

begin to redress the balance.

Plaintiffs' lawyers do surmount these problems and they win such actions every day by settlement or verdict. Yet there is little sharing of the information with our colleagues. The deed of confidentiality is signed, the file is archived and with it a wealth of experience and insight into the workings of the opponent.

The corporation's lawyers meanwhile wait for the next plaintiff to jump out of the trench.

For all this, there are some powerful tools in the plaintiffs' armoury. The *Trade Practices Act* in its current form and its state equivalents are, we suspect, under appreciated.

Other matters that warrant scrutiny by APLA include the conduct of the large public utilities, with or without govern-

ment ownership; the almost indecent relationship between some governments and business interest groups and the manner in which the Australian Tax Office deals with its clients, the general public.

With governments currently inclined towards "free markets" and deregulation, it will be increasingly up to individuals to fend for themselves and that is where APLA's members come in - to champion the course of those who deserve redress.

For these reasons, it was decided to set up a Commercial Special Interest Group within APLA.

Obviously, the term "commercial" is very broad and we must be careful to keep the aims and interests of the Australian Plaintiff Lawyers Association foremost.

One rather obvious issue is the fact that in the many commercial disputes, the

victim is the one being sued - by the bank, the franchisor or landlord for instances. How will we reconcile this with our nomenclature as the Australian Plaintiff Lawyers Association?

Nevertheless, these are all matters up for discussion and we would be truly grateful for the input of any members who are interested in what will hopefully prove to be an exciting further expansion of APLA's services to its members and their clients. ■

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If you would like to join the Commercial Litigation Special Interest Group, please call **Jane Staley** in the National Secretariat on **phone** 02 9415 4233

Representative Actions Special Interest Group - Representative Actions Manual developed

Neil Francey, Sydney

A Representative Actions Manual has been developed by the Representative Actions S.I.G. over the past year and was launched at the S.I.G. meeting at APLA's Annual Conference on Hamilton Island in October 1998.

John Rowe, barrister, of Sydney has taken over as National Chair of the Representative Actions S.I.G. Andrew Grech, solicitor of Slater & Gordon, Sydney and Judy Teitzel, solicitor of Shine Roche McGowan, Brisbane, have offered to assist as Deputy Chairs.

After developing the Representative Actions Manual during my tenure as National Chair of the S.I.G., I have stood down but will remain on as General Editor of the Representative Actions Manual. Stephen Moss, solicitor, of McCabes, Sydney, has offered to act as Assistant

Editor.

Development of the Representative Actions Manual was made possible by a donation from LBC Information Services who also kindly agreed to allow us to incorporate in the Manual material published by LBC including extracts from Flick Federal Court Practice and the Federal Court Reports.

At the present moment, the Manual includes copies of relevant provisions of the Federal Court Act, Federal Court Rules and Forms, Extrinsic Material at the time of amendments to Federal Court Act and Commentary in the form of a paper produced by Peter Cashman of Cashman & Partners and presented at the 1998 APLA Annual Conference. It is envisaged that precedents and relevant case law will be included in the Manual in due course with

an expanded commentary and additional relevant materials.

APLA members, and especially members of the Representative Actions S.I.G., are invited to submit material for possible inclusion in the Representative Actions Manual. At this stage, suggestions should be forwarded to me at the address set out below or to the APLA Secretariat. Copies of the Representative Actions Manual are available from the APLA Secretariat at a cost of \$50.00. It is envisaged that the Manual will be developed over time with a view to possible commercial publication in due course. ■

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