



AUSTRALIAN BANKERS' ASSOCIATION INC.

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The Executive Officer
Victorian Parliament Law Reform Committee
Parliament House
Spring Street
EAST MELBOURNE VIC 3002

Dear Sirs,

Vexatious litigants

The Australian Bankers' Association (ABA) writes to support the need for this review of the law relating to vexatious litigants as set out in section 21 of the Supreme Court Act 1986 (Act).

In particular, the ABA refers, with support, to the detailed submission by Mr A.J Mullumby, Solicitor Victoria, Commonwealth Bank Group which graphically describes his organisation's and its employee's experiences with vexatious litigants.

The ABA strongly endorses the principle that every citizen subject to the rule of law should have access to the courts and a right to a fair hearing that balances this right of access with the protection of other parties, and the justice system itself, from repeated vexatious litigation.

The right of the citizen to bring or defend legal proceedings should only be taken away on the most serious of grounds and this power must not be exercised lightly.

A central question for this inquiry is whether section 21 of the Act is achieving the right balance.

Mr Mullumby's submission has provided the Committee with factual evidence that highlights the issues which the ABA commends to the Committee to assist it with its deliberations.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Ian Gilbert', written over a horizontal line. The signature is cursive and somewhat stylized.

Ian Gilbert