes. In this article it is posited that, with respect to class actions filed in the Federal Court without the support of commercial litigation funders, attainment of this desirable goal is threatened by rulings by the Full Federal Court that authorise trial judges to award security for costs against lead plaintiffs on the expectation that such security can only be provided through contributions from group members.	105
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THE UNRESOLVED PROBLEM OF EXPERT EVIDENCE

Thomas Kearney

The use of expert evidence is prevalent throughout Australia. However, there are ongoing concerns about the nature of that evidence, including the potential for the expert to usurp the decision-maker's role, the potential for expert bias (conscious or otherwise) and the costs of expert evidence. This article considers the ways in which the legislature and the courts have attempted to regulate expert evidence and the ways in which reform might be enacted.	127
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